



**GENERALNY DYREKTOR
OCHRONY ŚRODOWISKA**

Andrzej Szweda-Lewandowski

Warsaw, 17-7-2023

DOOŚ-TSOOŚ.070.14.2023.JA

Mr. Joe Ducombe

**Chair of the Implementation Committee of the
Convention on Environmental Impact Assessment in
a Transboundary Context and the Protocol on
Strategic Environmental Assessment**

Regarding: Presenting clarifications regarding the communication from the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus concerning the non-compliance of the Republic of Poland with the regulations outlined in the Convention on Environmental Impact Assessment in a Transboundary Context, pertaining to the "Construction of a barrier within the transboundary UNESCO World Heritage Site, known as the 'Białowieża Forest'."

Dear Chair,

we acknowledge the receipt of the submission dated 18th April 2023, issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, regarding the Republic of Poland's non-compliance with the stipulations outlined in the Convention on Environmental Impact Assessment in a Transboundary Context, which was established in Espoo on 25 February 1991 for the investment entitled Construction of state border security in the section of the Podlaski Boarder Guard Unit, referred to in the letter of the Belarusian Party as "Construction of a barrier within the transboundary UNESCO World Heritage Site, known as the 'Białowieża Forest'", with a request for clarification in this regard.

The following is an explanation of the allegations contained in the letter from the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus dated 12.04.2023, ref.: 3-1-7/64-UHO.

I. Previous cooperation between Poland and Belarus in the field of environmental impact assessments

In July 2009, during a meeting in Minsk, Belarus, focused on the exchange of information regarding the environmental impact of a project planned by Poland for the construction of the A2 highway on the Warsaw-Kukuryki section, the General Directorate of Environmental Protection proposed to the Ministry of Natural Resources and Nature Protection of the Republic of Belarus to commence work on a draft bilateral agreement concerning environmental impact assessments (referred to as EIA). The Belarusian Party accepted the proposal, and since 2009 representatives of the two sides met regularly for a number of years working out the content of the agreement. In addition, they exchanged information about planned investments, system solutions and experiences with the EIA.

According to the Polish Party, cooperation in the field of EIA with the Belarusian Party was of a model character, which was also emphasized in international contacts. Under the framework of collaboration, the Parties also shared information on a regular basis regarding investments that fall outside the scope of Annex I of the Espoo Convention. Regarding the Polish Nuclear Power Program, the Polish Party provided documents as part of the strategic environmental assessment, even though the Belarusian Party is not a signatory to the Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context.

In October 2018, during a meeting in Minsk, Belarus, both Parties were pleased with the content of the draft agreement and jointly decided to send it to the legislative track for official adoption. Despite the Parties expressing their intention to continue bilateral agreement talks on the matter during an online meeting on 21 March 2021, the talks were suspended due to the political situation, resulting in the regrettable absence of a concluded bilateral agreement by the Polish Party to date.

The General Director for Environmental Protection, serving as the competent authority for transboundary environmental impact assessments, fulfills all obligations to the Republic of Belarus under both the provisions of the Convention on Environmental Impact Assessment in a Transboundary Context signed in Espoo on 25 February 1991, and national law, benefiting from the previous successful cooperation with the Belarusian Party. In February 2023, as part of cross-border consultations for the construction and operation of Poland's first Nuclear Power Plant, with a maximum electrical capacity of 3750 MWe, the Belarusian Party received EIA documentation regarding the area of municipalities of Choczewo or Gniewino and Krokowa for the evaluation. Despite being submitted after the deadline, the comments provided by the Belarusian authorities were duly considered during the EIA proceedings.

II. Non-compliance with Article 3(1) and (2) in conjunction with Article 4(2) of the Espoo Convention for the investment titled Construction of state border security on the section of the Podlaski Boarder Guard Unit

The Espoo Convention imposes on its Parties (Article 3(1)), in the event of planning an activity listed in its Annex I that may cause significant adverse transboundary impacts, the obligation to notify the Affected Party in order to provide the Affected Party with appropriate consultations regarding, among other things, measures to reduce and eliminate the transboundary impact of the planned project. These consultations should take place after the environmental impact assessment documentation is completed as part of the national procedure.

