

UNITED NATIONS ECONOMIC COMMISSION FOR EUROPE  
Committee on Environmental Policy

# ENVIRONMENTAL PERFORMANCE REVIEWS

## BELARUS

### Second Review Synopsis



UNITED NATIONS  
New York and Geneva, 2010

## **NOTE**

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area, or of its authorities, or concerning the delimitation of its frontiers or boundaries. In particular, the boundaries shown on the maps do not imply official endorsement or acceptance by the United Nations.

---

**CONTENTS**

	<u>Page</u>
Preface .....	4
Conclusions and recommendations .....	5
Implementation of the recommendations in the 1st review .....	19

## *Preface*

---

The second Environmental Performance Review (EPR) of Belarus began in February 2004, with the preparatory mission, during which the final structure of the report was determined. Thereafter, the review team of international experts was constituted. This included experts from Bulgaria, Estonia and Sweden, and experts from the secretariats of the United Nations Economic Commission for Europe (UNECE) and the Organisation for Economic Co-operation and Development (OECD).

The review mission took place from 19 September to 1 October 2004. A draft of the conclusions and recommendations as well the draft EPR report were submitted to Belarus for comment in May 2005. In October 2005, the draft was submitted for consideration to the Ad Hoc Expert Group on Environmental Performance. During this meeting, the Expert Group discussed the report in detail with expert representatives of the Government of Belarus, focusing, in particular, on the conclusions and recommendations made by the international experts.

The EPR report, with suggested amendments from the Expert Group, was then submitted for peer review to the UNECE Committee on Environmental Policy on 10 October 2005. A high-level delegation from the Government of Belarus participated in the peer review. The Committee adopted the recommendations as set out in this report.

The report details the progress made by Belarus in the management of its environment since the country was first reviewed in 1997, in particular in the implementation of the recommendations of the first review. It also covers eight issues of importance to Belarus, concerning policy-making, planning and implementation; the financing of environmental policies and projects; and the integration of environmental concerns in economic sectors and the promotion of sustainable development. Among the issues receiving special attention during the review were compliance and enforcement mechanisms; information, public participation and education; and environmental management in industry, energy, transport, agriculture and ecotourism.

The UNECE Committee on Environmental Policy and the UNECE review team would like to thank both the Government of Belarus and the national experts who worked with the international experts for their knowledge and assistance. UNECE wishes the Government of Belarus every success in carrying out the tasks set before it to accomplish its environmental objectives and policy, including the implementation of the conclusions and recommendations of this second review.

UNECE would also like to express its deep appreciation to the Governments of Germany, Hungary, The Netherlands, Norway, Sweden, Switzerland and the United Kingdom, as well as the United Nations Development Programme and the World Bank for their support to the Environmental Performance Review Programme that made this report possible.

---

## *Conclusions and recommendations*

---

### **Chapter 1. Legal and policy-making framework and sectoral integration mechanisms**

Belarus has developed a functioning system of coordination and policy integration on environmental issues. This has been achieved through consultation with relevant governmental bodies when preparing legislation and major policy decisions that have an environmental component. Even though the outcome may favour economic, social and political considerations, environmental matters are generally taken into account. The practice of working groups, joint board meetings and inter-ministerial commissions has been productive. However, in certain areas cooperation between various governmental bodies is insufficient and may result in the inefficient use of resources, a lack of transparency in decision-making and damage to the environment. In particular, this concerns forestry and protected areas, including fishing and hunting, where responsibilities are split between the Ministry of Natural Resources and Environmental Protection, the Ministry of Forestry and the Affairs Management Department of the President.

#### *Recommendation 1.1:*

*The Government should reconsider the competencies of governmental bodies responsible for natural resources use and environmental protection in forestry and protected areas, including fishing and hunting. The Ministry of Natural Resources and Environmental Protection should have overall responsibility for controlling the use of natural resources. The activities of the Affairs Management Department of the President related to the use of natural resources should be made transparent and subject to oversight by the Ministry of Natural Resources and Environmental Protection and to public scrutiny.*

The structure of the Ministry of Natural Resources and Environmental Protection has been developed on the basis of the former Committee for Nature Protection with the addition of other previously independent structural units, such as the Departments of Hydrometeorology and Geology. This has resulted in a certain imbalance between the issues of natural resources use and environmental protection. In particular, the Ministry has only limited authority over forestry, protected areas, and water and land resources. In addition, its specialized inspectorates perform simultaneously a number of other functions, namely policy development, issuance of permits, and monitoring and control. International practice attests that these functions are served better by independent units within or outside the Ministry.

#### *Recommendation 1.2:*

*The Ministry of Natural Resources and Environmental Protection should adapt its structure to current needs taking account internationally accepted principles. In particular, policy development and decision-making on natural resources use should be separated from monitoring and control. The Ministry should consider establishing relevant departments and assigning the policy development and decision-making functions currently performed by specialized inspectorates to them. It should also consider separating the tasks of issuing permits and enforcement, currently performed by specialized inspectorates. See also Recommendation 2.2.*

Belarus has developed a number of strategies, plans and programmes for socio-economic development, including those related to environmental protection and the use of natural resources. Among the most recent and comprehensive is the National Strategy for Sustainable Development until 2020 adopted in 2004. While the objectives of these documents are often well developed, the financial means for their implementation are not spelled out. As a result, many of the well-intentioned programmes are implemented only partially.

#### *Recommendation 1.3:*

*The Ministry of Natural Resources and Environmental Protection as well as other relevant ministries and institutions, when developing policy documents, such as strategies, plans and programmes, on environmental protection and natural resources use should always include a section on their funding. This section should clearly identify the necessary financing to achieve each objective and the sources of the financing.*

Belarus continues to improve its environmental legislation. Special attention should be given to the possible harmonization of the legislation on the use of natural resources and the legislation on environmental protection

in order to avoid contradictions in their implementation. In this regard it is expected that the Concept on improving the legislation of the Republic of Belarus, approved in 2002, will contribute to establishing a more effective system of environmental legislation. If the objective of making national environmental legislation compatible with the EU body of environmental law is to be further promoted, as a first step, by facilitating access to the relevant EU Directives by the Ministry of Natural Resources and Environmental Protection should be facilitated and national legal experts should be trained through exchange programmes with EU member countries.

**Recommendation 1.4:**

*The Ministry of Natural Resources and Environmental Protection should initiate the introduction of modern and effective tools for environmental management and the protection of natural resources, such as integrated permits, taking into account the application of best available techniques (BAT); eco-labelling; and environmental management and audit scheme (EMAS) into environmental legislation.*

## **Chapter 2. Compliance and enforcement mechanisms**

The main shortcomings for the effective functioning of mechanisms for compliance and enforcement are connected with the incomplete legal basis and insufficient institutional basis for the implementation of newly established legal requirements. Ambiguous terms and definitions together with contradictory legislation also cause difficulties for implementation. There is a need to overcome the communication problems between different institutions especially between drafters of legislation, legislators and enforcement authorities.

Environmental permitting, inspection and enforcement operate simultaneously at three levels – national, regional and local. There is need to clarify the responsibilities of staff at all these levels and optimize existing and mobilize other resources. This would mean a significant reduction in the number of institutions and strong reinforcement of their supervisory capacities.

In the existing system where the issuing of permits and inspections are often performed by the same unit and even the same person, there is potential for conflicts of interest. Separating these functions encourages inspectors to uncover environmental non-compliance. At the same time, information flows between the institutions responsible for compliance and enforcement at different levels are insufficient, including coordination between national, oblast and local environmental authorities.

The enforcement authority's response to non-compliance should be proportionate. This means that it will range from simple routine reviews in compliant situations and a revision of emission limits if the environmental impact is unacceptable, to prosecution and court action if legislation requires this or if non-compliance is serious. Administrative fines and other sanctions for legal persons should be established, and relatively low and inefficient fines should be reconsidered. The inspection reporting system should be improved and the possibility of making inspection reports public should be considered.

**Recommendation 2.1:**

*The Ministry of Natural Resources and Environmental Protection should optimize the human and other resources of the institutions responsible for permitting, supervision and enforcement by separating the authority to issue permits from that to enforce compliance. For this purpose, it may set up a department independent from the specialized inspectorates to deal with environmental permitting. MNREP should also reassess the role of the specialized inspectorates in order to strengthen their supervisory capacities and enforcement functions.*

Currently the main aim of the permitting system is to set the base for environmental charges. Separate permits and emission limits for different types of pollution and environmental impact are less efficient than the system of integrated permits widely used in many countries. The purpose of integrated permitting is to move away from a system where different approaches to controlling emissions into the air, water or soil separately may encourage the shifting of pollution between the various environmental media rather than protect the environment as a whole. Integrated permitting facilitates the introduction of best available techniques.

**Recommendation 2.2:**

*The Ministry of Natural Resources and Environmental Protection should consider introducing integrated environmental permits and draft appropriate legislation, including the necessary by-laws. The changes should ensure that permits contain requirements for a high level of protection of the environment as a whole and a reduction in emissions based on the comparison with the best available techniques.*

The rights and obligations of environmental inspectors, including the rules of procedure during inspections and enforcement actions, are not clearly defined in the legislation. There is no definition of self-monitoring and its forms, nor of the enforcement actions in the event of non-compliance with self-monitoring obligations. There is no centralized database for data collected by operators through self-monitoring that can be made available to the public. Operators do not always have the necessary expertise, equipment and analytical facilities to carry out the activities specified in the self-monitoring programme. The requirements of self-monitoring are not included in the permit conditions.

