

Your Excellency,

The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus highly appreciates the role of the United Nations in coordinating the efforts of States in the field of environmental protection, rational use of natural resources, mitigation of the effects of climate change and adaptation to them.

The right of every person of current and future generations to live in an environment favorable for his health and well-being is one of the priorities of the domestic and foreign policy of the Republic of Belarus. This is evidenced by the 24th place, which the country occupies in the Global Sustainable Development Goals ranking among 165 countries of the world.

The roadmap for promoting sustainable development in the Republic of Belarus is its National Strategy for Sustainable Development until 2035. Belarus-2035 is positioned as a sovereign state with preserved natural landscapes, natural ecological systems and high natural potential.

A prerequisite in the country is the involvement of a wide range of the public in the development and evaluation of the implementation of strategic documents, state programs in the field of sustainable development at the national and regional levels. This can be confirmed by the fact that the working groups that took part in the development of drafts of the Program of socio-economic development of the Republic of Belarus for 2021 - 2025, state sectoral programs and strategies, the National Action Plan for «green» economy for the period 2021 - 2025, were comprised of 60 percent of the public.

The Republic of Belarus was one of the first countries to have ratified the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (hereinafter – the Aarhus Convention). The country is making every effort to implement successfully its provisions. The fundamental principles of this Convention increasingly permeate national legislation.

Her Excellency
Ms Olga Algayerova
Executive Secretary
United Nations Economic Commission for Europe
Geneva

A huge amount of work has been done to study the best available practices on the implementation of the provisions of the Convention. Accordingly, considerable legislative and law enforcement experience has been accumulated in the implementation of the Convention.

Amendments and additions have been introduced to the normative legal acts of Belarus, which significantly increased public participation in the decision-making both through participation in public councils that function under the executive authorities, and through direct meetings of senior government officials with civil society.

The institution of public discussions was developed. The country is undergoing a rapid digital transformation in terms of access to environmental information. The open electronic services for environmental monitoring, online maps, registers of environmental components and more are being created.

At the same time, despite the results achieved in fulfilling the assumed international obligations to ensure access to information, public participation in decision-making and access to justice on environmental matters, the Republic of Belarus faced an unprecedented fact of biased approach towards a State party to the Convention during the seventh session of the Meeting of the Parties to the Aarhus Convention, which took place in October 18-20, 2021 in the hybrid format.

As a result of an action planned by Western countries to demonize Belarus in international organizations and under their pressure, a politically motivated decision was taken during the Meeting of the Parties to «suspend, in accordance with the applicable rules of international law concerning the suspension of the operation of a treaty, the special rights and privileges accorded to the Party concerned under the Convention».

In connection with an absurd discussion regarding the Belarusian side on its implementation of the provisions of the Convention during the Meeting of the Parties, Belarus was forced to put the decision to a vote, which happened for the first time in the entire history of the Convention.

As a result of the voting, the decision on Belarus, unfortunately, was adopted, which testifies to its overt politicization and the lack of desire among its initiators to comply with even the minimum international legal requirements related to international treaties.

At the same time, in accordance with the Article 60 of the Vienna Convention on the Law of Treaties, a decision on the suspension of special rights and privileges accorded to the relevant Party in accordance with the Convention can only be taken unanimously.

Against the background of a biased decision on Belarus during the Meeting of the Parties, it draws attention that among the Parties to the Aarhus Convention since January 2017, in 16 countries there have been registered cases of harassment and punishment of environmentalists, including detentions at airports and raids in houses, the use of excessive force by the police, not providing proper medical care, which was not followed by any sanction decisions.

It also draws attention that the Meeting of the Parties for the second time in a row, at the suggestion of the European Union, postpones for another four years the adoption of a decision on its violation of the provisions of the Convention, thereby confirming a selective approach in decision-making.

In this regard, Belarus expresses a strong protest against discriminatory approaches to any of the Parties to the Aarhus Convention, and also expresses serious concern about the already apparent in recent years erosion of the main provisions of the Convention and the devaluation of its very essence. A number of other Member States of the Convention shares the position of Belarus.

The above circumstances discredit the compliance control mechanism, undermine the value of the Convention and question the advisability of further participation of Belarus in it.

At the same time, Belarus is ready to maintain its membership in the Convention, subject to the cancellation by January 1, 2022 of the decision that contradicts the principles of international law and the provisions of the Aarhus Convention, set forth in paragraph (i) of paragraph 7 of document VII/8c.

Otherwise, Belarus will begin the procedure for withdrawing from the Convention.

Your Excellency, please, accept the assurances of my highest consideration.

Minister

A. Khudyk

Copy: Secretariat of the UNECE Convention on Access to information, public participation in decision-making and access to justice in environmental matters