Referring to the allegation in the letter from the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus about the failure to notify the Belarusian Party, in accordance with Article 3(1) and (2) of the Espoo Convention, of the planned

investment titled Construction of state border security on the section of the Podlaski Boarder Guard Unit, it should be concluded that the investment does not meet the criteria for activities listed in Annex I of the Espoo Convention. It is also not a project within the meaning of national regulations, as listed in the Regulation of the Council of Ministers of 10 September 2019 on projects that may significantly affect the environment (Journal of Laws item 1839, as amended, hereinafter: Regulation), which requires an environmental impact assessment. The above regulation implements Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment.

In the current situation, Poland lacked a legal foundation, both in domestic and international law (as per the provisions of the Espoo Convention), to carry out a transboundary environmental impact assessment or provide notification to the Republic of Belarus within a transboundary context.

III. Non-compliance with Article 3(7) of the Espoo Convention for the investment titled Construction of state border security on the section of the Podlaski Boarder Guard Unit

As per Article 3(7) of the Espoo Convention, in cases where an affected Party has not been previously notified and believes its environment may face significant adverse impacts from a proposed Annex I activity, Parties are required to engage in information exchange to assess the likelihood of such impacts, upon the affected Party's request.

As explained in Section II, the investment titled Construction of state border security on the section of the Podlaski Boarder Guard Unit does not meet the criteria for activities listed in Annex I of the Espoo Convention. Accordingly, the provisions of Article 3(7) of the Espoo Convention do not apply in this case.

IV. Non-compliance with Article 2(5) of the Espoo Convention for the investment titled Construction of state border security on the section of the Podlaski Boarder Guard Unit

The Espoo Convention, in accordance with Article 2(5), obliges the parties concerned to undertake, at the request of any party, discussions on the possible transboundary impacts of planned activities not listed in Annex I in order to agree on whether such activities may cause significant transboundary impacts.

Protection of the border separating the territory of the Republic of Poland from the territory of the Republic of Belarus, including the section running through the UNESCO World Heritage Site "Białowieża Forest" with a cross-border character, was created in response to the growing pressure of migration by third-country nationals on the Polish-Belarusian section of the state border, which is also the external border of the European Union and the Schengen area. As confirmed by the competent authorities, the rise in the number of foreigners who lawfully enter Belarus by air and subsequently attempt to unlawfully cross the Polish-Belarusian border, as mentioned earlier, and enter our country's territory, as described in point III, is facilitated with the assistance of Belarusian state services. These services coordinate initiatives concerning the accommodation, sustenance, and transportation of foreigners to areas near the state border with the European Union, specifically on the Polish-Belarusian and Lithuanian-Belarusian sections, and substantial sums of money are collected from each individual in exchange for the assistance rendered. According to the Polish administration, the activities in

question are considered hybrid in nature, with the intention of destabilizing the situation within the territory of the Republic of Poland and the European Union.

On 2 September 2021, recognizing the particular threat to citizen security and public order arising from the situation at the state border between the Republic of Poland and the Republic of Belarus, the President of the Republic of Poland, through a regulation, declared a state of emergency in specific areas of the Podlaskie Voivodeship (115 municipalities) and the Lubelskie Voivodeship (68 municipalities) for a duration of 30 days. As of 2 October 2021, the state of emergency was extended in the predetermined area for another 60 days.

The investment, i.e., protection of the border, was erected as a facility to ensure public security of a purely defensive nature. The rules for the preparation and implementation of state border security between the Republic of Poland and the Republic of Belarus were defined by the Law of 29 October 2021 on the construction of state border security (Journal of Laws item 1992, hereinafter: the Law on the Construction of state border security).

As per **Article 2(8) of the Espoo Convention**, in the aforementioned situation, when there is a necessity to ensure national security, national laws may be applied, even if it means disregarding the obligations outlined in the Convention.

In addition, it should be pointed out that the Republic of Poland is a member of the European Union and is also obliged to apply regulations arising from EU law. Article 1(3) of Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment stipulates the possibility of not applying this directive in specific cases, where provided for by national law, and thus also obligations to inform about transboundary impacts, to projects or parts thereof having as their sole purpose defense or to projects having as their sole purpose response to threats to the public, if they consider that its application would have an adverse effect on these purposes.

