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COMMISSION ÉCONOMIQUE  
POUR L'EUROPE

Tel: +41 (0)22 917 4226 (direct)  
+41 (0)22 917 1234 (Palais des Nations)  
E-mail: aarhus.compliance@unece.org

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ОБЪЕДИНЕННЫЕ НАЦИИ

ЕВРОПЕЙСКАЯ ЭКОНОМИЧЕСКАЯ  
КОМИССИЯ

UNITED NATIONS

ECONOMIC COMMISSION  
FOR EUROPE

Palais des Nations, Room 429-2  
CH-1211 GENEVA 10

25 November 2013

**Decision IV/9b 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  
(Aarhus Convention)**

Dear Sir,

I am writing at the request of the Compliance Committee under the Aarhus Convention. First of all, I would like to thank the Government of Belarus for its constructive participation in the telephone conference held during the forty second meeting (Geneva, 24-27 September 2013) of the Compliance Committee to discuss the implementation of decision IV/9b on compliance by Belarus with its obligations under the Aarhus Convention.

During the telephone conference, the Compliance Committee put several questions to the Government and it was agreed that the Government would provide written responses to those questions after the meeting. The questions raised by the Committee are set out in the annex to this letter. The Committee would be very grateful to receive your responses to those questions by **10 December 2013**, as this will enable the Committee to take them into account in the preparation of its findings and recommendations to the fifth session of the Meeting of the Parties (Maastricht, 30 June – 2 July 2014) on the implementation of decision IV/9b and the recommendations contained in the Committee's findings on ACCC/C/2009/44.

In addition, as you may recall, the Meeting of the Parties, through paragraph 6 of decision IV/9b, invited the Government of Belarus to provide information to the Committee at the latest six months in advance of the fifth session of the Meeting of the Parties, on the measures taken and the results achieved in implementation of the recommendations set out in that decision. In the light of the Compliance Committee's upcoming forty-third meeting (Geneva, 17-20 December 2013), the Committee invites the Government of Belarus to provide all further information that it would like the Committee to take into account when preparing its findings and recommendations to the fifth session of the Meeting of the Parties by the above date, i.e. **10 December 2013**, so that the further information may likewise be taken into account by the Committee in the preparation of its draft findings and recommendations at its forty-third meeting.

Mr. Vitaly Kulik  
First Deputy Minister of Natural Resources  
and Environmental Protection  
of the Republic of Belarus  
10, Kollektornaya str.  
220048 Minsk

Once the Committee has completed its draft findings and recommendations, they will be sent to the parties for comments, before being finalized and submitted to the fifth session of the Meeting of the Parties.

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

Yours sincerely,



Marco Keiner  
Director  
Environment Division  
United Nations Economic Commissions for Europe

cc: Mr. Ivan Narkevitch, Head of the Department of International Conventions and Agreements  
RUE "Bel SRC "Ecology", Belarus  
Permanent Mission of the Republic of Belarus to the United Nations Office and other  
international organizations in Geneva  
Mr. Andriy Andrusevych, European ECO Forum, on behalf of the communicant  
ACCC/C/2009/37 and communicant ACCC/C/2009/44  
Mr. Thomas Alge, communicant ACCC/C/2009/44

**Annex**  
**Questions to the Government of Belarus**

The questions below were put to the Government of Belarus by the Compliance Committee at the telephone conference on decision IV/9b held on 26 September 2013. The questions relate to the draft “Law of the Republic of Belarus to introduce amendments and additions to certain laws of the Republic of Belarus with regard to public participation in making environmentally significant decisions and public access to environmental information” (the draft Law) and the draft “Regulations for the Conduct of Public Discussions of Environmentally Significant Decisions” (the draft Regulations).

1. Is it correct that the draft Regulations will not apply to activities regulated by the Regulations on the Conduct of Environmental Impact Assessment, approved by Resolution No. 755 of the Council of Ministers of 19 May 2010?
2. Have the Regulations on the Conduct of Environmental Impact Assessment be amended since the amendments introduced through the Resolution of the Cabinet of Ministers of the Republic of Belarus No. 689 of 1 June 2011, and if so, what is the content of those subsequent amendments?
3. In the light of the annulment of the “Regulation on the procedures for discussion of the issues in the area of the use of nuclear energy with participation of citizens associations, other organizations and citizens”, what public participation procedure will apply to procedures authorizing nuclear activities, and in particular will the draft Law and draft Regulations apply to nuclear activities?
4. Paragraph 25 of the draft Regulations states that the report on the conduct of public discussions of the draft programme must contain, inter alia, a summarized list of questions, comments and suggestions put forward by the public during the public discussion process. Please respond to the Committee’s observation that paragraph 25 appears not to fully comply with the recommendation in paragraph 90 (c) of the Committee’s findings on ACCC/C/2010/44, namely to “ensure that the full content of all the comments made by the public (whether claimed to be accommodated by the developer or those which are not accepted) is submitted to the responsible authorities for taking the decision (including those responsible for the expertiza conclusion)”.