**Recommendation 2.3:**

*(a) The Ministry of Natural Resources and Environmental Protection should develop the necessary legislation to regulate the rights and obligations of environmental inspectors and the enforcement of self-monitoring requirements;*

*(b) The Ministry of Natural Resources and Environmental Protection should ensure that self-monitoring requirements are included in the permits, data obtained from self-monitoring are used as part of the general monitoring system, and uniform quality assurance requirements apply to both governmental monitoring and self-monitoring systems.*

**Chapter 3. Information, public participation and education**

Belarus has been developing its National System of Environmental Monitoring (NSEM) since 1995. The Interdepartmental Coordination Board led by the Ministry of Natural Resources and Environmental Protection coordinates the activities of some 20 institutions in 11 monitoring areas. The NSEM programme is heavily underfinanced but its network is being expanded and the quality of measurements improved.

The current ambient environment monitoring network remains insufficient, however. To meet national regulations there should be nine air-monitoring stations more. In addition, three transboundary stations would have to supplement the one that participates in EMEP under the Convention on Long-range Transboundary Air Pollution. The number of surface-water observation points on lakes and small rivers is very limited. Diffuse pollution of water bodies is not monitored. Belarus has improved its monitoring of transboundary rivers but decreased significantly the number of groundwater observation points.

There is no comprehensive observation network for land monitoring in Belarus. Some observation activities investigate the impact on soil of irrigation, erosion, the addition of mineral and organic fertilizer and other agricultural inputs as well as soil contamination. Radioactive contamination of soil, air and water is monitored comprehensively and in a timely manner. Only Cs-90 is not being monitored owing to a lack of local laboratories. Radionuclides in agricultural and other products are adequately monitored. Wooded land is monitored using international guidelines. Monitoring of animal life is in its infancy.

Belarus has been developing a local monitoring system since 2000 to provide information about the pollution load of major pollution sources and their compliance with environmental regulations. The intention is to link this information with ambient environmental quality to establish environmental impact. The phased development of this system has enabled it to cover enterprises with major air emissions and waste-water discharges. Belarus intends to expand the system and to include sources of adverse impact on groundwater. Further development of this programme will help improving enterprise environmental reporting, strengthening compliance monitoring and creating a national register of pollutant releases and transfers.

**Recommendation 3.1:**

*The Ministry of Natural Resources and Environmental Protection should:*

- (a) *Transform its local monitoring programme, step by step, into a full-fledged national PRTR which, among other things, should cover releases and transfers of the main pollutants from major point sources, accommodate available data on releases from diffuse sources (e.g. transport and agriculture), present standardized, timely data on a structured, computerized database, and be publicly accessible through the Internet, free of charge;*
- (b) *In cooperation with the Committee on Land, Geodesy and Cartography under the Council of Ministers and within the framework of the National System of Environmental Monitoring, take the necessary measures to establish and develop land monitoring; and*
- (c) *Speed up the accession of Belarus to the PRTR Protocol to the Aarhus Convention.*

Belarus has an extensive set of ambient environmental standards, which are stricter than international ones. Both the Ministry of Health and the Ministry of Natural Resources and Environmental Protection monitor compliance with these standards and impose administrative and financial sanctions on offenders. The compliance monitoring data reveal that at some observation points concentrations of pollutants in ambient air and water are constantly exceeded. The standards are also used as basis for calculating the emission limits for individual enterprises and the emission caps for cities as a whole. Again, breaches of these limits are reported by the compliance monitoring authorities.

The problem with ambient quality standards is exacerbated by the fact that the equipment and other resources at the disposal of the monitoring authorities can measure only a limited set of parameters. Only few stations meet national standards for measuring average daily concentrations of pollutants in the ambient air. There is no automatic monitoring station to ensure continuous water-quality monitoring.

*Recommendation 3.2:*

*The Ministry of Health, jointly with the Ministry of Natural Resources and Environmental Protection, should review the national ambient environmental quality standards to:*

- (a) *Make the standards consistent, to the maximum extent possible, with international air- and water-quality standards and monitoring guidelines, and set time schedules to phase in monitoring of the standards that are currently not measured, as well as the revised or new standards that cannot be introduced immediately;*
- (b) *Upgrade monitoring stations, equipment and devices, and analytical laboratories, and retrain staff to measure environmental quality against the revised list of standards.*

In accordance with the Law on Environmental Protection and the government resolution of 1993 on natural resource cadastres, governmental bodies collect information on the state and the use of land, minerals, peat, water, air, climate, forests, plants, animals and waste. Monitoring data from NSEM constitute a core of the cadastres. They are published in various publications and made available via the Internet. For data collected outside NSEM, there is no protocol for data exchange. Data are collected in different forms (on paper and electronically) with different periodicity and accessibility to users including the general public. Access to some databases is restricted.

Belarus regularly publishes a national report on the state of the environment. Other regular publications include bulletins on environmental conditions, natural resources, environmental statistics and on sanitary and epidemic conditions. These publications are circulated among the public authorities and libraries. More and more environmental data and information are posted on official web sites.

Belarus uses a wide range of indicators in its environmental assessments and reports. Many of these indicators represent bulky figures in tons and cubic metres that do not help decision makers and the general public to understand the cause and effect of environmental conditions, to link these with economic and social developments and to assess the effectiveness of policy implementation. The national system of environmental indicators is not consistent with international indicators.

*Recommendation 3.3:*

(a) *The Council of Ministers should streamline the natural resource cadastres to oblige the responsible ministries and institutions that have not done so yet to establish databases that:*

- *Present standardized, timely and computerized data;*
- *Are searchable according to key parameters;*



- *Are user-friendly in their structure and provide links to other relevant databases;*
- *Are publicly accessible through the Internet, free of charge; and*
- *Have only limited confidentiality provisions.*

*(b) The Ministry of Natural Resources and Environmental Protection, jointly with the Ministry of Statistics and Analysis, should update the national system of environmental indicators to make it consistent with indicators used in Europe and worldwide, and to facilitate international comparisons.*

Belarus approved the Aarhus Convention and the Government adopted an action plan for its implementation. Environmental legislation was amended to broaden the rights of citizens to access environmental information. The Ministry of Natural Resources and Environmental Protection established the Public Coordinating Ecological Council to discuss with NGOs both concrete actions and policy issues. Similar public coordinating ecological councils were established with all regional environmental committees. Much remains to be done, however, particularly to ensure public participation and access to justice in environmental matters in practice.

The Laws on State Ecological Expertise and on Environmental Protection as amended in 2000 and 2002, respectively, promulgate the right of citizens and NGOs to participate in the State ecological expertise by organizing a parallel public ecological expertise of projects that may have an adverse environmental impact. Neither these laws nor the instructions issued by the Ministry of Natural Resources and Environmental Protection provided the necessary procedural details, however. Public ecological expertise does not ensure public participation in all stages of decision-making process on projects. Procedures to ensure public participation in decision-making regarding environmental permitting, expenditures from environmental funds, standard-setting and development of laws, regulations, strategies and policies affecting the environment are lacking.

According to the law, citizens and NGOs have the right to address their complaints, applications and proposals to public authorities and legal persons, and to receive reasoned replies in a short time. The most advanced is the practice of administrative appeals by citizens and NGOs contesting actions or omissions that disregard environmental legislation. Cases of citizens challenging administrative decisions in courts or of public prosecutors pursuing environmental offenders are extremely rare. Similarly non-existent are cases of individual citizens or NGOs seeking a judicial review of the infringement of their environmental rights. Access to justice in environmental matters is also restricted by relatively high court costs.

*Recommendation 3.4:*

*(a) The Ministry of Natural Resources and Environmental Protection should initiate the revision of:*

- *The Law on Environmental Protection to include detailed procedures ensuring public participation in decision-making regarding environmental permitting, standard-setting, environmental fund expenditures and development of laws, regulations, strategies, plans and programmes affecting the environment; and*
- *The Law on State Ecological Expertise and relevant regulations to include such important issues as: how to inform the public about the possibilities for receiving and commenting on EIA documentation, deadlines for submitting comments, modalities of public hearings, how the proponent should handle the public's comments and inform both the public and the State ecological expertise authorities how comments have been taken into account, and how to inform the public about the final decision taken by the State ecological expertise authorities.*

*(b) The Ministry of Justice, in consultation with the Ministry of Natural Resources and Environmental Protection, should draft proposals to make the legislation consistent with the Aarhus Convention regarding public access to justice, in particular the right to challenge acts and omissions by private persons and public authorities that contravene national environmental legislation.*

Public participation in environmental decision-making depends, to a great extent, on the overall conditions in a country for civil society associations such as environmental NGOs to operate, starting with their legal and taxation "climate". The Aarhus Convention stipulates, in particular, that each Party shall support associations, organizations or groups promoting environmental protection and ensure that its national legal system is consistent with this obligation.

The 1999 amendments to the Law on Public Associations followed by the adoption of various regulations introduced very rigid general conditions for NGOs in Belarus. As a result, the number of NGOs, including environmental ones, in Belarus, is very low compared to most other countries in Eastern Europe, the Caucasus and Central Asia. Activities of non-registered organizations are prohibited. The registration procedure is complicated, long and expensive. A quarter of registration requests are refused. Judicial authorities scrupulously monitor NGO compliance with the legislation. There are plans to introduce a legal requirement for NGOs to report annually on their activities to judicial authorities. New regulations on foreign assistance complicate access to this source of financing (which has been the only one for most NGOs so far).