In view of the circumstances of the creation of the investment as described above, Article 2(5) of the Convention does not apply to the case at hand.

In view of the above, it is reasonable to assume that the Republic of Poland, carried out the construction without notifying the authorities of the Republic of Belarus without violating the provisions of the Convention.

V. Negative impacts of the project listed in Annex III to the Espoo Convention, observed by the Belarusian Party in the ecosystem of the transboundary UNESCO World Heritage Site "Białowieża forest"

The transboundary UNESCO World Heritage Site, "Białowieża Forest," renowned for its exceptional natural value, benefits from various forms of nature protection in Poland, encompassing both international and national measures. It is safeguarded as a UNESCO Biosphere Reserve, and the entire Polish portion of the Białowieża Forest is designated as a protected area under the European Network of Natura 2000 Areas (PLC200004). In addition, the area is protected as the Białowieża National Park and a number of nature conservation reserves have been established in the Białowieża Forest.

It is crucial to highlight that any intervention in the natural environment, particularly within the immensely valuable transboundary UNESCO World Heritage site of the Białowieża Forest, necessitates comprehensive analyses and should be justified solely by compelling public interests, prioritizing the safety and well-being of human health and life. This was the case in

the preparation and implementation of the investment titled Construction of state border security on the section of the Podlaski Border Guard Unit.

In accordance with the Law of 29 October 2021 on the construction of state border security, a team was established to prepare and implement state border security measures, which included representatives from the Ministry of Climate and Environment and the General Director for Environmental Protection, a specialized central administrative body responsible for environmental policy implementation and investment process oversight. Throughout the project construction, continuous consultations were conducted with regional and local environmental authorities, as well as the Director of the Białowieża National Park.

Activities related to the analysis of the impact of the construction of the investment on the Polish-Belarusian border on the objects of protection of Natura 2000 areas were entrusted to the Regional Director for Environmental Protection (hereinafter: RDEP) in Białystok, as the competent territorial authority responsible for the supervision of Natura 2000 areas. A document titled "Analysis of the Impact of Barrier Construction on the Natura 2000 Białowieża Forest Area together with the area of the Białowieża National Park" has been prepared.

In collaboration with the pertinent environmental authorities, the project incorporated the most effective solutions aimed at safeguarding the natural environment and minimizing environmental impacts, addressing both the implementation phase and the operational stage of the project. The Regional Directorate for Environmental Protection in Białystok also performed periodic field visits to Natura 2000 sites during ongoing construction.

The subsequent explanations provide insights into the various types of impacts arising from the investments mentioned in the letter from the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

1. Violation of hydrological regime on the territory of Białowieża Forest and on adjacent territories.

To mitigate the adverse effects on the soil and water environment associated with the project, a comprehensive set of measures has been developed to minimize their impact. The fence is constructed with reinforced concrete piles, which have minimal interference with soil and water conditions, while the technical road is built using natural aggregate materials. The implementation of the project will not have an impact on wetlands on the Belarusian side due to the natural conditions and water flow patterns in the region. As a result of the topography, the Białowieża Forest area on the Polish side receives water from wetlands on the Belarusian side, leading to a westward flow of water instead of an eastward direction.

During the 1950s-70s, a partial drainage irrigation project was implemented, covering approximately 1,300 hectares of the "Dikiy Nikor" swamp within the Białowieża Forest area in Belarus. Negligence in maintaining the hydrological regime of the drainage system in subsequent years continues to affect the flow dynamics in the Narewka, which is the main river in the Białowieża Forest. It has its spring zone in the "Dikiy Nikor" swamps in Belarus.

Throughout the project implementation, specific precautions were taken in areas identified as groundwater-dependent terrestrial ecosystems, including the installation of water flow facilitation devices such as culverts beneath the road that constitutes the border strip. The placement of these facilities was determined by considering the actual physical conditions on the ground and referring to maps of forest communities. The devices used ensure that water can continuously migrate within a given habitat patch on both the Polish and Belarusian sides. Therefore, there was no change in water relations during the implementation of the project.

