

Questionnaire for the report of the Republic of Belarus on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2013–2015

Information on the focal point for the Convention

1. Information on the focal point for the Convention

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Part one

Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the Convention text (e.g., EIA Law of the Republic of ..., art. 5, para. 3, of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1 Is the definition of impact for the purpose of the Convention the same in your legislation as in article 1?

- a) Yes
- b) Yes, with some differences (please provide details):
- c) No (please provide the definition):
- d) There are no definitions of impact in the legislation

Your comments:

Art. 1 of the Law of the Republic of Belarus "On State Environmental Expertise" defines the term "environmental impact".

I.2 Is the definition of transboundary impact for the purpose of the Convention the same in your legislation as in article 1? Please specify each below.

- a) Yes
- b) Yes, with some differences (please provide details):
- c) No (please provide the definition):
- d) There are no definitions of transboundary impact in the legislation

Your comments:

Art. 1 of the Law of the Republic of Belarus "On State Environmental Expertise".

I.3 Please specify how major change is defined in your national legislation:

Legislation of the Republic of Belarus on environmental protection does not contain the definition of the term "major (significant) change."

At the same time art. 1 of the Law of the Republic of Belarus "On State Environmental Expertise" defines the notion of "environmental change" within the meaning of which it is clear that the Law applies to any change in the environment, even the insignificant one.

I.4 How do you identify the public concerned? Please specify (more than one option may apply):

- a) Based on the geographical location of the planned project
- b) By making the information available to all members of the public and letting them identify themselves as the public concerned
- c) By other means (please specify):

Your comments:

Public notification on the beginning of public hearings procedure is published in the mass media, as well as on the Internet, on project owner's websites and on websites of the relevant local executive and regulatory bodies (upon availability of such website).

In addition, the public is provided with access to the EIA report by the project owner, and (or) in the local executive and regulatory bodies, libraries and in other accessible locations, as well as on the Internet on the project owner's website (upon availability of such website).

Article 2

General provisions

I.5 Provide legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2, para. 2):

- a) Law on EIA:
- b) EIA provisions are transposed into another law(s) (please specify):
 - Article 1 of the Law of the Republic of Belarus "On State Environmental Expertise" introduces the definition of EIA;
 - Article 13 of the Law of the Republic of Belarus "On State Environmental Expertise" sets the facilities subject to EIA and the procedure for conducting EIA;
 - Article 8 (art. 58-61) of the Law of the Republic of Belarus "On Environmental Protection" also regulates relations in the framework of EIA and environmental expertise;
- c) Regulation (please indicate number/year/name):
 - Regulations on environmental impact assessment procedure, Regulations on state environmental expertise procedure approved by the Resolution of the Council of Ministers № 755 of May 19, 2010.
 - Technical regulatory legal act TCP 17.02.08.2012 "Environmental Protection and Natural Resource Management. Regulations on EIA and Report Preparation".
 - Technical regulatory legal act TCP 17.12-03-2011 "Environmental Protection and Natural Resource Management. Territories. The Procedure and Rules for Assessment of the Impacts of Peat Deposits Exploitation on the Environment".
- d) Administrative (please indicate number/year/name):
- e) Other (please specify):

Your comments:

Furthermore, changes were introduced to the Law of the Republic of Belarus "On Environmental Protection" based on the public hearings of the environmental decision-making and the assessment of the environmental impact report.

I.6 Please describe any differences between the list of activities in your national legislation and appendix I to the Convention, if any:

a) There is no difference, all activities are transposed in the national legislation as is

b) It differs slightly (please specify):

Your comments:

To date, the Law of the Republic of Belarus "On State Environmental Expertise, Strategic Environmental Assessment and Environmental Impact Assessment" has been drafted in the Republic of Belarus. Part 1, art. 7 of this Law determines the list of facilities subject to EIA, and part 2, art.7 states that EIA is carried out for other facilities provided by the legislative acts, international agreements of the Republic of Belarus, including Appendix I to the Espoo Convention and Appendix I to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, which means that the list is not finalized.

I.7 Identify the competent authority/authorities responsible for carrying out the EIA procedure in your country (please specify):

a) There are different authorities at national, regional, local levels

b) They are different for domestic and transboundary procedures

In the Republic of Belarus there is no single body responsible for carrying out the whole EIA procedure. At the same time:

- It is the obligation of the project owner to prepare the EIA report based on the results of the impact assessment;

- Local Councils of Deputies, local administrative and territorial authorities and executive bodies – in whose territory it is supposed to implement the planned activities – carry out public hearings and EIA report discussion meetings together with the project owner.

