

**COUNCIL OF MINISTERS
OF THE REPUBLIC
OF BELARUS**

RESOLUTION

of 30 September 2020 No. 571

Minsk

on Amendments to Council of Ministers’
Resolution No. 1592 of 29 October 2010
and to Council of Ministers’ Resolution
No. 458 of 14 June 2016

On the basis of the fourth paragraph of Article 61, the seventh paragraph of Article 15-2 of Law No. 1982-XII of the Republic of Belarus of 26 November 1992 on Environmental Protection, the Council of Ministers of the Republic of Belarus hereby RESOLVES:

1. To amend the following resolutions of the Council of Ministers of the Republic of Belarus:

1.1. in Resolution No. 1592 of the Council of Ministers of the Republic of Belarus of 29 October 2010 approving Regulations on a Procedure for conducting a Public Environmental Review:

in the preamble, the words ‘Law of the Republic of Belarus’ are to be replaced by the words ‘Law No. 1982-XII of the Republic of Belarus’;

the word ‘accompanying’ is to be deleted from point 1;

the word ‘(below)’ is to be added to point 1;

in the Regulations on a Procedure for conducting a Public Environmental Review, approved by this Resolution:

in Paragraph 2:

in the first section, the words ‘on State Environmental Review, Strategic Environmental Assessment and Environmental Impact Assessment (National Legal Internet Portal of the Republic of Belarus, 21.07.2016, 2/2397)’ are to be replaced by the words ‘No. 399-3 on State Environmental Review, Strategic Environmental Assessment and Environmental Impact Assessment’;

the third section is to be amended as follows:

‘a public environmental review determines whether or not urban development, pre-project (pre-investment), project documentation (hereinafter, unless otherwise specified, “project documentation”) complies with the requirements of legislation on environmental protection and the efficient use of natural resources and whether or not the design solutions contained in project documentation comply with the rules and regulations governing urban and spatial development.’;

Paragraph 4 is to be amended as follows:

‘4. The following documentation is subject to public environmental review:

urban development projects and any amendments and (or) additions being made to them;

pre-project (pre-investment) documentation relating to the erection, reconstruction of projects which are subject to environmental impact assessment, as specified in Article 7 of the Law of the Republic of Belarus on State Environmental Review, Strategic Environmental Assessment and Environmental Impact Assessment;

architectural plans and the architectural component of construction plans (where planning takes place in one stage) relating to the erection, reconstruction of projects which are subject to environmental impact assessment, as specified in Article 7 of the Law of the Republic of Belarus on State Environmental Review, Strategic Environmental Assessment and Environmental Impact Assessment.’;

in Paragraph 6:

the first subparagraph is to be amended as follows:

‘6. Those who wish to initiate a public environmental review of project documentation shall, within 10 working days of the opening date of public discussions specified in the notice of public discussions that has been published in the print media and posted by the organizer of the public discussions in the Public Discussions section of its official Internet site on the World Wide Web (hereinafter, “website”) (if such a website exists), send the project owner a communication stating their intention to conduct a public environmental review (hereinafter, “a statement of intent”).’;

in Paragraph 7:

the first subparagraph is to be amended as follows:

‘7. The project owner shall, within five working days of completion of the public discussions, inform all the initiators of the date, time and other

arrangements for provision of the project documentation. The project owner shall supply the project documentation to the initiator at least 35 calendar days before its submission to state environmental review [*expertiza*].’;

in the second subparagraph, the words ‘done at Aarhus on 25 June 1998 (National Register of Legislation of the Republic of Belarus, 2003, No. 95, 3/866)’ are to be replaced by the words ‘of 25 June 1998’;

the following subparagraph is to be added:

‘If, based on the outcomes of public discussions, the project documentation needs to be revised, the project owner shall inform all the initiators of this, indicating the planned time frame for revision.’;

in Paragraph 8:

the words ‘, by no later than 20 working days from the date of receipt of a statement of intent pursuant to the first subparagraph of Paragraph 7 of these Regulations’ are to be deleted from the first subparagraph;

in the first subparagraph of Paragraph 11:

the first section is to be amended as follows:

‘11. Within seven working days of receiving the project documentation from the project owner, the initiator is obliged to publish information about the public environmental review, in the same print media in which the notice of public discussions was published, and also to notify the organizer of the public discussions of the need to post information about the public environmental review in the Public Discussions section of its official website (if such a website exists); in both places, the information must contain:’;

the third section is to be amended as follows:

‘the name (family name, first name, patronymic where applicable) and email address of the initiator;’;

in Paragraph 15:

the sixth subparagraph is to be amended as follows:

‘If specialists involved in the public environmental review determine that the project documentation does not comply with the requirements of legislation on environmental protection and the efficient use of natural resources and that design solutions contained in the project documentation do not comply with the rules and regulations governing urban and spatial development, the findings of the conclusion [full report] of the public environmental review shall specify the provisions (requirements) of the legislation concerned, including any binding technical regulations and standards with which the design solutions have failed to comply, and shall give a reasoned explanation for each identified instance of non-compliance.’;

in the seventh subparagraph, the words ‘four copies’ are to be replaced by the words ‘a quantity determined by the initiator; however, there are to be no fewer than three copies’;

in Paragraph 16, the words ‘mass media, including Internet sites on the World Wide Web’ are to be replaced by the words ‘print media, websites’;

in Paragraph 17, the words ‘may be sent’ are to be replaced by the words ‘shall be sent’;

instances of the abbreviation ‘M.P. [place for seal]’ are to be deleted from the Appendix to the Regulations;

1.2. in Resolution No. 458 of the Council of Ministers of the Republic of Belarus of 14 June 2016 approving Regulations on a Procedure for organizing and conducting public discussions of drafts of environmentally significant decisions, of Strategic Environmental Assessment (SEA) Reports, of Environmental Impact Assessment (EIA) Reports, of the record of environmentally significant decisions taken and introducing Amendments to some Resolutions of the Council of Ministers of the Republic of Belarus:

the words ‘and introducing Amendments to some Resolutions of the Council of Ministers of the Republic of Belarus’ are to be deleted from the title of the Resolution;

the preamble is to be amended as follows:

‘On the basis of the seventh paragraph of Article 15-2 of Law No. 1982-XII of the Republic of Belarus of 26 November 1992 on Environmental Protection, the Council of Ministers of the Republic of Belarus hereby RESOLVES:’;

the word ‘accompanying’ is to be deleted from point 1;

the word ‘(below)’ is to be added to point 1;

in the Regulations on a Procedure for organizing and conducting public discussions of drafts of environmentally significant decisions, of Strategic Environmental Assessment (SEA) Reports, of Environmental Impact Assessment (EIA) Reports, of the record of environmentally significant decisions taken, approved by this Resolution:

in Paragraph 1:

the words ‘, regional action plans’ are to be added after the word ‘schemes’;

the words ‘of the Republic of Belarus’ are to be deleted;

in Paragraph 2:

in Paragraph 2.1:

in the second section, the words ‘, regional action plans’ are to be added after the word ‘schemes’;

in the third section, the words ‘laws and regulations of the Republic of Belarus’ are to be replaced by the words ‘laws and regulations’;

in the fourth section, the words ‘by the legislation of the Republic of Belarus on flora’ are to be replaced by the words ‘by the legislation on the protection and use of flora’;

the words ‘of the Republic of Belarus’ are to be deleted from Paragraphs 2.2 and 2.3;

in Paragraph 3:

the words ‘of 26 November 1992’ and ‘(Ведомасці Вярхоўнага Савета Рэспублікі Беларусь, 1993, №. 1, р. 1; National Register of Legislation of the Republic of Belarus, 2002, No. 85, 2/875)’ are to be deleted;

in Paragraph 4:

the words ‘and with the involvement of the design organization’ are to be added to Paragraph 4.5;

in Paragraph 5:

the words ‘, SEA environmental reports’ are to be deleted from the third subparagraph;

the fourth and fifth subparagraphs are to be amended as follows:

‘The organizers of public discussions of SEA environmental reports, EIA reports shall publish notices of these discussions in the print media and shall post them in the Public Discussions section of the official website of the local executive and administrative agency no later than the opening date of the public discussion period.

Notice of planned removal, transplant of flora shall be posted under a procedure laid down by the Council of Ministers of the Republic of Belarus.’;

in the second subparagraph of Paragraph 6:

the words ‘, as well as to other information held’ are to be deleted from the second section;

the fourth section is to be amended as follows:

‘supply the draft programme document, the draft legislative act to citizens and (or) legal entities as specified in communications received from them.’;
the fifth section is to be deleted;

in Paragraph 7:

in the first section, the words ‘of their official websites (if such websites exist)’ are to be replaced by the words ‘of the official website of the local executive and administrative agency’;

the words ‘, plan to conduct an EIA’ are to be added to the second section;

the following subparagraphs are to be added to Paragraph 7:

‘Information on the Procedure for organizing and conducting public discussions of drafts of environmentally significant decisions, of Strategic Environmental Assessment (SEA) Reports, of Environmental Impact Assessment (EIA) Reports, of the record of environmentally significant decisions taken shall be posted in the Public Discussions section.

Information and documents received in the course of public discussions, as specified in the first subparagraph of this Paragraph, shall be maintained by the organizers in the Public Discussions section of their official websites for at least three years after the public discussions have taken place.