Furthermore, as part of the investment implementation along the Polish-Belarusian border, post-implementation monitoring is scheduled to assess various aspects, including the effects of constructing security and process roads on the condition of habitat hydration.

2. (4.) Degradation of especially valuable plant communities, rare and typical biotopes and fragmentation of the forest complex and protected habitats, as well as interruption of transboundary ecological corridors in the Białowieża Forest area

According to Article 9 of the Law of 12 October 1990 on the Protection of the State Border (Journal of Laws of 2019, item 1776), the border road strip is an area 15 meters wide, counting inland from the state border line or from the shore of border waters. Both the protection plan of the Białowieża National Park and the documents of the forest districts contain provisions for the preservation of a designated strip along the state border road of the Republic of Poland.

The clearing of the border strip was conducted in accordance with Article 9 of the International Agreement between the Government of the People's Republic of Poland and the Government of the Union of Soviet Socialist Republics on Legal Relations on the Polish-Soviet State Border and Cooperation and Mutual Assistance in Border Matters, dated 15 February 1961. Based on this agreement, both parties committed to maintaining the border in a visible state throughout its entire length. In order to fulfill this requirement, a boundary screen with a width of 10 meters (5 meters on each side along the boundary line, accounting for the tree crowns) should be meticulously maintained and cleared of any bushes and dense vegetation that may impede visibility.

Based on these provisions, a continuous cleanup of a five-meter strip along the border road was conducted, even within nature reserves. Trees and shrubs were cut down and the wood was left to decompose naturally. Such work in 2007 was carried out in the following nature reserves: Natural Forests of the Białowieża Forest, Wysokie Bagno, Kozłowe Borki (area of the Białowieża Forest District), Starzyna (area of the Hajnówka Forest District), Natural Forests of the Białowieża Forest, Siemianówka (area of the Browsk Forest District). The felling and subsequent reclamation of the felled border strip was carried out within the 5-meter buffer indicated in the international agreement. In 2015, the work was repeated in the Starzyna reserve. In 2018 - 2020 in the reserves of Natural Forests of the Białowieża Forest and Siemianówka (Browsk Forest District). In 2021, reeds were mowed in the border strip along the Leśna Prawa River in the Kozłowe Borki Nature Reserve.

A strip devoid of trees and shrubs with a maximum width of up to 8 m from the State Border was designated for the construction of the process road along with the construction of the security. However, in the majority of the border strip section, tree cutting was not necessary since the border road had already been cleared to approximately 8 meters in width for several years, although the regulations allowed for a width of up to 15 meters. Only minimal and essential interventions, such as removing individual trees in small portions within habitat truncations, occurred in the border road strip that traverses the Białowieża National Park. In the Białowieża Forest Natura 2000 area, the sites of the planned works and their immediate vicinity were found to contain primarily forest habitats: 9170 (Central European oak-hornbeam), 91D0 (swamp forests and forests) and 91E0 (ash-alder riparian). The removed trees and ashes were moved to an adjacent stand of trees, where they will undergo a process of natural decomposition. As indicated in its analysis of the Regional Directorate for Environmental Protection in Białystok, taking into account the above, no significant negative

impact of the construction of the project on the habitats that are the objects of protection of the Białowieża Forest Natura 2000 area was found.

3. Blocking of the migration routes and seasonal movements of animals, the subsequent impoverishment of the gene pool of their populations

Regarding the concern about animal migration, it is essential to highlight that unlike various temporary safeguards, the investment does not present a threat to the health and survival of animals. The openwork nature of the security and the crossings and culverts used ensure that animals can migrate. The investment in Poland was designed to incorporate over 70,000 culverts specifically designated to enable the migration of small mammals, amphibians, and reptiles, including protected species such as toads, newts, and various other species found in the Białowieża Forest, such as shrews, voles, ground beetles, frogs, lizards, and snakes. The large number and density of the small passages distributed throughout the area are designed in such a way that even if some of the openings are obstructed by leaves or sand, they will still effectively serve their intended purpose. Large animal crossings in the number of 24, including 10 in the Białowieża Forest area, are 5 m wide and 4.5 m high, and these are sufficient parameters for representatives of the largest species, such as bison, elk, deer, wolf, and lynx. Furthermore, there are also 100 additional passageways measuring 1.5x1.5 meters available, which can be utilized by animals if necessary. The locations of these crossings were determined through detailed analyses of the migration patterns of large mammals, with a particular focus on species such as bison and lynx. The selection of optimal crossing locations was informed by literature knowledge, the environmental service's expertise, field observations (data obtained from the Białowieża National Park and the State Forest Service). Moreover, the locations of the crossings were cross-referenced with the findings of bison telemetry surveys carried out by the School of Agriculture and lynx telemetry surveys conducted by the Mammal Research Institute of the Polish Academy of Sciences. A comparative analysis showed that the crossings were located correctly and spaced optimally.

