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7 October 2010

Ms. Galina Volchuga
Deputy Minister
Ministry of Natural Resources and Environmental Protection
10, Kollektornaya St.
220048 Minsk
Belarus

Dear Ms. Volchuga,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Belarus with provisions of the Convention in connection with the proposed construction of a nuclear power plant (Ref. ACCC/C/2009/44)

On behalf of the Aarhus Convention Compliance Committee, I would like to thank the participants in the discussion of the above referenced communication at the twenty-ninth meeting of the Compliance Committee (Geneva, 21-24 September 2010).

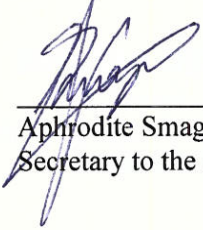
The advance unedited copy of the report of the meeting, including information concerning the discussion on the communication at issue, will be shortly accessible at the following link
<http://www.unece.org/env/pp/ccMeetings.htm>.

You may recall that during the discussion of the communication, the Committee requested you to submit some additional information, as detailed in the questions annexed to the present letter. You are invited to reply to the questions as soon as you can, but no later than 15 November 2010.

The Compliance Committee hopes to be able to complete the preparation of its draft findings with regard to the communication at its thirtieth meeting (Geneva, 14-17 December 2010), after which the draft findings will be circulated for comment to the parties concerned.

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,



Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of the Republic of Belarus to the United Nations Office and other international organizations in Geneva
Mr. Ivan Narkevitch, Head of the Department of International Conventions and Agreements RUE "Bel SRC "Ecology", Belarus
Mr. Thomas Alge, European ECO Forum Legal Focal Point, OEKOBUERO, Austria
Mr. Andriy Andrushevych, European ECO Forum Legal Focal Point for EECCA countries, Ukraine

Annex – Questions to the parties concerned

1. Please address any additional allegations made by the communicant through its oral statement during the formal discussion of the communication at the twenty-ninth meeting of the Committee (21-24 September 2010).
2. In your response of 4 August 2010, on page 7, you mention that “[t]he Ministry of Energy, the Directorate for Nuclear Power Plant Construction and Belnapienergoprom sent an exhaustive response to the Criticism (or Critique) of the Statement on the potential environmental impact of a Belarusian NPP (Preliminary EIA Report on a Belarusian NPP) submitted by public associations (the Belarusian Green Party, the group Eco-defence [Ekozashchita], the movement Scientists for a Nuclear-Free Belarus [Uchyenye za bezyadernuyu Belarus] and the public association Ecohome [Ekodom]”. Could you please provide the Committee with a copy of the exhaustive response?
3. In your response of 4 August 2010, on page 6, you mention that with respect to the allegations of the communication relating to barriers in campaigning and awareness raising, defamation, detention and search and arrest (see paras. 31-37 and section 5.4 of the communication), a query had been submitted to the Department of Internal Affairs of the Ostrovets Raion Executive Committee. Could you please inform the Committee of any response you might have received about the matter?

Also, with respect to the distribution of leaflets by Mr Ozharovskiy during the hearings, you informed that the administrative offence was dropped (page 6 of your response of 4 August 2010). Would you be able to explain why the distribution of these leaflets, which contained the NGO Criticism (or Critique) to the NPP project, were considered as an administrative offence during the hearing?

4. Please indicate which provisions of the regulatory framework concerning nuclear power projects will be amended, in view of the recent legislation (as of 2010) regarding public participation in Belarus. If changes are envisaged, when would these come into effect?