The National Strategy for Sustainable Social and Economic Development envisages the development of measures, including legal procedures and mechanisms, to promote the participation of NGOs in decision-making concerning social, economic and environmental policies, as well as partnerships of public authorities with NGOs. Surprisingly, NGOs are not represented on the National Commission on Sustainable Development, which monitors the Strategy's implementation.

*Recommendation 3.5:*

*The Council of Ministers should review the current legislation and regulations regarding the registration and operation of public associations and initiate the adoption of amendments that would create a supportive framework for such associations, including environmental NGOs, and enable Belarus to comply with its obligations under the Aarhus Convention. It should include NGO representatives on the National Commission on Sustainable Development.*

The population of Belarus is generally worried about environmental conditions. Environmental topics are regularly covered by the mass media. Educational institutions and NGOs have launched numerous environmental actions involving children and youth. The Ministry of Natural Resources and Environmental Protection promotes activities to raise environmental awareness in the country. It publishes a journal and various information materials and produces promotional TV clips. Since 2003, the Ministry has organized an annual national ecological forum that includes various promotional activities.

Belarus promotes continuous environmental education and training. Provisions on environmental education and awareness raising have been included in legislation and policy documents, the Concept of Environmental Education and the National Programme for the Improvement of Environmental Education being

the most important. Its main provisions have been successfully introduced into pre-school, primary and secondary education, and vocational training. Some planned actions, like the development of a programme of State support for the publication of methodological materials on environmental education or the creation of a training and methodological centre on environmental education, have not yet been implemented.

The Ministry of Natural Resources and Environmental Protection is planning to prepare a new national multilevel integrated programme for environmental education and awareness raising (for 2005-2010) that would also cover education for sustainable development. The Ministry of Education, in turn, intends to establish an inter-ministerial council on environmental education or education for sustainable development soon and lead it. There is a need to ensure close coordination between these two initiatives. It should be taken into account that environmental education and education for sustainable development will be greatly enhanced by active participation of civil society in decision-making.

*Recommendation 3.6:*

*The Ministry of Education should speed up the establishment, in close cooperation with the Ministry of Natural Resources and Environmental Protection, of the inter-agency coordinating council on education for sustainable development with the participation of all stakeholders, including NGOs and the mass media. The council should support and monitor the implementation of the national multilevel integrated programme for environmental education and awareness raising for 2005-2010, once adopted by the Council of Ministers, and initiate other actions to promote and facilitate the implementation of the UNECE Strategy for Education for Sustainable Development*

## Chapter 4. International agreements and commitments

Belarus pursues international cooperation in environmental protection. Its policy documents, such as the National Action Plan on Rational Use of Natural Resources and Environmental Protection (NEAP) for 2001-2005 and the National Sustainable Socio-Economic Development Strategy for the period to 2020 (NSSD-2020), emphasize international cooperation as one of the ways to solve environmental problems effectively. In the reviewed period, Belarus has continued to harmonize its legislation with the principles and norms of international environmental legislation in line with its international commitments. The Ministry of Natural Resources and Environmental Protection is among the most proactive and effective governmental bodies in promoting international cooperation, facilitating international technical assistance and coordinating relevant activities with other ministries, non-governmental, professional and scientific organizations, and international organizations.

Belarus needs to continue reviewing its environmental legislation and its system of environmental standards, norms and regulations to achieve the stated objective of transition to international standards and norms. National legislation in many areas is lacking or insufficient to ensure Belarus's compliance with its obligations under international agreements. There is a need to reconsider and strengthen the enforcement mechanisms of the existing legislation. An institutional framework, which clarifies designation of responsibilities to agencies for enforcement of laws and regulations, monitoring and evaluation of implementation, collection, reporting and analysis of data, awareness raising and publicity, assistance to courts and other agencies is essential. For all those reasons, the practical implementation of international agreements is slow and implementation procedures are lacking as well.

Also, attracting additional international technical assistance may continue to be difficult considering the prevailing political climate. Moreover, recently introduced internal rules and procedures seriously hamper assistance delivery, which slows down and negatively affects many activities in environmental protection.

### Recommendation 4.1:

*The Ministry of Natural Resources and Environmental Protection should continue to introduce proposals to develop new and revise existing legislation according to Belarus's obligations under international agreements. The recommendations, contained in the National Sustainable Socio-Economic Development Strategy for the period to 2020, to harmonize national environmental legislation with the principles and norms of international environmental legislation should serve as guidelines. Speedy adoption and development of mechanisms for implementation of the law on environmental information in accordance with the Aarhus Convention should be a priority.*

### Recommendation 4.2:

*The Council of Ministers should take measures to change the rules and procedures for the approval of international technical assistance for environmental protection so as to significantly simplify and expedite the process.*

Belarus considers implementation of global and regional conventions and protocols as one of the priorities in international cooperation. Since 1997 it has continued to apply those it ratified earlier and has become a Party to 10 more conventions and protocols, bringing the total to 20. The Ministry of Natural Resources and Environmental Protection is pursuing a policy of signing up to such agreements and developing measures for their implementation. It is preparing the necessary documents for the ratification of the Espoo Convention and several protocols. However, changes in national legislation to comply with these conventions often lag behind. National strategies and action plans have so far been developed only for the Convention on Biological Diversity, the United Nations Convention to Combat Desertification and the Aarhus Convention, but not for the other environmental agreements to which Belarus is a Party.

### Recommendation 4.3:

*The Ministry of Natural Resources and Environmental Protection should:*

- a) *finalize the necessary documents for the ratification of the Espoo Convention and the Copenhagen, Montreal and Beijing Amendments to the Montreal Protocol;*

- b) *prepare necessary documentation to proceed with ratification of the Protocol on SEA to the Espoo Convention, the Protocol on Volatile Organic Compounds to the LRTAP Convention, and the Protocol on PRTRs to the Aarhus Convention; and*
- c) *continue preparing national strategies and action plans for the implementation of conventions where such documents are lacking. MNREP may wish to continue applying for external funding to build up its capacity.*

Belarus participates in the environmental protection work of a number of regional and international organizations. It maintains a good working relationship with organizations of the United Nations system, including UNECE, UNDP, UNEP, WMO and WHO, and the governing bodies of global and regional environmental conventions. The Ministry's annual reports on cooperation with international organizations and on bilateral agreements are comprehensive, provide a clear picture of the benefits of such cooperation and justify the need for continuing it, including prompt payment of financial contributions to the budgets of international organizations. The relationship of Belarus with some other international bodies, such as the European Union and the Council of Europe, remain strained. This also affects negatively environmental cooperation.

Belarus has achieved significant progress in the implementation of some bilateral environmental agreements, while activities under other agreements remain low-key or virtually non-existent. Cooperation is most active and productive with its neighbouring countries, particularly Lithuania and Poland. Belarus also cooperates with countries with which it has no formal agreement, and has achieved some success, e.g. in cooperation with Sweden and Germany. Belarus is negotiating one bilateral and several trilateral agreements with neighbouring countries on water resources management that would be beneficial for the quality of transboundary waters in the region as well as other bilateral agreements. There is little information on the implementation of environmental agreements within the framework of CIS.

*Recommendation 4.4:*

- a) *The Ministry of Natural Resources and Environmental Protection should analyse the results of implementation of bilateral and multilateral agreements and other forms of bilateral cooperation. Based on this analysis, it should identify the priorities for cooperation and concentrate its resources on them. It should integrate this analysis in its annual reports to the Ministry of Foreign Affairs;*
- b) *The Ministry of Natural Resources and Environmental Protection should finalize preparations for signing intergovernmental agreements with neighbouring countries on the use and protection of water resources of the Daugava/Zapadnaya Dvina, Neman/Nyamunas, Dnepr and Zapadnyi Bug river basins and other bilateral agreements currently being negotiated. Once the agreements come into force, it should, as a matter of priority, develop practical steps to make them fully operational.*

Belarus is pursuing its commitments under the decisions of the World Summit on Sustainable Development and the Millennium Declaration. The adoption, in 2004, of the National Strategy for Sustainable Development for the period to 2020 (second NSSD for Belarus) confirms the country's intention to follow the sustainability strategy in its development. To ensure its effective implementation, it is important for the Strategy to have the same high status as other national policy documents, such as the Programme of Socio-Economic Development for 2001-2005. While the importance of the principles of sustainable development is well understood at the national level, the ideas and practice of sustainable development have not, in general, reached the grassroots level. Awareness of sustainable development objectives is particularly low among the local (*rayon* and town) authorities. There are only few pilot projects on local Agenda 21 at various stages of development. They appear to be almost completely donor-driven and tend to lose momentum when the external funding dries up.

Belarus is in a relatively good position with regard to meeting the millennium development goals compared to other countries with economies in transition. The outlook for meeting the targets in goal 7 "ensure environmental sustainability" is also positive. Nevertheless, there is no room for complacency. The analysis of the baseline conditions and the national report on the progress, currently being prepared, is an important undertaking and should involve all stakeholders.