It should be noted that along the entire border with Poland, on the Belarusian side, the so-called "systema" barrier has been maintained since the 1980s. It is an uninterrupted system of engineering and electronic safeguards, preventing the migration of bison, and to a large extent other animals as well. The barrier system is constructed irrespective of the terrain it traverses, including rivers and wetlands, and it extends through forest complexes, including ecologically valuable areas such as the Augustów Forest, the Knyszyn Forest, and the Białowieża Forest. The system has no animal crossings to allow the migration of small and large mammals.

Monitoring results of bison residing on the Polish side of the border demonstrate that the "systema" effectively prevents bison, as well as other large ungulates like roe deer, deer, elk, and wild boar, from overcoming it. It is an obstacle to the migration of these animals. Monitoring results show that the bison cross the state border, but once they reach the Belarusian barrier, they have to turn back. The challenges associated with large animal species crossing the "systema" were documented in a scientific publication, specifically highlighting the case of deer (Kossak, S. 2001)¹.

The Belarusian installation prevents wildlife migration. Of the large mammals, under specific conditions, only wolves and lynx can cross the fence, risking injury in the process. The "systema" has been upgraded and resealed in recent years, and the most recent lynx monitoring results, which indicate that four individuals have migrated through the "systema", date from a decade ago.

¹<https://www.ibles.pl/lesne-prace-badawcze-artykul/liczebnosci-i-struktura-populacji-jeleni-cervus-elaphus-l-w-lesnym-kompleksie-promocyjnym-puszcza-bialowieska-w-latach-1997-2001/> status: 10.07.2023

A Polish dam with a system of animal crossings and gaps in the form of unenclosed wetlands will not cause a negative impact on the species. Until recently, the lynx was thought to be an eminently forest species. However, studies in the Roztocze have shown that lynxes also hunt readily in river valleys, in post-agricultural areas spontaneously overgrown with woody vegetation, and in fields with tall crops, such as rapeseed and corn. The reason is the high density of deer in such habitats (Association for Nature Wolf)². Taking into account the fact that the border rivers, watercourses, swampy areas on the Polish side of the border are not protected by a dam, and the dam itself has passageways for animals, including large animals, it is impossible to consider that it is the one that can cause the separation of their territories and the entire population.

The limited capability of wolves to cross the "systema" is supported by telemetry studies conducted during the 1990s, as well as more recent data (Kowalczyk, Schmidt, and Jędrzejewski (2012)³, and subsequent telemetry studies carried out since 2013 by researchers from the Białowieża Forest National Park, the Belarusian Homeland Bird Protection organization, and the German Frankfurt Zoological Society. However, in a situation where such a transition occurs, as in the case of the lynx thanks to the use of appropriate solutions, it will be able to cross the Polish border.

Regarding the brown bear population in the Polish side of the Białowieża Forest, it is worth noting that a solitary individual was observed in 2019, originating from the Nalibok Forest in Belarus, which is approximately 200 kilometers away (source: <https://ibs.Białowieża.pl/niedzwiedz-w-puszczy-bialowieskiej/>). Since the last individual in the Białowieża Forest died (1879), bears have periodically entered the Forest, but have not stayed here. The previous bear registration in the region was in 2003 near the Dikaya Swamp (source: <https://pruzhany.net/medved-2.html>). Information from the Border Guard indicates that the bear could only cross the border by utilizing a fallen tree that disrupted the continuity of the "systema" barrier system.

