

18.08.2017 14-7/43-ИЮ

Mrs. Maia Bitadze
Chairperson of the Bureau of the Meeting of the
Parties to the Convention on Access to
Information, Public Participation in Decision-
making and Access to Justice in Environmental
Matters

cc. Secretariat of the Convention on Access to
Information, Public Participation in Decision-
making and Access to Justice in Environmental
Matters

Ministry of Foreign Affairs of the Republic of
Belarus

Re: NGOs statements at the 21-nd meeting of the Working Group

Dear Mrs. M. Bitadze,

The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (Ministry) presents its compliments to the Bureau and the Secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters and in response to the letter dated June 7, 2017 is pleased to inform on the following.

The Republic of Belarus once again reaffirms its commitment to the principals of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) and makes its best to fulfill the respective obligations.

According to article 3, paragraph 8 of the Aarhus Convention, the Party shall ensure that persons exercising their rights in conformity with the provisions of the Convention shall not be penalized, persecuted or harassed in any way for their involvement.

The Republic of Belarus fully complies with this provision of the Aarhus Convention and would like to draw the attention to the fact that the events occurred in the country in February-March 2017 (as referred to in the statement of the European ECO Forum) neither are linked to the obligations under Aarhus Convention nor have anything to do with the rights to be executed by the citizens under the Aarhus Convention.

The statement itself of the European ECO Forum proves this as saying that the protest actions which triggered the actions of the Belarusian authorities were unrelated to the ecological matters. The citizens' meetings were related against the Ordinance № 3 dated April 2, 2015 of the President of the Republic of Belarus

«On preventing freeloading practices» regulating the arrangements on preventing social freeloading practices, encouraging able-bodied citizens to labor activities. The fact that the members of the NGO «Ecohome» appeared to be among those detained demonstrates that they participated in the above-mentioned events as the citizens of the Republic of Belarus but not as the ecological activists executing their rights under the Aarhus Convention.

Accordingly we argue about the absence of persecution of the above-mentioned persons by the Belarusian authorities under the article 3, paragraph 8 of the Aarhus Convention.

We would like to draw the attention to the fact that such kind of statements (statement of the European ECO Forum and NGO «Ecohome») undermine the value of the Aarhus Convention and create preconditions for setting up the negative precedent.

Today we witness that the conflicts among civil society and official authorities are taking place in many countries, including those that are Parties to the Aarhus Convention. But these conflicts are not always related to the execution by citizens of their rights under the Aarhus Convention.

In this regard we believe that it is necessary to avoid any actions that might undermine trust to the Aarhus Convention.

We would like in addition to inform that members of the NGO «Ecohome», as well as other non-governmental organizations acting in the area of environmental protection, execute their rights under the Aarhus Convention, interact with the Ministry and other governmental bodies of the Republic of Belarus. For instance, they are part of the Public coordination ecological council; they act as co-organizers or organizers of seminars, round tables on ecological issues as well as of different environmental events; they participate in the annual event «Chernobyl way» and express in mass media their views on different issues related to the environment; they take part in drafting and public deliberation of legislation and reports on EIA. The V Forum of public ecological organizations took place in July 2017. The NGO «Ecohome» was one of the organizers of this event with Marina Dubina, Tatsiana Novikova, Irina Sukhiy participating among others in its work. At the Forum different problems in the area of ecology were discussed.

In this regard we express our readiness for further constructive cooperation for the purpose of implementation of the principles of the Aarhus Convention and strengthening authority of this international treaty on the international arena.

Respectfully yours,

First Deputy Minister of Natural Resources and
Environmental Protection

Iya Malkina