- Ministry of Natural Resources conducts environmental expertise of the EIA report.

- The Decree of the President of the Republic of Belarus №487 of 20.10.2005 states that the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (the Minprirody) is responsible for fulfilling the obligations of the Republic of Belarus under the Espoo Convention. Thus, in case of possible significant adverse transboundary impact the Minprirody is obliged to inform all stakeholders.

c) Please name the responsible authority/authorities:

d) There is no single authority responsible for the entire EIA procedure:

Your comments:

I.8 Is there an authority in your country that collects information on all the transboundary EIA cases? If so, please name it:

a) No

b) Yes (please specify):

Your comments:

The legislation provides that in the event of possible significant adverse transboundary impact of planned activities the project organization, the project owner submits to the Ministry of Natural Resources and Environmental Protection the EIA programme, the notification of the planned activity, requests information on the affected Party required for the development of the EIA report in Russian, English or another language upon agreement with stakeholders in print and electronically.

I.9 How does your country, as Party of origin and as affected Party, ensure that the opportunity given to the public of the affected Party is equivalent to the one given to the Party of origin's public, as required in article 2, paragraph 6 (please explain):

The Republic of Belarus is a party to the Espoo Convention, which makes art. 2, para. 6 of the Convention binding for the execution.

Article 3 Notification

I.10 As Party of origin, when do you notify the affected Party (art. 3, para. 1)? Please specify:

- a) During scoping
- b) When the EIA report has been prepared and the domestic procedure started
- c) After finishing the domestic procedure
- d) At other times (please specify):

Your comments:

In case of possible significant adverse transboundary impact of the planned activity the decision on the need for notification of identified affected Parties is taken at the environmental impact assessment programme development stage.

I.11 Please define the format of notification:

- a) It is the format as decided by the first meeting of the Parties in its decision I/4 (ECE/MP.EIA/2, annex IV, appendix)
- b) The country has its own format (please attach a copy):
- c) No official format used

Your comments:

Form

The notification of the planned activity

Planned activity _____.
(name (type of activity))

Owner of the planned activity _____
(name, legal address,

postal address, e-mail, phone numbers, fax)

Objectives of the planned activity _____

Justification of the planned activity _____

Description of the planned activity _____
(nature and size of activity)

Location of the planned activity _____
(description and justification
of the location choice)

Time frames of the planned activity _____
(time and duration
of construction and operation)

Expected deadline for decision-making regarding the planned activity _____

Nature of possible decision regarding the planned activity _____

Impact assessment time frame _____

Developer(s) of impact assessment _____
(name, legal address,
postal address, e-mail, phone numbers, fax)

Estimated time frames for public hearings and consultations _____

Deadlines for sending the response with intention to participate in the procedure of transboundary impact assessment _____

I.12 As a Party of origin, what information do you include in the notification (art. 3, para. 2)? Please specify (more than one option may apply):

- a) The information required by article 3, paragraph 2
- b) The information required by article 3, paragraph 5
- c) Additional information (please specify):

Your comments:

National legislation established a notification form, which shall contain the following information:

- Planned activity;
- Owner of planned activity;
- Justification of planned activity;
- Description of planned activity (nature and size);
- Location of planned activity (description and justification of location choice);
- Time frames of planned activity (beginning and duration of construction and operation);

- Expected time frame for decision-making regarding the planned activity;
- Impact assessment time frame;
- Deadlines for sending the response with intention to participate in the procedure of transboundary impact assessment.

Also the notification should include EIA procedure programme.

I.13 As a Party of origin, does your national legislation contain any provision on receiving a response to the notification from the affected Party in a reasonable time frame (art. 3, para. 3, "within the time specified in the notification")? Please specify:

- a) National legislation does not cover the time frame
- b) Yes, it is indicated in the national legislation (please indicate the time frame):
- c) It is determined and agreed with each affected Party case by case in the beginning of the transboundary consultations (please indicate the average length in weeks):

The legislation does not stipulate the time frame for the affected party to express a wish to participate in the EIA procedure. However, at the moment bilateral agreements on the implementation of the Espoo Convention with Lithuania, Poland and Ukraine are being drafted. They will specify the time frame for the affected Party to express their interest in participating in the EIA procedure.

