

# Questionnaire for the report of the Republic of Belarus on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2016–2018

## Information on the focal point for the Convention

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11. Date on which report was completed: 29 March 2019

# Part one

## Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the Convention text (e.g., EIA Law of the Republic of ..., art. 5, para. 3, of Government Resolution No. ..., para. ... item...)

### Article 1 Definitions

I.1. Is the definition of impact for the purpose of the Convention the same in your legislation as in article 1?:

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of impact in the legislation

**Your comments: According to the Law “On Protection of Environment” of the Republic of Belarus No. 1982-XII of November 26, 1992, impact on the environment means any direct or indirect impact on the environment of the economic and/or other activities, which result in changes in the environment.**

I.2. Is the definition of transboundary impact for the purpose of the Convention the same in your legislation as in article 1? Please specify each below.

- (a) Yes
- (b) Yes, with some differences (please provide details):
- (c) No (please provide the definition):
- (d) There are no definitions of transboundary impact in the legislation

**Your comments: According to the Law “On State Ecological Expertise, Strategical Environment Assessment and Environmental Impact Assessment” of the Republic of Belarus No 399-3 of 18 July 2016 (hereafter – the Law on SEE, SEA and EIA), transboundary impact means an impact on environment of affected party, which might be caused by a proposed economic and other activity.**

I.3. Please specify how major change is defined in your national legislation:

**In the Law on SEE, SEA and EIA, in case of major change of the proposed activity, the EIA is carrying out as the following:**

**- EIA is also carried out in case if the parameters of impact on the environment, defined in the conclusion of the State ecological expertise at the earlier stage were increased (para 2 art. 19).**

**- EIA is also carried out for proposed activities with regards to reconstruction of the activity/project (para 5 art. 19).**

I.4. How do you identify the public concerned? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (c) By other means (please specify):

**Your comments: According to the Decision of the Council of Ministers of the Republic of Belarus № 458 of 14 June 2016, the public concerned is primarily identified based on affiliation (residence) within the administrative territorial unit, on which territory the implementation of the economic or other activity is planned and the territories which are affected by the result of its implementation.**

**As well as, the access to all documentation under the EIA procedure is provided to the public through the Internet.**

## **Article 2**

### **General provisions**

I.5. Provide legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2):

- (a) Law on EIA:
- (b) EIA provisions are transposed into another law(s) (please specify):
  - Law “On Protection of Environment” of the Republic of Belarus No 1982-XII of 26 November 1992 (in the version of 17.07.2017, as amended of 30.12.2018)
  - Law “On State Ecological Expertise, Strategical Environment Assessment and Environmental Impact Assessment” of the Republic of Belarus No 399-3 of 18 July 2016
- (c) Regulation (please indicate number/year/name):

**Regulations on procedure for evaluating impact on the environment, requirements to structure of the valuation report of impact on the environment, requirements to the specialists performing evaluating impact on the environment, adopted by the Resolution of Council of Ministers of the Republic of Belarus of January 19, 2016 N 47 (hereafter – Regulation on procedure for evaluating impact on the environment).**

**Regulation on procedure for the organization and carrying out public discussions of drafts of ecologically significant decisions, ecological reports on strategic ecological assessment, valuation reports of environmental impact, accounting of the made ecologically significant decisions and modification and amendments in some resolutions of Council of Ministers of the Republic of Belarus, adopted by the Resolution of Council of Ministers of the Republic of Belarus of January 14, 2016 N 458 (hereafter - Regulation on procedure for the organization and carrying out public discussions).**

- (d) Administrative (please indicate number/year/name):
- (e) Other (please specify):

**Technical Code of Routine Practice 17.02-08-2012 “Environmental Protection and Nature Use. Rules for Environmental Impact Assessment (EIA) and Report**

**Preparation”, adopted by the Resolution of the Ministry of Natural Resources and Environmental Protection of January 5, 2012 N 1-T.**

**Technical regulatory legal act TCP 17.12-03-2011 "Environmental Protection and Natural Resource Management. Territories. The Procedure and Rules for Assessment of the Impacts of Peat Deposits Exploitation on the Environment", adopted by the Resolution of the Ministry of Natural Resources and Environmental Protection of December 28, 2011 N 20-T.**