**Recommendation 4.5:**

a) *The National Commission on Sustainable Development should prepare, by 2010, an analysis of the achievement of the medium-term goals and progress in the long-term goals of NSSD-2020. Based on this analysis, the Commission should consider revising the Strategy;*

The Ministry of Natural Resources and Environmental Protection should be involved in all stages of the preparation of the national progress report on the millennium development goals, particularly with regard to goal 7. Based on the conclusions of the report, the Government should consider, where appropriate, setting higher targets than those in the millennium development goals to be achieved by 2015 to maintain the spirit of the Millennium Declaration

**Chapter 5. Financing for environmental protection**

Since the first Review, Belarus has relied mostly on domestic resources for financing environmental protection. In general, public financing for the environment has increased over the past several years. Foreign public and private sources account for a small share of environmental expenditure (15-16%). Notwithstanding the problems with the quality of expenditure data, the ranges and best estimates suggest that the levels of domestic environmentally related expenditure in Belarus are substantial.

The public sector seems to bear a high financial burden for environmental expenditures in Belarus. There is a very high dependence on subsidies, which is contrary to the “polluter pays” principle. In addition, most of the public resources are spent on current expenditure rather than investment in new, less polluting technologies.

Good-quality data on environmental financing are key in the decision-making process. It is obvious that the data collection system and reporting in Belarus need further improvement. The interpretation of data regarding environmental revenues as well as environmentally related expenditure is rendered extremely difficult for several reasons: different official sources of information give diverging, incomplete and inconsistent data; the data collection system often produces only aggregated data, making any in-depth analysis impossible; the scope and reporting of expenditures are unclear and not according to internationally accepted definitions; it is difficult to track flows and transfers between the public sector and enterprises; the uncertainty over the level of current expenditure on environmental administration affects the reliability of some indicators. Consistent and reliable data could help policy makers better understand actual financing needs and develop more realistic environmental programmes and subsequent strategies for their effective financing.

**Recommendation 5.1:**

*The Council of Ministers should aim to improve the data collection system on environmental expenditures. It should coordinate efforts to improve the quality of these data. Particular focus should be placed on improving the definition and scope of environmental expenditure in line with international standards. Transfers between the public sector and enterprises should be rigorously reported and a distinction between enterprise and public resources made to avoid double-counting.*

The environment protection funds are functionally and legally part of the respective budgets. The Ministry of Natural Resources and Environmental Protection and its oblast and local bodies are responsible for the disbursement of the financial resources of the respective environment protection funds. The environment protection funds play a significant role in financing environmental expenditure in Belarus. While the funds’ revenues have been steadily growing since 2001, the expenditure management side remains weak. One positive development has been the transformation of the funds from extrabudgetary to budgetary, which has helped increase government control over their expenditures. The lack of clearly defined objectives and transparent criteria and rules for the allocation of resources does not make it possible to properly assess funds’ performance. If the funds are to become more credible and better appreciated by all stakeholders (including foreign ones, such as donors and IFIs), they need to be strengthened and brought in line with good international practices. The Ministry of Natural Resources and Environmental Protection and its bodies play only a limited role in the process of approval of the projects financed from the environment protection funds even though they have the experience and expertise to appraise environmental projects.

**Recommendation 5.2:**

*The Council of Ministers should improve the mechanism for the use of resources of the environment protection funds. The improved mechanism should include:*

- (a) Identifying priorities where resources can make a significant difference;*
- (b) Developing clear procedures for selection of the projects for financing. The cost-effectiveness of the projects should become an important appraisal and performance evaluation criterion;*
- (c) Establishing specialized unit responsible for funds management within the framework of the Ministry of Natural Resources and Environmental Protection, in accordance with accepted standards of good governance for such institutions; and*
- (d) Improving the reporting of the results achieved with the support from environment protection funds.*

Belarus has introduced a number of economic instruments, including pollution charges, taxes on the use of natural resources and user charges for the provision of municipal environmental infrastructure services, which produce revenues for environmental protection. The top rates of some of the pollution charges are high by international standards. However, as enterprises are not operating in market-based competitive conditions with tight constraints on production costs and as they benefit from a number of protection measures, including some exemptions and subsidization, the incentive effect of the pollution charge system is undermined. Economic instruments work properly in a functioning market economy, when enterprises respond to market signals and are driven by efficiency considerations. If Belarus wants to be prepared for real transition to a market economy, the environmental authorities should redesign the system of economic instruments, and particularly the pollution charges and taxes on the use of natural resources, for which they have a direct responsibility.

**Recommendation 5.3:**

*The Ministry of Natural Resources and Environmental Protection, in coordination with the Ministry of Finance, Ministry of the Economy, Ministry of Taxes and Duties and other relevant governmental bodies should:*

- a) Revise the number of pollution charges in order to make the system more efficient and cost-effective. The focus should be on those pollution charges that correspond to the environmental priorities, can be monitored at a reasonable cost and generate significant revenue;*
- b) Consider introducing charges on environmentally damaging products or transactions (e.g. on used batteries and tyres), which can ensure a more stable and predictable revenue stream for environmental purposes; and*
- c) Establish a transparent procedure that involves stakeholders for regularly revising and adjusting the rates. The primary objective of the system of charges should be pollution reduction rather than revenue raising.*

Belarus has included environmental protection in its major policy documents as a priority for international technical assistance. However, the country has not been very successful so far in attracting donor assistance in the environment sector. Most of the aid has gone to support policy and institutional reforms. Aid has not been translated into significant investment support by donors. One major reason is the insufficient capacity of environmental authorities to identify and develop well-prepared environmental investment projects to be included in bilateral cooperation programmes. Experience shows that donors usually look for such projects but they have difficulties identifying them in Belarus.

**Recommendation 5.4:**

*The Ministry of Natural Resources and Environmental Protection, in cooperation with the Ministry of Economy and relevant sectoral ministries, should aim to identify priority environmental investment projects, which could be included in donor cooperation programmes. Cooperation programmes should evolve into more long-term multi-year strategic partnerships rather than individual ad hoc activities.*

## **Chapter 6. Environmental management in industry, energy and transport**

National long-term programmes suggest further restructuring energy and industry and adapting these sectors to market conditions. The suggested model is a gradual transformation of the present State-owned enterprises into joint-stock companies. The programmes recognize the urgent need for a legal and regulatory framework for

restructuring, but they do not define, apart from technical measures, what the sector should look like under market conditions. There is no clear vision of the legal basis on which industry would be decentralized and changes in ownership may happen, what the relationship between the State and industry would be, what rules should be applied to deregulate the market and introduce wholesale and retail competition, and whether and how the new companies would be responsible for past environmental damage.

The process of changing ownership affects the entire functioning of the energy sector. A new legal and regulatory framework should therefore provide a package of normative acts to help transform the sector into a well-functioning competitive market, aimed at increasing energy efficiency and improving the quality of energy services.

*Recommendation 6.1:*

*The Council of Ministers should develop a law on energy covering all aspects of the energy sector, including production, transport, distribution and consumption. The Law on Energy Saving and other energy-related legislation should become part of the law on energy with the necessary amendments.*

The Government sets tariffs on electricity and heating. The Ministry of the Economy approves them for industry, the Council of Ministers for households. This corresponds to the management of a vertically integrated monopoly structure, all the way from electricity generation to energy distribution. There is no transparency regarding the tariff-setting mechanisms. Neither the energy producers nor the consumers have any influence over the process of decision-making. Furthermore, tariffs do not reflect economic changes related to the costs, for example changes in inflation rate or fuel price. Restructuring of the energy sector, unbundling energy production from energy distribution and thus gradually creating a competitive energy market, makes it more attractive to investments.

*Recommendation 6.2:*

*The Council of Ministers should consider reforming the current energy tariff-setting policy and improve the entire energy chain with a purpose of creating a competitive energy market to make it more attractive to investments.*

Transport is a major air polluter in Belarus, with the bulk of emissions of nitrogen oxides, carbon monoxide and volatile organic compounds generated in this sector. The number of motor vehicles has doubled in ten years. Many of the vehicles are old and not equipped with catalytic converters. Notwithstanding attempts to discourage the import of old second-hand cars through higher import duties, their number continues to increase.

Regular technical inspections of all motor vehicles at properly licensed diagnostic stations is mandatory according to the Law on Road Transport. Half of the diagnostic stations are equipped with modern control equipment, the other half need re-equipment. However GOST standards on exhaust emissions (such as carbon monoxide, hydrocarbons and smoke) are outdated and have not been revised.

The Ministry of Transport and Infrastructure and the Ministry of Natural Resources and Environmental Protection are currently preparing a national programme to mitigate the environmental impact of transport. The programme is necessary to update and improve government policies related to the environment and public health. The programme is supposed to take into account Belarus's international commitments under a number of European initiatives in transport and environment, its socio-economic situation and the interests of all stakeholders and to bring sustainability to the functioning of the transport sector.

*Recommendation 6.3:*

*a) The Ministry of Transport and Infrastructure, the Ministry of Natural Resources and Environmental Protection and other relevant governmental bodies, when finalizing the national programme to mitigate the environmental impact of transport, should give particular attention to:*

- *Updating the standards on exhaust emissions from mobile sources in line with those in force in the European Union;*
- *Setting specific targets for public transport, including targets for emission reductions and energy consumption for each transport mode.*

- *Setting regulations for the environmental impact assessment of new transport infrastructure and traffic restrictions for freight transit in environmentally sensitive areas.*
- b) *In connection with the implementation of this programme, the Government should establish a national coordinating centre to promote policies for sustainable development of the transport sector*

## **Chapter 7. Environmental management in agriculture and forestry**

The basic environmental problems of Belarusian agriculture, with the exception of the consequences of the Chernobyl accident, are, like in Western Europe and the United States, the inheritance of agricultural practices formed during the 1970s and 1980s. High input of mineral fertilizers and pesticides, livestock production in large units with great concentrations of manure, and ensuing problems for surface water and groundwater, are the main elements. The consequences of the Chernobyl accident became a serious burden on Belarus's agriculture. Large areas of agricultural land had to be taken out of cultivation because of high levels of radioactive contamination. Other areas, with lower levels of contamination, are subject to a control regime.