Your comments:

Please specify the consequence if a notified affected Party does not comply with the time frame, and the possibility of extending a deadline:

I.14 How do you inform the public and authorities of the affected Party (art. 3, para 8)? Please specify:

- a) By informing the point of contact to the Convention listed on the Convention website¹
- b) Other (please specify):

Your comments:

According to para. 12 of the Regulations on the EIA procedure, the Minprirody sends the materials (EIA programmes, notifications of the planned activity, requests for information on the affected Party, EIA reports translations in English and (or) another language, approved EIA reports) received from the owner of the project to the affected Parties through diplomatic channels within 3 business days.

Experience shows that the information is provided to the competent authority of the affected Party, as well as to the point of contact for the Convention, listed on the Convention website.

I.15 On what basis is the decision made to participate (or not) in the transboundary EIA procedure as affected Party (art. 3, para. 3)? Please specify:

¹List available from http://www.unece.org/env/eia/points_of_contact.htm.

- a) Notified ministry/authority of the affected Party responsible for EIA decides on its own based on the documentation provided by Party of origin
- b) Based on the opinions of the competent authorities of the affected Party
- c) Based on the opinions of the competent authorities and that of public of the affected Party
- d) Other (please specify):

Your comments:

Para. 28 of the Regulations on the EIA procedure determines that in case the Republic of Belarus is the affected Party as a result of a possible significant adverse transboundary impact on the territory of a foreign state, the Ministry of the Environment decides on participation (non-participation) of the Republic of Belarus in the impact assessment procedure in a transboundary context. If necessary, other interested state bodies and the Council of Ministers of the Republic of Belarus become involved in taking a decision on participation (non-participation) in a transboundary EIA procedure.

I.16 If the affected Party has indicated that it intends to participate in the EIA procedure, how are the details for such participation agreed, including the time frame for consultations and the deadline for commenting (art. 5)? Please specify:

- a) Following the rules and procedures of the Party of origin
- b) Following the rules and procedures of the affected Party
- c) Other (please specify):

Your comments:

Regulations on EIA procedure provide that in case of possible significant adverse transboundary impact of planned activity affected Parties carry out public hearings of the EIA report on their territory in accordance with international agreements and national legislation. At the initiative of the affected Parties representatives of the project owner and the project organization on behalf of the Republic of Belarus, and if necessary, representatives of the Minprirody take part in public hearings on the territory of the affected Parties

Clear time frames for carrying out consultations and the deadlines have not been established.

Article 4

Preparation of the environmental impact assessment documentation

I.17 How do you ensure sufficient quality of the EIA documentation as Party of origin? Please specify:

- a) The competent authority checks the information provided and ensures it includes all information required under appendix II as a minimum before making it available for comments
- b) By using quality checklists

- c) There are no specific procedures or mechanisms
- d) Other (please specify):

Your comments:

As part of the project documentation EIA report is subject to state environmental expertise. In the course of the state environmental expertise the Minprirody establishes whether the report is in or out of compliance with legislative norms.

I.18 How do you determine the relevant information to be included in the EIA documentation in accordance with article 4, paragraph 1? Please specify (more than one option may apply):

- a) By using appendix II
- b) By using the comments received from the authorities concerned during the scoping phase, if applicable
- c) By using the comments from members of the public during the scoping phase, if applicable
- d) As determined by the proponent based on its own expertise
- e) By using other means (please specify):

Your comments:

Project organization determines whether the impact of a planned activity has a transboundary nature during the development of the EIA programme taking into account the criteria set out in Appendix I and Appendix III to the Convention on Environmental Impact Assessment in a Transboundary Context.

Paragraph 16 of the Regulations on the EIA procedure establishes the content of the EIA report.

I.19 How do you determine “reasonable alternatives” in accordance with appendix II, paragraph (b)?

- a) On a case-by-case basis
- b) As defined in the national legislation (please specify):
- c) Other (please specify):

Your comments:

The Draft Law of the Republic of Belarus "On State Indicative Planning of Socio-Economic Development of the Republic of Belarus" introduces the principle of multiple variants/alternatives indicative planning, providing the account of alternatives of possible changes of socio-economic development factors, including variants of management decisions in the process of elaboration of state indicative planning documents.

