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Palais des Nations, Room 429-4  
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Ref: ACCC/S/2015/02

18 July 2016

Ms. Iya Malkina  
First Deputy Minister  
Ministry of Natural Resources and Environmental Protection  
Republic of Belarus

Mr. Ivan Narkevitch  
Head of the Department of International Conventions and Agreements  
Department of International Conventions and Agreements  
Republic of Belarus

Ms. Agne Murauskaite  
Head of Law Application Division  
Law and Personnel Department  
Ministry of Environment  
Lithuania

Ms. Egle Leonaviciute  
Law and Personnel Department  
Ministry of Environment  
Lithuania

Dear Ms. Malkina and Mr. Narkevitch,  
Dear Ms. Murauskaite and Ms. Leonaviciute,

**Re: Submission to the Aarhus Convention Compliance Committee concerning compliance by Belarus in connection with public participation in decision-making concerning the Ostrevets nuclear power plant (ACCC/S/2015/02)**

At its fifty-third meeting (Geneva, 21-24 June 2016), the Compliance Committee agreed that it would send further questions for the written response of both the Party concerned and the submitting Party prior to the hearing of the above submission. The Committee provisionally scheduled the hearing of the submission for its fifty-fourth meeting (Geneva, 27-30 September 2016).

Please find enclosed the questions prepared by the Committee for your attention. The Committee would be very grateful to receive your written response to the enclosed questions on or before **Monday, 8 August 2016**. Please send your response to [aarhus.compliance@unece.org](mailto:aarhus.compliance@unece.org). The other Party will then have two weeks from the date of your response to send any comments it may have on that response, assuming that the response is sent in English. (In this regard, to assist the swifter consideration of the submission, the Committee would be very grateful if each Party would submit together with its response to the questions an English translation thereof if not originally in English.) If the above timeframe would not be feasible for you, I would be grateful if you would let me know by return.

With respect to the hearing of the submission provisionally scheduled for the Committee's fifty-fourth meeting, I will write with further details once the Parties' replies to the enclosed questions have been received.

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

Yours sincerely,



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Fiona Marshall  
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  
Permanent Mission of the Republic of Lithuania to the United Nations Office and other international organizations in Geneva
- Enc: Questions to the Parties from the Compliance Committee

## Questions to the Parties from the Compliance Committee

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### Questions for Lithuania:

1. Please provide evidence to substantiate each of the following allegations made by Lithuania with respect to the Ostrovets event organized on 17 August 2013:
  - (a) The Lithuanian public was not duly informed;
  - (b) Lithuanian citizens wishing to get to the site of the event encountered difficulties;
  - (c) A group of people (mostly from Visaginas and formerly employed at another nuclear power plant) were specially gathered by Belarus for the purpose of going to Ostrovets as representatives of the Lithuanian public; and
  - (d) Without any prior warning, the departure for Ostrovets was one hour earlier than planned.
  
2. Does Lithuania consider that Belarus was obliged to translate all documentation relating to the Ostrovets nuclear power plant? If not, please list which documents you consider Belarus should have translated into Lithuanian. Please also specify which documents you consider need not have been translated.
  
3. Please provide any other comments Lithuania would wish to make with respect to Belarus' response dated 8 October 2015.

### Questions for both Parties:

4. The Committee notes the helpful summary on page 16 of Lithuania's submission dated 25 March 2015 in which Lithuania sets out its view of the key differences between communication ACCC/C/2009/44 and submission ACCC/S/2015/2. The Committee now invites each Party to provide its view on which, if any, of the legal arguments raised by Lithuania in ACCC/S/2015/2 have already been considered, or are presently being considered, by the Committee in:
  - (a) The findings on communication ACCC/C/2009/44 (ECE/MP.PP/C.1/2011/6/Add.1); and/or
  - (b) The review of the implementation of decision V/9c of the Meeting of the Parties on compliance by Belarus.

The Committee also invites each Party to give its view as to which of the legal arguments made by Lithuania in ACCC/S/2015/2 have been made for the first time in that submission.

5. The Committee notes that, at its thirty-fifth session (Geneva, 15-17 March 2016), the Implementation Committee of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) invited Belarus and Lithuania to carry out bilateral expert level consultations on a number of issues raised during the follow-up to decision VI/2 of the Meeting of the Parties of the Espoo Convention and to jointly report to the Committee on the results of those consultations by 29 July 2016 for consideration by the Implementation Committee at its next session (see ECE/MP.EIA/IC/2016/2, para. 24).

The Committee invites each Party to give its view on whether any developments in connection with the follow-up of decision VI/2 since Lithuania made its submission in ACCC/S/2015/2 on 25 March 2015, that the Party considers would be important for the Aarhus Convention Compliance Committee to take into account in its deliberations on ACCC/S/2015/2.

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