Legislation and rules affecting agriculture are today to be found in many different sources: Land Code, Water Code, numerous presidential decrees, programmes and other governmental documents. At the same time, there is no comprehensive strategy document for agricultural policy, including production, markets, economics, forms of ownership, rural development and the environment. The European Union's Nitrate Directive and Water Framework Directive may be useful both in making Belarusian legislation more compatible with that of EU in the area of the environment and in helping Belarus solve its environmental problems in agriculture. As an observer on the Baltic Marine Environment Protection Commission (HELCOM), Belarus may benefit from the experience of the Contracting Parties to HELCOM in various environmental issues in agriculture, including adjusting legislation and policies.

### Recommendation 7.1:

- a) *The Council of Ministers should initiate the drawing-up of a comprehensive strategy document for the development of agriculture, which would integrate environmental aspects.*
- b) *The Ministry of Agriculture and Food, in cooperation with the Ministry of Natural Resources and Environment Protection, should analyse the environmental and agricultural aspects of the European Union's Nitrate Directive and Water Framework Directive and use their provisions as guidelines when improving national legislation and practice where applicable.*

In Belarus, scientific research institutes and universities have been responsible for the transfer of new knowledge to farmers. During the transition this function has deteriorated due to a lack of resources. International experience also shows that advisers need to be based closer to practical agriculture.

### Recommendation 7.2:

*The Ministry of Agriculture and Food should initiate the creation of extension (advisory) services in agricultural committees in oblasts and rayons. Advisory services of other organizations and private consultants should also be encouraged in order to improve the level of agriculture in general and to be instrumental in integrating environmental aspects and good agricultural practices in production.*

Organic production is one of the ways of making agriculture environmentally friendlier. It is also an underused market opportunity for Belarusian agriculture.

### Recommendation 7.3:

*The Ministry of Agriculture and Food should promote organic production by creating a regulatory framework, a certification system and through extension (advisory) services. Among the first steps that it might consider are the development of a strategy, awareness raising seminars, education and training.*

An important issue in Belarus is the drainage of wetlands to use the land for agriculture versus their preservation and restoration. In 1960, 2.4 million hectares were wetlands. After large-scale drainage projects during the 1960s and 1970s, only 1 million hectares remain. The difference is "ameliorated" farmland. Drainage



systems deteriorated during the 1990s due to a lack of funds for maintenance. The Programme for the preservation and use of ameliorated lands (2000-2005) and a new Programme for 2006-2010 envision rehabilitating part of these systems.

Recommendation 7.4:

*The Ministry of Agriculture and Food, the Ministry of Natural Resources and Environment Protection, the Committee on Land Resources, Geodesy and Cartography, Ministry of Forestry, and other relevant bodies should give high priority to saving and restoring valuable wetlands when developing plans to rehabilitate ameliorated areas.*

## **Chapter 8. Ecotourism and biodiversity**

According to the National Programme for Tourism Development 2001-2005, ecotourism is one of the priorities for the future development of tourism in Belarus. A new programme for 2006-2010 is being developed and considers all types of tourism to be a potentially important economic sector. Tourism from Northern Europe and the Commonwealth of Independent States may be the most promising markets for ecotourism in Belarus. Given the lack of funding for ecotourism and tourism in general, marketing efforts may be more effective if directed at the travel industry, rather than at the final consumer.

Belarus has a considerable and growing potential for ecotourism. To realize this potential, it is important that suppliers have very distinct products to offer. Some of the priorities of the current National Programme for Tourism Development are designing national tourism products, improving service quality through standards, certification and licensing, and strengthening cooperation with the World Tourism Organization.

The standards to underpin certification need to be defined, and could include proof of well-trained (certified) staff and knowledge of good practices in tourism, including ecotourism and rural tourism, reliable and efficient services, restrictions on means of transport or access to vulnerable sites, use of local products and cooperation with local communities.

A rigorous certification scheme approved by the World Tourism Organization and following the recommendations of the Quebec Declaration could be used to promote the distinct tourist products of Belarus abroad.

Recommendation 8.1:

*The Ministry of Sport and Tourism, in cooperation with the Ministry of Natural Resources and Environmental Protection, the Affairs Management Department of the Presidential Administration, tour operators and non-governmental organizations, should:*

- *Develop an action plan for the new national programme for tourism development, to set clear priorities, identify sources of financing, and specify actions for the development of infrastructure and conditions in rural areas for the promotion of ecotourism.*
- *Adopt a set of tourism standards for certification based on international standards;*
- *Develop indicators based on international standards to monitor and review the development of tourism; and*
- *Develop and apply a certification scheme for ecotourism.*

The National Strategy and Action Plan for the Conservation and Sustainable Use of Biological Diversity has not been fully implemented. Although few actions were implemented on flora, a number of actions listed in the documents do not even have a project development. No sectoral programmes or plans for the conservation of biodiversity or ecosystems are developed. There is only limited scientific support for analytical and coordination activity in the organization and management of conservation and sustainable use of biodiversity.

Belarus joined the European important bird areas programme in 1996. It has identified 20 sites, 16 of which are planned to be awarded the status of territories of international importance and four will keep the national protection status. In 2004, 11 important bird areas were protected, 4 were under partial protection and the 5

remaining sites had no protection status. Belarus also has identified 10 important plant areas, of which eight are included in the protected areas network.

Recommendation 8.2:

*The Ministry of Natural Resources and Environmental Protection should:*

- *Draw up specific programmes and projects for those parts of the National Strategy and Action Plan on Biodiversity that have not been implemented and identify sources of financing for them; and*
- *Integrate those important bird areas and important plant areas, which are not yet part of the network of the specially protected natural areas, into this network.*

In the framework of the 1979 Bonn Convention on the Conservation of Migratory Species of Wild Animals, the country started to define corridors for migratory species, mainly for birds. However, no corridors have been established in the Belovezhskaya Pushcha National Park and mammal species cannot follow their natural migratory paths in the park between Belarus and Poland.

Recommendation 8.3:

*The Affairs Management Department of the Presidential Administration, the Ministry of Natural Resources and Environmental Protection, and the State Committee on Border Guards should promote the creation of corridors for migratory species, particularly mammals, in specially protected natural territories, especially in the Belovezhskaya Pushcha National Park*

## *Implementation of 1st EPR recommendations*

---

### **1. Integrating Environmental and Other Policies**

#### *Economic transition and environmental performance*

- Pursue changes in economic structures and develop economic reforms both to renew economic growth and to foster a less resource- and pollution-intensive economy
- Promote low-cost cleaner production techniques in industry and improve industrial environmental management

In 2000, an analysis was made of the level and impact of the various environmental charges, and it was concluded that their level was not sufficient to motivate polluters to change their behaviour. It was also clear that the resources available in the Environment Fund were insufficient for implementing the 2001-2005 National Action Plan for Rational Use of Natural Resources and Environmental Protection and its action plans at national and regional levels.

As a result, charges have been raised in real terms over several years, incrementally, for water extraction, wastewater discharge, air emissions and waste disposal. One indicator of the success of this action was an increase in the revenues of the Environment Protection Fund by a factor of 13, from US\$ 9.5 million in 2000 to about US\$ 125 million in 2004.

The Government also prepared a package of economic incentives to encourage good environmental practices and the introduction of clean technologies. These include:

- waiver of the environmental tax in the amount invested in improving environmental management;
- application of a differentiated tax on fuels, ranging from 0.3 for natural gas to 0.8 for diesel to 1.0 for gasoline;
- reduction of environmental charges in case of constructing, reconstructing, and modernizing gas cleaning facilities to reduce volume of air emissions; setting up automatic air emission control systems and installing meters on wastewater discharges; and
- reduction of environmental tax for an enterprise that is in the process of introducing ISO 14000 standards.

In addition, the tariffs charged for leasing water bodies and forests to individuals or companies for economic activities have increased by 500% in order to stimulate more rational use of natural resources.

In 2003 a system of “extended producer responsibility” for collection and secondary use of municipal waste was established. As a pilot, the system has been introduced for collection of plastic waste, which is considered to be the most visible and prevalent municipal waste, and there are plans to extend the system to include glass and paper packaging as well.

Currently, waste producers have to pay an annual amount of approximately US\$ 435 per ton of plastic waste, and this payment goes to the Environment Protection Fund. Under the new plan, a producer can choose one of the following options: to pay the fee or to ensure plastic waste recycling using its own means or by legal entities and individual entrepreneurs, who collect and process such waste.

The Environment Protection Fund, which had originally been placed directly under the Ministry of Natural Resources and Environmental Protection, became a budgetary fund in 1998 in order to provide greater transparency.

- Reinforce the integration of environmental concerns within economic sectors, with particular emphasis on industry, agriculture and energy

Integration takes place through the State requirement that relevant ministries must review and comment upon all proposals for State programmes. Integrated permitting, which is being considered on a pilot basis, could provide another important instrument of integration.

There is also well-established machinery for coordination and integration at local, oblast and national levels. At the local level, problems are identified through coordination of oblast environmental committees, rayon and staff inspectors. At the oblast level, the Board (Collegium) of the environmental committees may meet with the oblast executive committees to identify and solve environmental problems. At the national level, ministries may establish special working groups that meet periodically throughout the year for specific purposes. They may also convene Joint Board meetings to address a specific and significant problem that cannot be handled at the local or oblast levels. If a problem cannot be successfully addressed through Joint Board meetings, a Ministry may bring the issue to the attention of the Council of Ministers.