The EIA report should include an analysis of alternative technological solutions on the facility, taking into account their cost-effectiveness, environmental security, resource consumption per unit of output, the degree of risk and the probability of accidents, as well as alternative options of location of the facility, including the rejection of its implementation, taking into account environmental and other restrictions on the land use established by the legislation.

Article 5
Consultations on the basis of the environmental impact assessment documentation

a) Public participation

I.20 How can the public concerned express its opinion on the EIA documentation of the planned project (art. 5)? Please specify (more than one option may apply):

As Party of origin

- a) By sending comments to the competent authority/focal point
- b) By taking part in a public hearing
- c) Other (please specify):

According to national legislation public participation is ensured through:

1. Public familiarization with EIA report and documenting of comments and suggestions made;
2. In case of public interest – carrying out meetings on EIA report hearings.

Public environmental expertise

Applications to the government bodies

As affected Party

- d) By sending comments to the competent authority/focal point
- e) By taking part in a public hearing
- f) Other (please specify):

Your comments:

I.21 Please indicate whether your national EIA legislation requires the organization of a public hearing on the territory of the affected Party in cases where your country is the country of origin:

- a) Yes
- b) No

Your comments:

According to national legislation one of the stages of the environmental impact assessment is interests may be affected during the implementation of project solutions on the territory of the Republic of Belarus and in case of possible significant adverse transboundary impact - on the territory of the affected Parties.

The obligatory annex to the EIA report on planned economic and other activities includes the materials of public hearings held on the territory of the Republic, and materials of public hearings and consultations on the territories of the affected Parties (in case of transboundary impact).

Public hearings are conducted in the territories of the affected Parties in accordance with international agreements and domestic legislation of the affected Parties.

At the initiative of the affected Parties representatives of the project owner and the project organization on behalf of the Republic of Belarus, and if necessary,

representatives of the Minprirody take part in public hearings on the territory of the affected Parties

I.22 Please indicate whether your national EIA legislation requires the organization of public hearings in cases where your country is the affected Party:

- a) Yes
- b) No

Your comments:

Paragraph 28.4 of the Regulations on the EIA procedure requires that within 3 business days of receipt of the EIA report from the Party of origin, relevant local Councils of Deputies and local executive and regulatory bodies shall organize and conduct public hearings of the EIA report in accordance with the legislation of the Republic of Belarus.

b) Consultations

I.23 Does your national EIA legislation have any provision on the organization of transboundary consultations (expert, joint bodies, etc.) between the authorities of the concerned Parties? Please specify:

- a) Yes, it is obligatory
- b) No, it does not have any provision on that
- c) It is optional (please specify):

Your comments:

One of the stages of the environmental impact assessment is the consultations with affected Parties on their comments and suggestions on the EIA report in case of possible significant adverse transboundary impact of the planned activity.

The obligatory annex to the report on the assessment of the environmental impact of the planned economic and other activities are the materials of public hearings held on the territory of the Republic, and materials of public hearings and consultations on the territories of the affected Parties (in case of transboundary impact).

At the initiative of the affected Parties on their territory or by agreement of the Parties on the territory of the Republic of Belarus consultations are carried out on comments and suggestions on EIA programme and EIA report received from the Parties. On behalf of the Republic of Belarus representatives of the initiator and the project organization, and if necessary, representatives of the Minprirody take part in the above mentioned consultations.

Article 6 Final decision

I.24 Please indicate all points below that are covered in a final decision related to the implementation of the planned activity (art. 6, para. 1):

- a) Conclusions of the EIA documentation
- b) Comments received in accordance with article 3, paragraph 8, and article 4, paragraph 2
- c) Outcome of the consultations as referred to in article 5

- d) Outcomes of the transboundary consultations
- e) Comments received from the affected Party
- f) Mitigation measures
- g) Other (please specify):

I.25 Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6, para. 1):

- a) Yes
- b) No

Your comments:

Reasonable and valid comments are taken into consideration.

I.26 Is there any regulation in the national legislation of your country that ensures the implementation of the provisions of article 6, paragraph 3?:

- a) No
- b) Yes (please specify):

Your comments:

In accordance with paragraph 17 of the Regulations on the EIA procedure if the impact assessment taking into account the possible transboundary impact on the territory of a foreign state has not been carried out, when receiving a request from such state for information on the planned activity and its transboundary impact, within 3 business days the Minprirody sends a copy of the request to the project owner to prepare the requested information in order to carry out consultations with the foreign state on the likelihood of significant adverse transboundary impact.