Your comments:

I.6. Please describe any differences between the list of activities in your national legislation and appendix I to the Convention, if any:

(a) There is no difference, all activities are transposed in the national legislation as is

(b) It differs slightly  (please specify):

**Your comments: Certain types of proposed activities, such as listed in paras 5,6,9,17 of Appendix I to the Convention, are not directly reflected in the list of activities that are subject to EIA in line with the Law (para 1 art. 7 the Law on SEE, SEA and EIA). Those types of proposed activities are subjects to EIA as set out in the criteria for size of health protection zones and others.**

**At the same time, para 2 art. 7 the Law on SEE, SEA and EIA set a requirement to conduct EIA for other objects not mentioned in para 1 art. 7 of the Law, but stipulated by international treaties of the Republic of Belarus.**

I.7. Identify the competent authority/authorities responsible for carrying out the EIA procedure in your country (please specify):

(a) There are different authorities at national, regional, local levels

(b) They are different for domestic and transboundary procedures

(c) Please name the responsible authority/authorities:

**Republican Center for State Ecological Expertise – with respect to conducting state ecological expertise of project documentation of the proposed activity.**

**Local Councils of Deputies, local executive and administrative bodies of administrative territorial units, on whose territory the implementation of the proposed activity is planned together with developer – with respect to organization and carrying out of public discussions and meetings with a public.**

**Ministry of Natural Resources and Environmental Protection of the Republic of Belarus – with respect to carrying out a transboundary environmental impact assessment procedure, both as a Party of origin as well as an affected Party.**

(d) There is no single authority responsible for the entire EIA procedure:

Your comments:

I.8. Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it:

(a) No

(b) Yes  (please specify):

Your comments:

I.9. How does your country, As a Party of origin and as an affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to the Party of origin's public, as required in article 2, paragraph 6 (please explain): **Belarus, as a Party**

**of origin, notify an affected Party by sending the relevant documents (notification, the programme of conducting EIA, request of information regarding the affected Party) to the points of contact for notification. In turn, government of affected Party should provide an opportunity to its public to become familiar with the documents provided and to inform Belarus about the meeting carried out with a public on its territory in order to ensure participation in this meeting of proponent of proposed activity, developer of the project and if required, the representatives of the Ministry of Natural Resources and Environmental Protection. Notification, Programme of conducting EIA, request of information about the affected Party, the report on EIA are translated into English and/or other language upon agreement between Parties concerned.**

**Belarus as an affected Party, ensure that consultations on EIA documentation are carried out with the relevant authorities, scientific organizations, local Councils of Deputies, local executive and administrative bodies of administrative territorial units, whose territories are affected as a result of proposed activity. Local Councils of Deputies, local executive and administrative bodies ensure that the public discussions and meetings with a public are organized and carried out.**

### Article 3 Notification

I.10. As a Party of origin, when do you notify the affected Party (art. 3, para. 1)? Please specify:

- (a) **During scoping**
- (b) When the EIA report has been prepared and the domestic procedure started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments:

**During the preparation of the Programme for conducting EIA, if significant transboundary impact of proposed activity has been identified, the decision on notification of affected Parties is taken.**

I.11. Please define the format of notification:

- (a) It is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix)
- (b) **The country has its own format**  (please attach a copy)
- (c) No official format used

Your comments:

I.12. As a Party of origin, what information do you include in the notification (art. 3, para. 2)? Please specify (more than one options may apply):

- (a) **The information required by article 3, paragraph 2**
- (b) **The information required by article 3, paragraph 5**
- (c) Additional information (please specify):

Your comments:

**Information required by para 5 art. 3 is provided in the Programme of conducting EIA, which is sent together with the notification.**

I.13. As a Party of origin, does your national legislation contain any provision on receiving a response to the notification from the affected Party in a reasonable time frame (art. 3, para. 3, “within the time specified in the notification”)? Please specify:

- (a) **National legislation does not cover the time frame**
- (b) Yes, it is indicated in the national legislation  (please indicate the time frame):
- (c) It is determined and agreed with each affected Party case by case in the beginning of the transboundary consultations  (please indicate the average length in weeks):

Your comments:

**Deadline for the response to the notification might be defined in the cover letter and usually constitute around 30 calendar days, this depends on complexity of the project and other factors.**

Please specify the consequence if a notified affected Party does not comply with the time frame, and the possibility of extending a deadline:

**In case of reasonable request of affected Party, deadline for providing its official position on participation in transboundary EIA procedure can be extended.**

I.14. How do you inform the public and authorities of the affected Party (art. 3, para. 8)? Please specify:

(a) **By informing the point of contact to the Convention listed on the Convention website<sup>1</sup>**

(b) Other (please specify):

Your comments:

I.15. On what basis is the decision made to participate (or not) in the transboundary EIA procedure as an affected Party (art. 3, para. 3)? Please specify:

(a) **Notified ministry/authority of the affected Party responsible for EIA decides on its own based on the documentation provided by the Party of origin**

(b) Based on the opinions of the competent authorities of the affected Party

(c) Based on the opinions of the competent authorities and that of the public of the affected Party

(d) Other (please specify):

Your comments:

**Within 30 days from the date of receipt of notification from a foreign State regarding a proposed activity on its territory, the Ministry of Natural Resources and Environmental Protection takes a decision on whether or not the Republic of Belarus tends to participate in a transboundary EIA procedure and sends a response to a foreign state through diplomatic channels.**

I.16. If the affected Party has indicated that it intends to participate in the EIA procedure, how are the details for such participation agreed, including the time frame for consultations and the deadline for commenting (art. 5)? Please specify:

(a) **Following the rules and procedures of the Party of origin**

(b) **Following the rules and procedures of the affected Party**

(c) Other (please specify):

Your comments:

**When carrying out an EIA procedure, procedural particularities of each Party concerned are taken into account.**

**Time frame for carrying out consultations and deadlines for submitting comments are not defined by legislation.**

## **Articles 3.8 and 4.2**

### **Public participation**

I.17. How can the public express its opinion on the EIA documentation of the proposed project (art. 5)? Please specify (more than one option may apply):

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<sup>1</sup> List available from [http://www.unece.org/env/eia/points\\_of\\_contact.htm](http://www.unece.org/env/eia/points_of_contact.htm).

*As a Party of origin*

- (a) **By sending comments to the competent authority/focal point**
- (b) **By taking part in a public hearing**
- (c) Other (please specify):

*As an affected Party*

- (d) **By sending comments to the competent authority/focal point**
- (e) **By taking part in a public hearing**
- (f) Other (please specify):

Your comments:

I.18. Please indicate whether your national EIA legislation requires the organization of a public hearing on the territory of the affected Party in cases where your country is the country of origin:

- (a) Yes
- (b) No

Your comments:

**As set by the Law on SEE, SEA and EIA, affected Parties carry out the public discussions on EIA report, at their territories, in accordance with international agreements and national legislation of affected Parties. At the initiative of affected Parties, in public discussions carried out at the territory of affected Parties, can take part the representatives of the developer and authorized project organization and if required, representatives of the Ministry of Natural Resources and Environmental Protection from the side of Republic of Belarus.**

I.19. Please indicate whether your national EIA legislation requires the organization of public hearings in cases where your country is the affected Party:

- (a) Yes
- (b) No

Your comments:

## **Article 4**

### **Preparation of the environmental impact assessment documentation**

I.20. How do you ensure sufficient quality of the EIA documentation As a Party of origin? Please specify:

- (a) **The competent authority checks the information provided and ensures it includes all information required under appendix II as a minimum before making it available for comments**
- (b) By using quality checklists
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments:

I.21. How do you determine the relevant information to be included in the EIA documentation in accordance with article 4, paragraph 1? Please specify (more than one option may apply):



- (a) **By using appendix II**
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- (c) By using the comments from members of the public during the scoping phase, if applicable
- (d) As determined by the proponent based on its own expertise
- (e) By using other means (please specify):

Your comments:

**The legislation of Belarus sets the requirements for the substance of EIA report which fully in line with the provisions of Appendix II to the Convention:**

**- Chapter 4 of the Regulation on procedure for evaluating impact on the environment.**

**- Technical Code of Routine Practice 17.02-08-2012 "Environmental Protection and Nature Use. Rules for Environmental Impact Assessment (EIA) and Report Preparation", Technical regulatory legal act TCP 17.12-03-2011 "Environmental Protection and Natural Resource Management. Territories. The Procedure and Rules for Assessment of the Impacts of Peat Deposits Exploitation on the Environment".**

I.22. How do you determine "reasonable alternatives" in accordance with appendix II, paragraph (b)?

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify):
- (c) **Other (please specify)**

Your comments:

**Consideration of reasonable alternatives (locational or technological) to the proposed activity, including the no-action alternative, envisaged by the proponent of the proposed activity together with the developers of EIA documentation.**

## **Article 5**

### **Consultations on the basis of the environmental impact assessment documentation**

I.23. Does your national EIA legislation have any provision on the organization of transboundary consultations between the authorities of the concerned Parties? Please specify:

- (a) **Yes, it is obligatory**
- (b) No, it does not have any provision on that
- (c) It is optional  (please specify):

Your comments:

## **Article 6**

### **Final decision**

I.24. Please indicate all points below that are covered in a final decision related to the implementation of the planned activity (art. 6, para. 1):

- (a) **Conclusions of the EIA documentation**
- (b) **Comments received in accordance with article 3, paragraph 8, and article 4, paragraph 2**
- (c) **Outcome of the consultations as referred to in article 5**
- (d) **Outcomes of the transboundary consultations**
- (e) **Comments received from the affected Party**
- (f) **Mitigation measures**
- (g) Other (please specify):

I.25. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6, para. 1)?:

- (a) **Yes**
- (b) **No**

Your comments:

I.26. Is there any regulation in the national legislation of your country that ensures the implementation of the provisions of article 6, paragraph 3?:

- (a) **No**
- (b) **Yes**  (please specify):

Your comments:

I.27. Do all activities listed in appendix I (items 1-22) require a final decision to authorize or undertake such an activity?:

- (a) **Yes**
- (b) **No**  (please specify those that do not):

Your comments:

I.28. For each type of activity listed in appendix I that does require a final decision, please indicate the legal requirements in your country that identify what is regarded as the “final decision” to authorize or undertake such an activity (art. 6 in conjunction with art. 2, para. 3), and the term used in the national legislation to indicate the final decision in the original language:

**Conclusion of the State environmental expertise recognizes, for the purpose of the Convention, as a final decision to the proposed economic or other activity with regard to the potential environmental impact of this activity and use of natural resources for implementation of this activity.**

**Decision on the implementation of the proposed activity is mandatory (Decree of the President of the Republic of Belarus, Decree of the Council of Ministers, decisions of local executive and administrative authorities). The form of this decision is set up by the legislation and is taken by the relevant authority.**

Your comments:

## **Article 7**

### **Post-project analysis**

I.29. Is there any provision regarding post-project analysis in your national EIA legislation (art. 7, para. 1)?:

(a) No

(b) Yes  (please specify the main steps to be taken and how the results of it are communicated):

Your comments: **In accordance with the Regulation on procedure for evaluating impact on the environment, the description of post-project analysis should be included in the report.**

## **Article 8 Bilateral and multilateral cooperation**

### **(a) Agreements**

I.30. Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)?:

(a) No

(b) Yes  Please specify with which countries:

If publicly available, please also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.

**At the moment the Republic of Belarus has not any bilateral agreements on the implementation of the Convention. Work is continuing on draft bilateral agreements on implementation of the Convention with the Republic of Poland, the Republic of Lithuania and Ukraine.**

I.31. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):

(a) Specific conditions of the subregion concerned

(b) Institutional, administrative and other arrangements

(c) Harmonization of the Parties' policies and measures

(d) Developing, improving, and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis

(e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the EIA

(f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities

(g) Undertaking joint EIA, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies

(h) Other, please specify:

Your comments:

### **(b) Procedural steps required by national legislation**

I.32. Please describe how the steps required for a transboundary EIA procedure under your national legislation correlate to domestic EIA in the lead-up to the final decision. If there are differences in the procedures for screening/scoping or for preparation of the environmental impact assessment and consultation, please specify.