In addition, beginning in 2004, the State has introduced a system of environmental control in all ministries and enterprises separate from the inspectorates. In this system, on each site a person is designated with the responsibility for helping to ensure compliance with environmental legislation through training of the staff, distribution of relevant information, and notification of new guidelines. The Ministry of Natural Resources and Environmental Protection facilitates this programme by providing training and methodological assistance.

More information is provided in Chapter 1 on Legal and policy-making framework and sectoral integration mechanisms

- Focus state ecological examinations (environmental impact assessments) on projects with potential for major impact on the environment, and increase related public involvement

Belarus adopted a Law on State Environmental Expertise in 2000, and a revision of the Law on Environmental Protection in 2002, which also addresses procedures for state ecological expertise and environmental impact assessment. There are additionally two relevant Resolutions of the Ministry of Natural Resources and Environmental Protection: Resolution No. 1, 5 February 2001, on Adoption of Instruction on procedure of conducting assessment of impact of planned economic and other activities on the environment and the Register of types and objects of economic and other activities for which EIA is required; and Resolution No. 8, 11 May 2001, on Adoption of Instruction on procedure of conducting State Environment Expertise.

Belarus signed the Espoo Convention and is in the process of ratifying it. Further, the Ministry of Natural Resources and Environmental Protection is preparing guidelines that would, among other things, provide for public participation in the process of Environmental Impact Assessment (EIA). This draft regulation is currently under legal assessment in the Ministry of Justice.

More information is provided in Chapter 1 on Legal and policy-making framework and sectoral integration mechanisms and in Chapter 3 on Information, public participation and education.

- Orient environmental planning and programming more towards priority setting and measurable results; review the achievement of environmental objectives and commitments more systematically

Planning is done on the basis of the National Action Plan for the rational use of natural resources and environmental protection, which identifies priorities in five-year cycles. Early versions of the Plan were weak in priority-setting, but Belarus has gained from its experience. The National Action Plan also contains a series of indicators to measure implementation to the extent possible (e.g., for air, water and waste). Not all indicators are measurable (e.g., for biodiversity, information, and education). The Ministry of Natural Resources and Environmental Protection reviews the National Action Plan and its priorities annually.

The Ministry is also now in the process of drafting a new strategy of environmental policy, to the year 2015. The last such policy was prepared in 1997. The new strategy will identify overall national ecological priorities.

*Dealing with effects of the Chernobyl accident*

- Continue and strengthen monitoring and research programmes to help guide public health and safety policy actions

Belarus has continuous monitoring programmes in the areas affected by the Chernobyl accident and undertakes a strong research programme on issues such as the impacts of radiation on health, biodiversity, and ecology.

Aside from the monitoring and research, there are very few environmental activities. The environmental situation is considered to be stable, although considerable work remains to be done to rehabilitate the territory. Most of the focus is now on the social needs of the population that was affected by the disaster.

- Continue and expand public information and education programmes

Information on the situation in contaminated regions is made widely available through the local press, which, among other things, provides daily information on the level of radiation. Officials also make use of television broadcasts to provide information and especially to quell any unfounded rumors that may arise. In addition, the Center for Radioactive Control shares the results of its scientific research and makes special maps available for national authorities and for the public that indicates the current situation and provides future projections.

Special information is provided through lectures on ways to live safely in the resettled areas and on activities that could be undertaken to reduce radioactive pollution. Relevant information has also been integrated into the curricula of higher educational institutions. A number of projects have been undertaken to strengthen education on the impacts of Chernobyl, with support of the United Nations Development Programme, the World Bank and the Organization for Security and Cooperation in Europe.

- Give increased attention to cost-effectiveness in designing, implementing and monitoring countermeasures

Belarus has been carrying out research on possible countermeasures, such as growing plants that do not retain radiation or fast-growing trees that could be used by industry, but all of the measure so far have proven to be too costly for the country to implement broadly.

- Continue and finalise the review of the 1991 laws that classify contamination zones and define countermeasures

A number of laws have been reviewed. Secondary legislation, such as Resolutions of the Council of Ministers that provide for practical implementation of the necessary measures, has also been introduced.

*Biodiversity and agriculture*

- Continue the efforts to extend protected areas

In 1997, the value of special protected territories was 1,438,000 hectares, or 7.4% of the territory of the State. This included two conservation areas, Berezin Biosphere Reserve and Pripjat Landscape-Hydrological Reserve; two national parks, Belovezhskaya Pushcha and Braslav Lakes; 83 sanctuaries and 238 natural monuments of national importance. The country plans to extend these areas to 9 per cent by 2015. There are currently four national parks and one preserve.

Since 1997, one national park, Narochny, 29 sanctuaries and 99 natural monuments have been added. Currently, a new Scheme of rational allocation of specially protected natural areas is being developed for the period 2005-2025.

There is also work underway to identify the key ornithological territories (KOT) as potential protected areas. At the first stage, 20 such territories were identified, eleven of which have been recommended for special protection. Further work is being done through a project through which an additional 25 KOTs are marked for

inclusion in the specially protected natural areas in 2005-2015. Work has also begun on identifying key botanical territories.

More information is provided in Chapter 8 on Ecotourism and biodiversity.

- Establish sufficient legal protection for remaining wetlands

Article 30 of the Law On Specially Protected Areas (23 May 2000) identifies new sanctuaries, including wetlands, designated for conservation, particularly as habitats of water birds, including during the migratory period.

Following the requirements of the Ramsar Convention, seven applications have been made for Ramsar sites, totaling 275,000 ha (1.3% of the State territory). These include the following sanctuaries: Sporovsky (1999); Srednyaya Pripyat and Olmanskie bolota (2001); and Elny, Osveysky, Zvanets and Cotra (2002). Work in this area is continuing with the expectation that new projects will be prepared in 2005.

- Strengthen management and control of protected areas by establishing clearer responsibilities

Through UNDP project on Implementation of urgent recommendations of the management plans for key biodiversity areas in Belarus, management plans have been developed and approved by the local executive authorities for sanctuaries Dikoe, Zvanets, and Sporovsky. The Ministry of Natural Resources and Environmental Protection initiated the process of establishing permanent steering bodies for the most important sanctuaries and such structures have already been set up for three national sanctuaries by decisions of local executive committees.

There are plans to expand the Law on Specially Protected Areas to allow for improved management of protected areas and to widen the categories of such territories. The structure of the national park management was already included in the Law.

Also since 1997, the Department of Protected Territories, Forestry and Agriculture and the State Inspectorate for Fishing were placed under the President's administration, rather than under the Ministry. The Department is responsible for managing the use of SPAs, while the Ministry is responsible for inspection of flora and fauna.

Since 1994 the Department of Protected Natural Complexes and Nature Use is part of the structure of the Affairs Management Department of the President. Its main function is to ensure protection of natural reserves and sanctuaries and national parks.

In 2003 the Department for Protection of Fish Resources and Game of the Ministry of Natural Resources and Environmental Protection was transformed into the State Inspectorate for Protection of Fauna and Flora under the President. The main functions of the State Inspectorate are control over compliance and enforcement of legislation on flora and fauna, including in the specially protected natural territories.

The Ministry of Natural Resources and Environmental Protection is responsible for management of protection and use of the specially protected natural territories, fauna and flora.

- Encourage the development of nature tourism while examining such questions as the activities to be allowed in protected areas and formulating a code of good practices

Belarus adopted a National Action Programme on the development of tourism for 2001-2005, and is in the process of developing one for the period 2006-2010. Both ecotourism and agro-tourism are identified as important areas to pursue.

One element of UNDP Project on Implementation of urgent recommendations of the management plans for key biodiversity areas in Belarus is the development of ecotourism in the sanctuaries of Dikoe, Zvanets and Sporovsky. Ecotourism is under development in Sporovsky, where seven homesteads have been identified for use by tourists, an ecological center established and school excursions organized.

- Finalise work on the national strategy on biodiversity

The National Strategy and Action Plan on Biodiversity was adopted by the Council of Ministers in, but has not been fully implemented and needs to be revised.

- Integrate environmental concerns in agricultural policies and practices; establish farm extension services providing training in good agricultural practices

Integrating environmental concerns into agricultural policies and practices remains a challenge. The Ministry of Natural Resources and Environmental Protection and the Ministry of Agriculture are collaborating on a joint activity to handle obsolete pesticides. They will also work together to develop both a national plan of action to reduce land degradation and a strategy in the field of land resources in the context of Belarus' membership in the Convention on Desertification.

Other progress has been made in addressing some of the environmental problems associated with agriculture. Overall, however, environment is not in the forefront of agricultural policy.

To date, extension services have not yet been established.

For more information, see Chapter 7 on Environmental management in agriculture and forestry.

- Consider a more systematic approach to converting marginal agricultural lands to non-agricultural use

Resolution of the Council of Ministers No. 79, 20 January 2000, established measures for the effective use of agricultural lands. This Resolution allows local level authorities (*rayon* commission) to take non-productive lands out of agriculture. In general, the wetlands are left to rest, and the other non-productive lands are transferred into the forest fund.

## **2. Implementing Environmental Policies**

### *Strengthening the environmental policy framework*

- Reinforce priority setting, on the basis of economic analyses

In general, priority-setting is not done on the basis of economic analysis. However, there are significant efforts to raise financing for priority activities through economic instruments.