If the parties come to an agreement on the likelihood of significant adverse transboundary impact of the planned activity, the initiator provides the impact assessment in a transboundary context in accordance with the requirements of the Regulations on the EIA procedure.

I.27 Do all activities listed in appendix I (items 1-22) require a final decision to authorize or undertake such an activity?:

- a) Yes
- b) No (please specify those that do not):

Your comments:

I.28 For each type of activity listed in appendix I that does require a final decision, please indicate the legal requirements in your country that identify what is regarded as the “final decision” to authorize or undertake such an activity (art. 6 in conjunction with art. 2, para. 3), and the term used in the national legislation to indicate the final decision in the original language:

Your comments:

The following information is to be published in the mass media that has previously published a notice of public hearings of the EIA report, as well as on the Internet websites of the relevant local executive and regulative bodies (in the presence of such sites):

- Information on where it is possible to find the approved EIA report within 10 business days from the date of approval of the project documentation;
- Information on local executive and regulative body's decision on a facility siting with a justification of the decision within 10 business days from the date of such decision.

Lists of the construction permits decisions are compiled and updated by local executive and regulative bodies on their websites on the Internet (in the presence of such sites).

Article 7

Post-project analysis

I.29 Is there any provision regarding post-project analysis in your national EIA legislation (art. 7, para. 1)?:

(a) No

(b) Yes (please specify the main steps to be taken and how the results of it are communicated):

Your comments:

The EIA report which includes a description of the local environmental monitoring programmes and post-project analysis (when necessary) is prepared based on the results of impact assessment;

Article 8

Bilateral and multilateral cooperation

a) Agreements

I.30 Does your country have any bilateral or multilateral agreements based on the Convention (art. 8, appendix VI)?:

a) No

b) Yes Please specify with which countries:

At the moment the Republic of Belarus has no bilateral agreements in the framework of the Espoo Convention. But at the same time Belarus is actively drafting bilateral agreements on the implementation of the Espoo Convention with the Republic of Poland, the Republic of Lithuania, and Ukraine.

If publicly available, please also attach the texts of such bilateral and multilateral agreements, preferably in English, French or Russian.

I.31 What issues do these bilateral agreements cover (appendix VI)? (more than one option may apply):

(a) Specific conditions of the subregion concerned

(b) Institutional, administrative and other arrangements

(c) Harmonization of the Parties' policies and measures

(d) Developing, improving, and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis

(e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the EIA

(f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of planned activities

(g) Undertaking joint EIA, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies

(h) Other, please specify:

Your comments:

b) Procedural steps required by the national legislation

I.32 Please describe the steps required in your national legislation for a transboundary EIA procedure:

a) When EIA in a transboundary context is part of a domestic EIA procedure:

Transboundary EIA procedure is part of the domestic EIA procedure and is enshrined in the national legislation.

Impact assessment is carried out during the development of project documentation in the first design stage and includes the following steps:

- Development and approval of the EIA programme;
- Organization of international procedures in the event of possible significant adverse transboundary impact of the planned activity;
- Elaboration of the EIA report;
- Organization of discussions on the EIA report with the public, whose rights and legitimate interests may be affected in the course of the project implementation on the territory of the Republic of Belarus and in case of possible significant adverse transboundary impact - on the territory of the affected Parties;
- Organization of consultations in case of possible significant adverse transboundary impact of the planned activity with the affected Parties based on their comments and suggestions on the EIA report;
- Completion of the EIA report, including the comments and suggestions from the public and affected Parties in case of identification of environmental impacts that have not been taken into account in the EIA report, or in connection with changes to the project documentation, if these changes are associated with environmental impact;
- Presentation of the modified design documentation on the planned activity, including the EIA report for the state environmental expertise;
- Organization of the state environmental expertise of project documentation, including the EIA report on the planned activity;
- Approval of project documentation on the planned activity, including the EIA report, in accordance with legislation;
- Presentation of the approved EIA report and adopted solution on the planned activity to the Ministry of Natural Resources and Environmental Protection to

inform the affected Parties in the event of possible significant adverse transboundary impact.

b) When EIA in a transboundary context is a separate procedure (please provide of how this procedure links to the domestic procedure and whether the steps are different):

Alternatively, this question can be answered or supported by providing a schematic flowchart showing these steps.