**Transboundary environmental impact assessment procedure is a part of internal (domestic) procedure of EIA.**

**Environmental impact assessment includes the following steps:**

- **Development and approval of programme for carrying out the procedure for evaluating impact on the environment**
- **Initiation of transboundary procedures if the likelihood of a significant adverse transboundary impact of the proposed activity has been identified (sending notification along with programme of carrying out EIA, and requesting the information regarding the affected Party).**
- **Development of EIA report.**
- **Carrying out consultations with public on EIA report on the territory of the Republic of Belarus, and if the likelihood of a significant adverse transboundary impact of the proposed activity has been identified, at the territory of affected Parties.**
- **If the likelihood of a significant adverse transboundary impact of the proposed activity has been identified, carrying out consultations with the affected Parties based on their comments and suggestions received with regards to the EIA report.**
- **Conducting the State ecological expertise for project documentation, including EIA report on the proposed activity.**
- **Making available to the public through the Internet at the website of the Republican Center for State Ecological Expertise the outcomes regarding the consistency and incompatibility of the project documentation with the requirements of environmental legislation and sustainable use of natural resources, contained in the conclusion made by State ecological expertise.**
- **Providing affected Parties with the conclusion of the State ecological expertise and with the decision on implementation of the proposed activity.**

Alternatively, this question can be answered or supported by providing a schematic flowchart showing these steps.

Your comments:

I.33. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?

(a) No

(b) Yes  (please specify):

(i) Special provisions:

(ii) Informal arrangements:

Your comments:

I.34. Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs)?

(a) No

(b) Yes  (please specify):

(i) Special provisions:

(ii) Informal arrangements:

Your comments:

## Part two

### Practical application during the period 2016–2018

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether As a Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

II.1. Does your country object to the information on transboundary EIA procedures that you provide in this section being compiled and made available on the website of the Convention? Please specify (indicate "yes" if you object):

(a) Yes

(b) No

Your comments:

#### 1. Experience in the transboundary environmental impact assessment procedure during the period 2016–2018

##### Cases during the period 2016–2018

II.2. If your country's national administration has a record of transboundary EIA procedures that were under way during the reporting period, in which your country was a Party of origin or affected Party, please list them in the tables II.2 (a) and II.2 (b) below (adding additional rows as needed).

Table II.2 (a)

##### Transboundary EIA procedures: As a Party of origin

Project name	Starting date (date notification sent)	Affected Party/ Parties	Timing of the notification (screening, scoping or preparation of the EIA documentation)	Length of the main steps in months			Final decision (date of issuing, if information is available)
				Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1. Bridge over the river Bug on motorway P-94 Brest – border with the Republic of Poland (Domachevo), km 37,910	16.11.2017	Poland	Scoping	26.03.2018	Poland informed us about its intention to participate in a transboundary EIA procedure		
2. Modernization of crushed stone plant "Glushkevichi". Expanding of production of items and materials from granite blocks from quarry "Glushkevichi", deposit of facing/lining stones of quarry "Nadejda".	23.03.2018	Ukraine	Screening	27.04.2018	Ukraine informed us that there is no need to carry out a transboundary EIA		
3. Construction of a system to measure quality of petroleum products on pipeline "Uchastok N 42" UE "Zapad-Transnefteproduct"							

Project name	Starting date (date notification sent)	Affected Party/ Parties	Timing of the notification (screening, scoping or preparation of the EIA documentation)	Length of the main steps in months		
				Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any
...						
	15.08.2018	Ukraine	Screening	01.11.2018 Ukraine informed us that there is no need to carry out a transboundary EIA		
4. Peat extraction at the peat deposits "Morochno" in a Stolinsky district Brest oblast						
	25.09.2018		Screening	21.11.2018 Ukraine informed us that there is no need to carry out a transboundary EIA		
5. Storage battery factory LLC "IPower" with its own boiler house fired on natural gas, located at: Brest oblast, Brest FEZ, Aeroport district						
	18.04.2018	Republic of Poland	Screening	23.10.2018 Poland informed us that there is no need to carry out a transboundary EIA		