The Ministry of Natural Resources and Environmental Protection recognizes that it needs to strengthen its capacity to carry out economic analyses.

- Continue improving environmental legislation; in particular, proceed with the adoption of prepared revisions to laws, such as those on water and air

From 1996 to 2004, almost all of the environmental legislation was revised. In addition, proposals are currently being made to amend the following to make them consistent with practical use and international treaties and to take into account the relevant EU Directives:

- Law on Protection and Use of Fauna;
  - Law on Air Protection ;
  - Law on Drinking Water Supply;
  - Law on Specially Protected Natural Areas; and
  - Water Code.
- Further develop environmental information and its availability for the public and various sectors in society, and encourage the participation of environmental NGOs in environmental policy making

MNREP, Ministry of Health and Ministry of Statistics and Analysis are publishing a number of regular publications relating to the environment. MNREP, for instance, is publishing annually a Bulletin on the State of Natural Environment in the Republic of Belarus and a review on “National system of environmental monitoring in the Republic of Belarus: Monitoring results” and, quarterly, the “Information Bulletin on Exceedances of Norms for Emissions or Discharges of Polluting Substances into the Environment by Enterprises of the Republic of Belarus”. It published a National State of the Environment Report in 2002. These and other environmental publications are accessible to the public. MNREP operates a very informative and regularly updated web site (<http://www.minpriroda.by>). An Internet-based database on the NSEM Programme is under development at the Belarus Research Centre Ecology under the MNREP (<http://ecoinfoby.net/>). An Aarhus Convention website has been recently launched with the Ministry (<http://www.ac.minpriroda.by/>) to facilitate the access of the general public to environmental information.

Belarus ratified the Aarhus Convention on Access to Environmental Information, Public participation in Environmental Decision-making and Access to Justice on Environmental Matters on 14 December 1999. The Council of Ministers adopted Resolution of 29 December 2002 that established measures to implement the Aarhus Convention in 2002-2005. MNREP, with the financial support from Denmark, has published a list of public authorities of the Republic of Belarus that collect, store and distribute environmental information. In July 2001, MNREP established Public Coordinating Environmental Council at the Ministry composed of representatives of non-governmental organizations.

- Complete the introduction of a unified environmental monitoring system and ensure that it supports policy making

Progress has been made in the development of the State Programme of National System of Environmental Monitoring (NSEM). It includes, at present, 11 individual monitoring activities that cover all environmental media and most important sources of adverse environmental impact. The MNREP conducts 7 out of 11 environmental monitoring activities and coordinates activities of other governmental bodies through the Inter-agency Coordinating Council for the Implementation of the NSEM Programme. Since 2000, resources for the implementation of the NSEM Programme have been earmarked in the State budget. Progress in the NSEM Programme is reported to the Government.

- Continue to support environmental education and training programmes

The Law on Environmental Protection of 1992 was amended in 2002 to include an article on environmental education and research. In 1999, MNREP and the Ministry of Education adopted the Concept of Environmental Education and the National Programme of Improving Environmental Education up to the year 2005. The latter included measures to improve environmental education in pre-school, school and higher education institutions. MNREP is providing financial assistance for this purpose from the Environment Protection Fund. The National Training Courses for Environmental Experts were operating until 2004 at the Belarus Research Centre on Ecology under MNREP. To promote environmental awareness of the general public, in 2003 MNREP initiated annual National Environmental Forums. MNREP and the Ministry of Education jointly organized a conference in 2003 on Environmental Education for Sustainable Development: National and International Experiences.

*Improving the cost-effectiveness of environmental policies*

- Analyse the number and level of ambient environmental standards on the basis of the specific context of Belarus and the experience of other countries, and introduce a more realistic set

The Council of Ministers has decided that Belarus should review and revise its old GOST standards to make them as consistent as possible with EU legislation. As a result, a Law on Technical Norms and Certification was adopted in January 2004 and, since July 2004, a Committee on Standardization, Metrology and Certification of the Council of Ministers has been elaborating a draft programme for issuing the technical regulations, with a deadline for completion in 2007.

In addition, the Minister of Natural Resources and Environmental Protection has called for the establishment of a working group within the Ministry to begin drafting the applicable legislation.



- Consider streamlining the permitting system and extending the validity of permits

Belarus has had a system of permitting for emissions and waste disposal for some time. Recently, Belarus has been working with the Swedish International Development Agency (SIDA) on a pilot project for integrated permitting at three enterprises in the Grodno oblast. At the end of the pilot project, the results will be analyzed and, if successful, the necessary legislation drafted to introduce integrated permitting throughout the country.

- Continue to index environmental charges and fines to keep pace with inflation and consider progressively strengthening them to introduce incentives for technological change

Environmental charges and fines are not indexed, but they have been increased at a rate greater than inflation in order to adjust for the too low charges of the past.

- Strengthen the system of Environmental Funds by developing a training programme for funds' staff members and streamlining operating procedures

The recommendation is no longer relevant since, by Presidential decision, the Environment Protection Fund was moved from the Ministry of Natural Resources and Environmental Protection in 1998 and integrated into the national budget. The legislative basis for the Fund provides for clear and strict procedures.

#### *Air*

- Introduce domestic standards conforming more closely to international standards for ambient air quality, emission limits and deposition levels

Belarus has indicated its intent to move toward EU standards for a number of air pollutants.

The Law on Technical Norms and Certification of 2004 calls for the establishment of norms consistent with European standards. Since the law came into force, the Committee on Standardization, Metrology and Certification of the Council of Ministers has been elaborating a draft programme for issuing the technical regulations, step-by-step, from 2004 to 2007, with a clear indication of priorities. Two new regulations have already been approved: for diesel fuel and for gasoline. Norms for gasoline are under review.

The National Action Plan for Rational Use of Natural Resources and Environmental Protection called for reviewing the system of quality standards for atmospheric air and bringing them into accordance with international standards. Pursuant to this, the Ministry of Natural Resources and Environmental Protection in cooperation with the Ministry of Health have elaborated maximum allowable concentrations (MAC) for ozone in the air consistent with those established by the World Health Organization. In October 2004, the two Ministries were supposed to complete a project for elaboration of norms for total suspended particles (TSP) less than 10 microns and less than 2.5 microns. The date set in the NEAP for completion of this exercise is 2006.

Belarus has moved close to EU norms for NO<sub>2</sub>, but it will be difficult to do so for SO<sub>2</sub> in the near future for cost reasons.

- Improve the cost-effectiveness of permitting for stationary sources

Belarus has revised its permits and has begun a pilot in Grodno region on implementing an integrated permit system.

- Update vehicle exhaust emission limits; reinforce controls on in-use vehicles; adhere to relevant UN/ECE agreements; and ensure increased availability of unleaded gasoline in major cities and along main national roads

In 2003, Belarus established a system for state technical expertise of automobiles at diagnostic and inspection stations in order to control the technical condition of the cars and their emissions. Leaded gasoline was

prohibited in 1997, and, in 2004, by Presidential decree, customs payments by importers of cars older than 14 years increased 400 percent, from 0.5 Euro per cm<sup>3</sup> of engine volume to 2 Euro/cm<sup>3</sup>.

Belarus produces pick-up trucks, minibuses, agricultural trucks and smaller vehicles in accordance with EURO-2 and EURO-3.

To decrease the impact on the environment by the cars currently in operation, the Ministry of Natural Resources and Environmental Protection together with the Ministry of Transport and Communications, is elaborating a programme and plan of action that would include, among other things, the establishment of a coordination centre that would carry out research in this area.

- Strengthen the emphasis on energy efficiency, with greater stress on: i) energy price setting for households and other users, and ii) energy savings programmes for the residential sector: the decree of September 1996 to increase heating tariffs for households should be implemented

Belarus developed its first National Programme for Energy Savings to the Year 2000 in 1996, setting out a series of measures for energy efficiency and establishing a State Committee on Energy Efficiency. Funding for the Programme has come from a Special Fund for Energy Conservation, set up under the Committee, as well as from the innovation fund and from local and national budgets. A new programme was developed in 2001 for the period up to 2005. The programme is largely considered a success, but it primarily targets industry, not households. Some additional measures have been taken to promote energy efficiency among households as well, including, for example, regulations on metering and norms for construction and insulation.

- Improve fuel quality, notably the sulfur content of oil products such as diesel

As noted, pursuant to the Law on Technical Norms and Certification of 2004, new standards for diesel fuel and for gasoline have been approved, and norms for gasoline are under review. Since 2003 in most of the diesel fuel amount of sulphur does not exceed 0.035%.

#### *Water*

- Review water management priorities with the aim of increasing efforts to prevent pollution at source

In 2001, the Ministry of Housing and Communal Services and the Ministry of Natural Resources and Environmental Protection developed State Programme on Water Supply and Sanitation "Clean Water" for the period 2001-2005, containing a number of indicators that aim at providing people with good quality water supply and sanitation. This Programme identifies priorities for funding by the State, the environmental protection fund and the communal utilities.

In addition, the National Plan of Action on Rational Use of Natural Resources and Environmental Protection for 2001-2005 envisages a 50% reduction of sewage water from the level of 2000. By mid-2004, a reduction of 42.3% had already been achieved.