Your comments:

I.33 Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for joint cross-border projects (e.g., roads, pipelines)?:

- a) No
- b) Yes (please specify):
 - i) Special provisions:
 - ii) Informal arrangements:

Your comments:

I.34 Does your country have special provisions or informal arrangements concerning transboundary EIA procedures for nuclear power plants (NPPs)?:

- a) No
- b) Yes (please specify):
 - i) Special provisions:
 - ii) Informal arrangements:

Your comments:

Part two

Practical application during the period 2013–2015

Please report on your country's practical experiences in applying the Convention (not your country's procedures described in part one), whether as Party of origin or affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Parties should therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improve its application.

II.1 Does your country object to the information on transboundary EIA procedures that you provide in this section being compiled and made available on the website of the Convention? Please specify (indicate "yes" if you object):

- a) Yes
- b) No

Your comments:

1. Experience in the transboundary environmental impact assessment procedure during the period 2013–2015

Cases during the period 2013–2015

II.2 If your country's national administration has a record of transboundary EIA procedures that were under way during the reporting period, in which your country was Party of origin or affected Party, please list them in the tables II.2 (a) and II.2 (b) below (adding additional rows as needed).

Table II.2 (a)

Transboundary EIA procedures: As Party of origin

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
Belarusian NPP	15 July 2008 – notification on the intention to construct an NPP 24 August 2009 – notification and brief EIA information	15 September 2009 – preliminary EIA report; 25 July 2011 – approval of the justification of investment into NPP construction, including EIA report	With Austria in Vienna – 10 May 2010; With Latvia in Riga – 23 March 2010; With Lithuania in Minsk – 18 June 2010; With Poland in Warsaw – 25 May 2010; With Ukraine in Lutsk – 29 June 2010.	In Austria in Vienna – 11 May 2010; In Lithuania in Vilnius – 2 March 2010; In Ukraine in Kiev – 31 March 2010 r. Latvia and Poland did not wish to hold public hearings with the participation of the Belarusian party on their territories.	2 November 2013 – Presidential Decree "On Construction of the Belarusian Nuclear Power Plant"

Your comments:

Table II.2 (a)

Transboundary EIA procedures: As Party of origin

Name of case	Starting date (date notification sent)	Length of the main steps in months			Final decision (date of issuing, if information is available)
		Submission of the environmental report	Transboundary consultations (expert), if any	Public participation, including public hearing, if any	
1. Construction of a nuclear fuel production plant (fuel assemblies with 5% enrichment of U-235) for VVER-1000 type units, with capacity of 800 fuel assemblies per year	A letter from the Ministry of Environment and Natural Resources of Ukraine of 19.02.2014 № 5/1-13/2413-14	A letter from the Ministry of Environment and Natural Resources of Ukraine of 19.02.2014 № 5/1-13/2413-14			
2. Construction of a nuclear power plant in the Republic of Poland	A letter from Environment Directorate-General of 2 December 2015 №DOOS-tos.440/8/2015.J A.dts.4	A letter from Environment Directorate-General of 2 December 2015 №DOOS-tos.440/8/2015.JA.dts.4			
3. Interim storage depository of vitrified high-level waste that will be returned from	A letter from the Ministry of Environment and Natural Resources of	A letter from the Ministry of Environment and Natural Resources of			

<i>Name of case</i>	<i>Length of the main steps in months</i>					<i>Final decision (date of issuing, if information is available)</i>
	<i>Starting date (date notification sent)</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations (expert), if any</i>	<i>Public participation, including public hearing, if any</i>		
the Russian Federation after the reprocessing of spent nuclear fuel from Ukrainian nuclear power plants	Resources of Ukraine of 20.10.2014 № 5/3-6/12771-14	of Ukraine of № 5/25-13/11571-15	of 18.09.2015			
4.						
...						

Your comments:

Please share with other Parties your country's experience of using the Convention in practice. In response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.3 Translation is not addressed in the Convention. How has your country addressed the question of translation? What difficulties has your country as Party of origin and affected Party experienced relating to translation and interpretation, and what solutions has your country applied? (Please specify, among others, the parts and type of the documentation translated, language, costs, etc.):

a) As Party of origin:

In case of possible significant adverse transboundary impact the project owner or the project organization under the agreement with the project owner provides the translation of the environmental impact assessment report in English and (or) another language agreed with stakeholders and presents these materials in print and electronically to the Minprirody.