If new official websites are created for the organizers of the public discussions and (or) their websites are updated, information and documents posted in the Public Discussions section shall be transferred to the new and (or) updated official websites and maintained there until expiry of the period laid down in the [[third]] subparagraph of this paragraph.’;

Paragraph 7-1 is to be added to the Regulations, as follows:

‘7-1. If the organizers of public discussions and (or) the public authorities identify breaches of the procedure for conducting public discussions, then new public discussions of drafts of environmentally significant decisions, SEA environmental reports, EIA reports shall be conducted, according to the procedure laid down in these Regulations.’;

in Paragraph 8:

in Paragraph 8.3, the word ‘interest’ is to be replaced by the words ‘a request for such a meeting’;

in Paragraph 9:

the word ‘(issued)’ is to be added to the first section after the words ‘to be taken’;

in the footnote to Paragraph 10, the words ‘done at Aarhus (Denmark) on 25 June 1998’ are to be replaced by the words ‘of 25 June 1998’;

the following subparagraph is to be added to Paragraph 26:

‘No outdoor meeting is permitted in the presence of hazardous hydrometeorological phenomena.’;

in Paragraph 31:

in Paragraph 31.6, the words ‘decision taken’ are to be replaced by the words ‘government, regional and sectoral strategies, programmes, urban development projects (hereinafter, “planning documents”) approved’;

in the second subparagraph of Paragraph 33, the words ‘government, regional and sectoral strategies, programmes, urban development projects (hereinafter, “planning documents”)’ are to be replaced by the words ‘planning documents’;

in the first section of Paragraph 34, the words ‘of their official websites’ are to be replaced by the words ‘of the official website of the local executive and administrative agency’;

the second subparagraph of Paragraph 37 is to be deleted;

the word ‘questions’ is to be added to the fourth section of Paragraph 39 after the word ‘including’;

Paragraph 42 is to be amended as follows:

‘42. The organizer of public discussions of an SEA environmental report in conjunction with the public authority proposing the draft documentation shall post the following documents in the Public Discussions sections of the official websites of the local executive and administrative agency and of the relevant public authority:

a summary of feedback including comments and suggestions received in the course of public discussions, *inter alia* during the meeting (if any) to discuss an SEA environmental report, with reasoned answers to the comments and suggestions, within 10 working days of preparation of the summary;

a record of the public discussions, within 10 working days of approval of the record;

information about a legal instrument approving a planning document, within 30 calendar days of its adoption.’;

Paragraph 43 is to be amended as follows:

‘43. The procedure for public discussions of an EIA report shall include:

43.1. preliminary information for citizens and legal entities about proposed economic or other activities within the jurisdiction of a given territorial administrative entity;

43.2. notifying citizens and legal entities that public discussions of the EIA report will be conducted;

43.3. ensuring access for citizens and legal entities to the EIA report at the premises of the project owner of the proposed economic or other activity and (or) at the premises of the relevant local executive and administrative agency, and posting the EIA report in the Public Discussions section of the official website of the local executive and administrative agency;

43.4. if there is interest from citizens or legal entities:

notifying citizens and legal entities of the date and place of a meeting to discuss the EIA report;

holding a meeting to discuss the EIA report in the territory of the Republic of Belarus and of affected parties if there is potential transboundary impact;

43.5. summarizing and analysing comments and suggestions received from citizens and legal entities in the course of public discussions of the EIA report, compiling a summary of feedback on the outcomes of public discussions of the EIA report.’;

Paragraph 43-1 is to be added to the Regulations, as follows:

‘43-1. Preliminary information for citizens and legal entities about a proposed economic or other activity shall make provision to ensure that information about the proposed activity and alternatives for siting and (or) implementing it, about the project owner is made available to citizens and legal entities within one month of approval of the EIA programme[[,]] of the timetable for work on the EIA; this should be done by means of:

posting the timetable and information in the Public Discussions section of the official website of the local executive and administrative agency;

publishing the timetable and information in the print media;

using other publicly available means, in accordance with the legislation of the Republic of Belarus on information, informatization and information protection.’;

in the fourth section of the first subparagraph of Paragraph 44, the word ‘three’ is to be replaced by the word ‘five’;

the second subparagraph of Paragraph 48 is to be deleted;

in paragraph 50, the words ‘of the organizer of the public discussions’ are to be replaced by words ‘of the local executive and administrative agency’;

the second subparagraph of Paragraph 53 is to be amended as follows:

‘The organizer of the public discussions may, with the involvement of the project owner and the design organization as necessary, hold consultations with citizens and legal entities. If these consultations are to be conducted in the form of a meeting, information about the date, place and time of the meeting shall be posted in the Public Discussions section of the official website of the local executive and administrative agency at least five calendar days before it is to take place.’;

Paragraph 54 is to be amended as follows:

‘54. The project owner of the proposed economic or other activity shall, within 15 working days of receiving the conclusion [full report] of the state environmental review [*expertiza*], inform the relevant local councils, local executive and administrative agencies of a decision based on the results of the state environmental review and of where the conclusion of the state environmental review can be consulted.

Local councils, local executive and administrative agencies shall post the information specified in the first subparagraph of this Paragraph in the Public Discussions section of their official websites.’

2. This Resolution is to come into force from 1 December 2020.

Prime Minister of the
Republic of Belarus

*[Round stamp
designating
a Ministry document]*

R. Golovchenko