- Continue putting priority on drinking water quality, but give more attention to rural areas; in this respect, increase the emphasis on reducing diffuse pollution by agriculture

Management of drinking water has been transferred from the authority of agricultural enterprises (kolkhozes) to the local housing and municipal services companies. In addition, there is under preparation a programme for each oblast aimed at providing the rural population with clean drinking water. The programmes largely involve constructing new infrastructure, which will require considerable expense. Funds should be made available from the local budgets and the environmental protection fund. Before the transfer of authority in each oblast can be completed, the kolkhozes are required to undertake some of the infrastructure reconstruction.

Regulation on water protection zones and riversides for large and middle-size rivers has been approved by the Resolution of the Council of Ministers in 2003. The Regulation specifies sizes and borders of the water protection zones and riversides as well as modalities for economic and other activities in these areas. It is foreseen to elaborate projects on water protection zones and riversides for each large and middle-size river.

- Apply minimum pre-treatment standards for main industrial polluters and consider gradually increasing charges to induce technological change

Industrial wastewater has to go through pre-treatment before being discharged into municipal sewage system. Maximum allowable concentrations (MAC) of pollutants in wastewater that is discharged into a water body are set up individually for companies. Environmental charges for wastewater discharge depend on the concentration of pollutants in the wastewater and its quantity.

Belarus is in the process of revising its Water Code. For this purpose, MNREP is working with the Ministry of Health to establish rules to protect surface waters from discharges, setting limits and indicators.

- Continue efforts to build or renovate waste water treatment plants, taking into account low-cost treatment methods

There is an annual programme of reconstructing or building new wastewater treatment plants. In 2004, 52 wastewater treatment facilities were under construction or renovation. The total amount of resources, allocated for this purpose from the Environment Protection Fund, amounted to more than 60 billion Rbl.

To the extent possible, Belarus is also using new technologies that support low-cost treatment methods, and it is in the process of reviewing the feasibility of replace all of the old technologies with more energy-efficient and modern technologies in a number of cities.

- Progressively bring the price of drinking water for households towards the total production costs of water supply

While there has been a step-by-step increase of the cost of water used by industries over the past few years, the cost of drinking water for households has not increased, largely for social reasons.

- Consider introducing a river-basin approach in water management policies to improve cost-effectiveness of measures and expenditures

Belarus is moving forward in this area. The Ministry of Natural Resources and Environmental Protection is reviewing the Water Code with a view to revising it to include river basin management. The Ministry also intends to elaborate a Plan on the River Basin Approach.

#### *Waste*

- Introduce incentives for enterprises to gear production towards low-waste technologies and develop waste reuse and recycling

The Law on Waste was last revised in 2002, and a third revision is currently being drafted. The 2002 Law has as its objective maximizing the volume of recycled materials. The Law includes:

- development and adoption of the production waste generation norms;
- establishment of limits for the placement of production waste;
- application of environmentally clean and low-waste technologies; and
- payment for the waste disposal by “toxicity class”. During the last years the amounts of payment have been increased considerably. For example, the rate increased by a factor of three from 2002 to 2003.

In addition, a number of new Resolutions have been put into effect, including among others:

- prohibiting the disposal of secondary raw materials (Resolution of the Ministry of Natural Resources and Environmental Protection No. 1, 11 February 2004);
- collecting of wastepaper, glass waste and secondary textile materials (Resolution of Council of Ministers No. 269, 27 February 2003);
- waiver of payments for waste equal to the amount invested in capital improvements to reduce waste (Resolution of Council of Ministers, No. 461, 7 April 2003); and

- expanded responsibility of producers for plastic, glass and paper (cardboard) packaging (Resolutions of Council of Ministers No. 261 and No. 269, 27 February 2003). On the basis of Resolution No. 261, a pilot programme has been introduced for collection of plastic waste, and there are plans to extend the system to include glass and paper packaging as well.
  - Strengthen monitoring, treatment and disposal of hazardous waste

Further to the 2002 amendments to the Law on Waste, a number of regulations have been adopted that concern transport, storage, and calculating the amounts of all waste, including hazardous waste. There are facilities for treatment of some types of hazardous waste (e.g., mercury light bulbs, oil derivatives), and a large complex for treatment and disposal of up to 30,000 tons per annum of hazardous waste is under construction in Gomel oblast (Chechersk). Construction began in 1997, and some parts of the complex for disposal only are already in operation, but there have been problems with its completion. It was the first such experience among the EECCA countries, and the design was not the most appropriate. It may be necessary to revise the plans. In addition, US\$ 20 million has already been invested in the project, but significantly more funds are required. All of the necessary infrastructure, such as special supplies of water and energy, still need to be built.

- Devote special attention to the treatment and proper disposal of accumulated waste on enterprise premises

Further to the National Plan of Action on Rational Use of Natural Resources and Environmental Protection, the different sectors of industry have elaborated their own programmes on waste management for 2002 to 2005. The task now is to analyze the impact of these programmes as a basis for preparing new programmes for 2006 to 2010. In general, industrial waste is stored on land belonging to the enterprises, and falls under regulations agreed upon by the enterprise and the local committees of the Ministry of Natural Resources and Environmental Protection. Fees for waste storage at the territory of enterprises are governed by Resolution of the Council of Ministers No. 386, 29 February 2002.

- Improve landfilling conditions and strengthen related controls; improve treatment of medical waste

The Ministry of Natural Resources and Environmental Protection annually finances the renovation of old landfills and the construction of new ones from the environment protection funds. A licensing system was put into effect for waste deactivation activities, including landfilling (Resolution of the Council of Ministers No. 1371, 20 October 03).

Handling of medical wastes is governed by the 2002 Law on Waste and other normative legal acts, including:

- Regulation on rules and methods of storage of transportation means, products for medical use and medical equipment and Regulation on rules and methods of deactivation of drugs, products for medical use and medical equipment (Resolution of the Council of Ministers No. 1178, 29 August 2002); and
- Regulations on rules and methods of deactivation of drugs, products for medical use and medical equipment (Resolution No. 81 of the Ministry of Health, 22 November 2002).

The Belarusian National Technical University is carrying out research on the handling of medical waste, with the intention to adopt international norms of medical waste disposal and handling (including Basel Convention Technical guidance on medical wastes handling).

- Consider devoting more financial resources to waste management, through various means, including an increase of waste charge levels

In 2003, the Environment Protection Fund allocated 5.1 billion Rbl. for renovation and construction of areas for waste storage. In addition, all fees from plastic waste recycling should be earmarked for improving the system of recycling.

### 3. Strengthening International Co-operation

- Translate bilateral and regional agreements into concrete programmes and projects

This is being done. Examples include:

- Cooperation with Lithuania in surface water management, environmental monitoring (e.g., of environment around Ignalina Nuclear Power Plant), hunting and fishing, protected areas and biological diversity, hazardous waste and chemicals management.
- Cooperation with Poland on transboundary protected areas (Pribuzhskoe Polessye) and monitoring transboundary water resources.
- Cooperation with the Russian Federation on mineral resources and transboundary water bodies.

Several new bilateral and trilateral agreements are being developed, including:

- Agreement with Latvia and Russian Federation on use and protection of water resources of the river Zapadnaya Dvina/Daugava;
  - Agreement with Lithuania and Russian Federation on water resources of the river Neman/Nyamunas; and
  - Agreement with Poland on transboundary water resources.
- Become a party to international conventions, such as the UN/ECE conventions on international watercourses, prevention of industrial accidents, environmental impact assessment, and the Geneva and Oslo Protocols under the Long-range Transboundary Air Pollution Convention, as well as the Basel, Ramsar and Bonn Conventions

Following recommendations of the first EPR, Belarus worked intensively with Secretariats of the global and regional environmental conventions and during the past six years has joined the following:

- Aarhus Convention (1999)
- UNFCCC (2000)
- Basel Convention (1999)
- Ramsar Convention (1999)<sup>1</sup>
- UNCCD (2001)
- Protocol on Biosafety to the Convention on Biological Diversity (2002)
- Convention on the Conservation of Migratory Species of Wild Animals (2003)
- Convention on the Protection and Use of Transboundary Watercourses and International Lakes (2003)
- Convention on Persistent Organic Pollutants (2003)
- Kyoto Protocol to the United Nations Framework Convention on Climate Change (2005)

For more information, see Chapter 4 on International Agreements and Commitments.

- Ratify the Framework Convention on Climate Change

This was accomplished in 2000.

- Strengthen international environmental co-operation by increasing MINNAT's international capacity, by establishing priorities for action and by reviewing systematically the implementation of environmental obligations

Priorities for international cooperation have been established through the National Action Plan for Rational Use of Natural Resources and Environmental Protection 2001-2005, the NSSD in 1997 and the NSSD 2020. Results are reviewed annually and updated as required.

<sup>1</sup> According to Ramsar Convention Secretariat, Belarus has been legally a party to the Ramsar Convention since 1991.

The NEAP 2001-2005 identifies the following priorities:

- Cooperation with international organizations
- Implementation of the obligations under the conventions
- Active involvement in the “Environment for Europe” process, “Health and Environment” and “Transport and environment”
- Building on bilateral and multilateral agreements
- Attracting investments to the environment field.

The NSSD 2020 identifies the following:

- Improving environmental policy and development economic mechanisms for nature use
- Conservation and rational management of natural resources
- Safe application of biotechnologies and biological safety
- Safe use of toxic chemicals
- Reclamation and detoxification of industrial and municipal waste
- Protection of population and territories from natural and technological disasters
- Ecological security of defense facilities
- Development of areas that suffered
- Mitigation of consequences of the Chernobyl accident
- Harmonization of environmental legislation with international agreements and legal acts.