b) As affected Party

II.4 Describe any difficulties that your country has encountered during transboundary public participation (expert consultation, public hearing, etc.), including on issues of timing, language and the need for additional information:

There is no such practice

II.5 Does your country have successful examples of organizing transboundary EIA procedures for joint cross-border projects or that of an NPP?:

a) Yes

b) No

II.6 If you answered yes to question II.5, please provide information on your country's experiences describing, for example, means of cooperation (e.g., contact points, joint bodies, bilateral agreements, special and common provisions, etc.), institutional arrangements, and how practical matters are dealt with (e.g., translation, interpretation, transmission of documents, etc.):

a) For joint cross-border projects:

b) For NPPs:

On July 15, 2008 the Republic of Belarus submitted preliminary notification of the intention of Belarus to build a nuclear power plant to neighboring countries and the Secretariat of the Espoo Convention in accordance with the procedure of the Espoo Convention.

In October 2009, Belarus carried out a public hearing on the EIA of the Belarusian NPP on its territory attended by about a thousand people from all over the Republic and the representatives of Lithuania, Ukraine and Russia. After that the elaborated EIA report was sent to all interested countries.

International hearings on the EIA report in accordance with article 3, paragraph 8 and article 4, paragraph 2 of the Espoo Convention have been held:

- in Austria (Vienna) on May 11, 2010;
- in Lithuania (Vilnius) on March 2, 2010;
- in Ukraine (Kiev) on March 31, 2010.

Latvia and Poland did not wish to hold public hearings with the participation of the Belarusian party on their territories.

In addition, in accordance with article 5 of the Espoo Convention international consultations on the EIA report were carried out:

- with Austria in Vienna May 10, 2010;
- with Latvia in Riga March 23, 2010;
- with Lithuania in Minsk June 18, 2010;
- with Poland in Warsaw May 25, 2010;
- with Ukraine in Lutsk June 29, 2010.

In February 2011 the finalized report on EIA of Belarusian NPP using the comments and suggestions of these countries was sent to the Parties concerned and to the Secretariat of the Espoo Convention.

During 2009 - 2016 Belarusian side has been answering all questions of the Republic of Lithuania in connection with its concern. However, in 2011 Lithuania submitted the application alleging non-observance by Belarus of the provisions of the Espoo Convention to the Implementation Committee of the Espoo Convention. Currently the committee is considering the case. The Republic of Belarus provides maximum assistance to the Committee in the consideration of this issue.

In addition, pursuant to paragraph 16.12 of the Regulations on the EIA procedure, approved by the Decree of the Council of Ministers № 755 of 19.05.2010, if necessary, the EIA report should contain the post-project analysis programme description. The post-project analysis programme for the Belarusian NPP has been developed and approved. The Programme has been sent to all countries which participated in the discussion of transboundary EIA procedure of the Belarusian NPP.

II.7 Name examples of good practice cases, whether complete cases or good practice elements (e.g., notification, consultation or public participation) within cases:

Para. II.6 describes the practice of application of the Espoo Convention within the framework of Belarusian NPP project implementation.

II.8 Would your country like to introduce a case in the form of a Convention “case study fact sheet”?

- a) No
- b) Yes (please indicate which cases):

II.9 Has your country carried out post-project analyses in the period 2013–2015:

a) No

b) Yes (please indicate which projects, along with the challenges in implementation and any lessons learned):

According to subparagraph 16.12 of the Regulations on the EIA procedure approved by the Decree of the Council of Ministers № 755 of 19.05.2010, if necessary, the EIA report should contain the post-project analysis programme description. The post-project analysis programme for the Belarusian NPP has been developed and approved on 24.12.2014. The Programme has been sent to all countries which participated in the discussion of transboundary EIA procedure of the Belarusian NPP.

2. Experience in using the guidance in 2013–2015

II.10 Has your country used in practice the following guidance, adopted by the Meeting of the Parties and available online?:

a) Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7):

No

Yes (please specify):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

b) Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix):

No

Yes (please specify):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

c) Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8):

No

Yes (please specify):

Your experience with using this guidance:

Your suggestions for improving or supplementing the guidance:

3. Clarity of the Convention

II.11 Has your country had difficulties implementing the procedures defined in the Convention, either as Party of origin or as affected Party, because of a lack of clarity of the provisions?:

No

Yes (please indicate which provisions and how they are unclear):

4. Suggested improvements to the report

II.12 Please provide suggestions for how this report may be improved.