Your comments:

**Transboundary EIA procedure: as an affected Party**

**The Republic of Belarus continues to participate in the transboundary EIA procedures initiated during the previous reporting period with regards to the following proposed activities:**

- **Construction of a nuclear power plant in the Republic of Poland.**
- **Vault of intermediate storage of vitrified high level waste, which will be returned to the Russian Federation after processing of waste of nuclear fuel of Ukrainian power plants.**

**During the reporting period from 2016 to 2018 the Republic of Belarus has been participating in transboundary EIA procedures, carried out by Ukraine on the following projects:**

- **Exploitation of Zaporizhzhia NPP**
- **Exploitation of South Ukrainian NPP**
- **Exploitation of Rivne NPP**
- **Construction of nuclear units 3 and 4 at the Khmelnytsky NPP (procedure is resumed)**

Please share with other Parties your country's experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.3. The Convention does not mention the translation of EIA documentation as an important prerequisite for the participation of potentially affected Parties in a transboundary EIA procedure. Please explain:

- (a) How has your country addressed the issue of the translation of EIA documentation?

**In the legislation of the Republic of Belarus, requirements for translation of relevant EIA documentation into English or any other language is set up upon agreement between parties concerned.**

- (b) What difficulties has your country experienced with regard to translation and interpretation, both as a Party of origin and as an affected Party, and what solutions has it found?

**As a Party of origin – almost nothing, except cases when there is a lack of opportunities of acquisition of translation into rare languages in the country. Financing of written and oral translation is additional burden for organizations that are planning activities.**

**As an affected Party – when EIA documentation was submitted (in particular EIA report) in foreign language, it is not possible to organize and carry out fully-fledged public hearings. In fact, citizens do not have an opportunity to familiarize themselves with EIA report. According to the law of the Republic of Belarus, financial sources are not foreseen in the national budget for translation during the participation as an affected Party in transboundary EIA procedures. In such cases, the Republic of Belarus requests to submit the EIA report in Russian.**

- (c) Which Party covers the cost of translation of EIA documentation?

(i) As a Party of origin: **Mainly – proponent of the proposed activity, translation of the correspondence between environmental authorities of parties concerned is covered by national budget.**

(ii) As an affected Party: **Proponent of the proposed activity, translation of the correspondence between environmental authorities of parties concerned is covered by national budget.**

(iii) Other, please specify:

- (d) What parts of the EIA documentation does your country usually translate?

(i) As a Party of origin: **EIA report**

(ii) As an affected Party: **Correspondence between environmental authorities of parties concerned.**

(e) Please indicate whether and how the issue of translation is addressed in bilateral agreements between your country and other Parties.

**The issue of translation is mandatory reflected in bilateral agreements.**

(f) As a Party of origin, in which language do you usually provide EIA documentation to the affected Party?

(i) **English**

(ii) **The affected Party's language**

(iii) Other (please, specify)

- (g) As an affected Party, from which language do you usually translate?

(i) **English**



(ii) Language of the Party of origin

(iii) Other (please, specify)

(h) Describe any difficulties that your country has encountered during public participation procedures and consultations under article 5, for example with regard to timing, language and the need for additional information.

**Very often the report on EIA can be submitted in English or in the language of Party of origin. Usually, submitting additional information and clarification based on the results of consultations is required.**

(i) As a Party of origin:

Experience with public participation
Experience with consultations under article 5

(ii) As an affected Party:

Experience with public participation
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Experience with consultations under article 5
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- (i) Please describe how the costs of interpretation during the hearings are covered:
- (ii) By the Party of origin: **by the proponent of the proposed activity**
- (iii) By the affected Party: **usually, by the Party of origin**
- (iv) Shared by both Parties concerned:
- (v) Developer:
- (vi) Other, please specify

II.4. Describe any difficulties that your country has encountered during transboundary public participation (expert consultation, public hearing, etc.), including on issues of timing, language and the need for additional information: **Usually, the EIA report can be submitted in English or in the language of a Party of**