4. New ways of penetration of alien plant species into natural ecosystems

Regarding the allegation of a new type of penetration of alien plant species into the natural environment (ecosystems), which, according to the Belarusian Party, may cause negative consequences for endemic and rare species and genetic diversity and succession, I offer the following explanation.

For the construction of the project, the contractor commissioned the development of an Environmental Program (hereinafter: EP). The document contains the basic procedures, rules and procedures to be followed at the construction site in connection with the need to carry out works in compliance with environmental requirements.

As part of the prevention of the spread of invasive plants, the EP ordered the project contractor to:

- 1) use only suitable aggregates for road paving and yard surfaces that come directly from the mine, not stockpiled in the form of heaps or offsets, and therefore not exposed to sowing/sprouting by invasive plants,
- 2) wash the wheels and undercarriages of vehicles before entering and after leaving the Białowieża Forest, or optimally - use on the territory of the Białowieża National Park equipment other than that used outside the area, i.e.: arrange for the transport of aggregates and materials from areas away from the site only to loading yards, and then transporting them by other vehicles (not going outside the Białowieża Forest) to their

² https://www.polskiwilk.org.pl/images/pliki/2020_Poradnik_och_zwierz_hod.pdf

³ Kowalczyk R, Schmidt K, Jędrzejewski W. 2012. Do fences or humans inhibit the movements of large mammals in Białowieża Primeval Forest?. In: Fencing for conservation. Restriction of evolutionary potential or a riposte to threatening processes?. Eds. Sommers MJ, Hayward MW. Springer, New York-Dordrecht-Heidelberg-London: 235-244.

destinations on the site. At the same time, all vehicles entering the loading yards will undergo a thorough cleaning of their wheels and undercarriages using automated washers positioned at the yard entrances.

- 3) secure earth and plant material acquired in invasive species sites and then disposing of it.

Such stringent restrictions have had the effect of minimizing the potential spread of alien species. However, carrying seeds on the clothes and shoes of migrants moving through the area is highly probable.

The attached letter from the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, dated 12.04.2023, includes a list of institutions to which the Belarusian Party has submitted proposals regarding the concerns regarding the adverse environmental impact of the state border security construction. The Belarusian Party has sent 12 complaints to the Secretariat of the Bern Convention in connection with possible negative impacts of the investment on species and habitats protected under the Convention. The Polish Party has provided extensive explanations with documentation on the matter (Annex 1). The Secretariat of the Bern Convention, in a letter dated 11 October 2022 (Appendix 2), reported that no significant negative impacts on populations of species covered by the aforementioned Convention have been identified.

Summarizing the above explanations, the Polish Party would like to emphasize that:

- 1. For a number of years, it has been seeking good cooperation on environmental impact assessments with the Belarusian Party and fulfilling the provisions of the Espoo Convention.**
- 2. As mentioned earlier, the absence of discussion regarding potential transboundary impacts in the case of the Construction of state border security at the Podlaski Border Guard Unit section is attributed to the lack of formal grounds for notification because the investment does not meet the criteria of a project within the scope defined in Annex I of the Espoo Convention.**
- 3. The project was erected as a public safety facility and is purely defensive in nature. Due to the aforementioned reason, the Polish Party has not engaged in discussions regarding information exchange with the Belarusian Party concerning potential transboundary impacts.**

In view of the above, it seems reasonable to assume that the Republic of Poland carried out the construction without notifying the authorities of the Republic of Belarus without violating the provisions of the Espoo Convention.

Sincerely,

ANDRZEJ SZWEDA-LEWANDOWSKI
General Director for Environmental Protection
/ - digitally signed - /

Appendices:

1. Explanations of the Polish Party to the objections of the Belarusian Party on the Construction of a fence on the Polish-Belarusian border to the Secretary of the Bern Convention.
2. Reply of the Secretary of the Bern Convention on the allegations of the Belarusian Party

CC:

1. Ms, Tatsiana Kukhtenkova, Point of Contact for the Espoo Convention of the Republic of Belarus (Department of State Environmental Expertise of the Directorate for Regulation of Atmospheric Impacts, Climate Change and Expertise, Ministry of Natural Resources and Environmental Protection of the Republic of Belarus)
2. Ms. Małgorzata Golińska, Secretary of State at the Ministry of Climate and Environment