**origin. Usually, submitting additional information and clarification based on the results of consultations is required.**

II.5. Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects or that of an NPP?:

- (a) Yes   
(b) No

II.6. If you answered yes to question II.5, please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects:  
(b) For NPPs:

II.7. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) that, in your view, constitute good practice:

**On the proposed activity "Bridge over the river Bug on motorway P-94 Brest – border with the Republic of Poland (Domachevo), km 37,910" (not listed in the Appendix I to the Convention) the Republic of Belarus at the earlier stage of planning activity (development of the draft Agreement on bridge construction between the Parliament of the Republic of Belarus and the Parliament of Poland) held negotiations with Poland on whether it considers itself as a potentially affected Party and on appropriateness of initiating the transboundary EIA procedure. The agreement on the need of notification was reached and that the Republic of Belarus has done it without delay.**

II.8. Would your country like to introduce a case in the form of a Convention "case study fact sheet"?

- (a) No   
(b) Yes  (please indicate which cases):

II.9. Has your country carried out post-project analyses in the period 2013–2015:

- (a) No   
(b) Yes  (please indicate which projects, along with the challenges in implementation and any lessons learned): quarry of sand and chalk of the deposit "Khotislavskoe" (annually the Republic of Belarus provides to Ukraine the results of local monitoring of surface water and groundwater in the deposit area).

## 2. Experience in using the guidance in 2016–2018

II.10. Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online?

(a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7):

- No   
Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(b) Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix):

No

Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

(c) Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8):

No

Yes  (please provide details):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

### 3. Clarity of the Convention

II.11. Has your country had difficulties implementing the procedures defined in the Convention, either As a Party of origin or as an affected Party, because of a lack of clarity of the provisions?

No

Yes  (please indicate which provisions and how they are unclear):

**At the same time, it is obvious that the Convention does not contain a description of approaches for identification of reasonable alternatives, selection of an appropriate site. Para b of the Appendix II indicates only that EIA documentation should contain an overview, if necessary, of reasonable alternatives (for instance, geographical constraints). Convention and other supporting documents, do not contain a definition of the term “reasonable alternatives” and criteria for selection a concrete alternative (do not reveal the methods for identification of alternatives).**

**Good practice recommendations on the application of the Convention to Nuclear Energy-related activities, that were adopted by the Meeting of the Parties in 2017, recognize that in different countries, including within the EU, various practice and approaches with regard to submission of information in EIA documentation are exist.**

**To increase the clarity of the Convention in order to ensure legal certainty and effective applicative of the Convention, as well as to provide countries with assistance in practical implementation of the Convention, it suggested to develop:**

- **Guidelines (criteria) on sufficiency of the information regarding the site selection to be included in the EIA documentation.**
- **Guidelines on public participation in post-project analysis.**

### 4. Suggested improvements to the report

II.12 Please provide further suggestions (preferably specific drafting proposals) for how this report could be improved.

### Notification of a proposed activity

Proposed activity \_\_\_\_\_  
(*type*)

Developer of the proposed activity \_\_\_\_\_  
(*name, post address, email, phone number and fax*)

Objectives of the proposed activity \_\_\_\_\_

Justification of the proposed activity \_\_\_\_\_

Description of the proposed activity \_\_\_\_\_  
(*nature and scope*)

Location of the proposed activity \_\_\_\_\_  
(*description and justification of site selection of the proposed activity*)

Timeframe for implementation of the proposed activity \_\_\_\_\_  
(*starting date and duration of the construction and exploitation*)

Expected timeframe of decision-making with regards of the proposed activity \_\_\_\_\_

Nature of possible decision with regards to the proposed activity \_\_\_\_\_

Timeframe of conducting EIA procedure \_\_\_\_\_

EIA developers \_\_\_\_\_  
(*name, post address, email, phone number and fax*)

Expected timeframe for carrying out public hearings and consultations with regards to the proposed activity \_\_\_\_\_

Deadline for submitting a response with regards to the intention to participate in EIA transboundary procedure \_\_\_\_\_