

LAW
of the Republic of Belarus
**“ON ENVIRONMENTAL
PROTECTION”**

of November 26, 1992

No. 1982-XII

(worded as of June 18, 2019; amended as of December 18, 2019)

The document provided by **Consultant Plus**

www.consultant.ru

LAW OF THE REPUBLIC OF BELARUS
of November 26, 1992 No. 1982-XII

ON

ENVIRONMENTAL PROTECTION

(as worded in the Laws of the Republic of Belarus

of July 17, 2002 **No. 126-3**; of October 29, 2004 **No. 319-3**; of July 19, 2005 **No. 42-3**; of December 31, 2005 **No. 80-3**; of June 29, 2006 **No. 137-3**; of July 20, 2006 **No. 162-3**; of May 7, 2007 **No. 212-3**; of June 13, 2007 **No. 238-3**; of December 21, 2007 **No. 298-3**; of July 8, 2008 **No. 367-3**; of November 10, 2008 **No. 444-3**; of July 2, 2009 **No. 32-3**; of December 31, 2009 **No. 114-3**; of May 6, 2010 **No. 127-3**; of December 31, 2010 **No. 228-3**; of May 17, 2011 **No. 260-3**; of December 22, 2011 **No. 326-3**; of January 22, 2013 **No. 18-3**; of June 16, 2014 **No. 161-3**; of December 24, 2015 **No. 333-3**; of July 18, 2016 **No. 399-3**; of July 17, 2017 **No. 51-3**; of January 9, 2019 **No. 166-3**; of June 18, 2019 **No. 201-3**;

as amended in the Laws of the Republic of Belarus

of December 30, 2011 **No. 331-3**; of October 26, 2012 **No. 432-3**; of December 31, 2013 **No. 95-3**; of December 30, 2014 **No. 225-3**; of December 30, 2015 **No. 341-3**; of October 18, 2016 **No. 431-3**; of December 31, 2017 **No. 86-3**; of December 30, 2018 **No. 160-3**; of December 16, 2019 **No. 269-3**; of December 18, 2019 **No. 272-3**)

Environmental protection is an essential prerequisite for ecological safety, the sustainable economic and social development of society.

This Law establishes the legal basis for environmental protection, nature management, conservation and restoration of biological diversity, natural resources and objects and aims to provide the constitutional rights of citizens to the enabling environment for human life and health.

CHAPTER 1 GENERAL PROVISIONS

Article 1. Main Terms Used in this Law and their Definitions

The following main terms and their definitions shall apply to this Law:

“Anthropogenic object” means an object created by a human to satisfy his/her social needs and which does not possess the properties of natural objects;

“Biosphere reserve” means a part of the territory of the Republic of Belarus, which includes separate specially protected natural areas (their parts), and/or natural areas subject to special protection (their parts), as well as other areas in which rational (sustainable) nature management is stimulated through the implementation of economic mechanism elements for the environmental protection and nature management in carrying out environmental measures, certain types of economic and other activities;

(The Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

“Biotope” means a natural object (a piece of the territory or water areas) with homogeneous ecological conditions, which is a habitat for a community of various species of wild animals and wild-growing plants;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

“Enabling environment” means the environment the quality of which ensures ecological safety, sustainable functioning of natural ecological systems, other natural-anthropogenic objects;

“Environmental impact” means any direct or indirect impact on the environment of economic and other activities the implications of which lead to environmental change;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

“Environmental damage” means a negative change having monetary value of the environment or separate components of the environment, natural or natural-anthropogenic objects as expressed in their contamination, degradation, exhaustion, damage, destruction, unlawful taking and/or other deterioration of their condition incurred from the a harmful environmental impact associated with a violation of requirements in the field of environmental protection and other breaches of legislation of the Republic of Belarus.

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus June 18, 2019 No. 201-3)

“Harmful environmental impact” means any direct or indirect impact on the environment as a result of economic and other activities the implications of which cause negative environmental changes;

“State Natural Resources Cadastre” means a systematized compendium of data on the qualitative and quantitative characteristics of natural resources, their economic evaluation and utilization;

“Natural ecological system” means an objectively existing part of the natural environment with spatial and territorial borders and in which its living (Plant and Animal Kingdom objects) and non-living components interact as an integral functional whole and are connected with each other by the substance and energy exchange;

“Environmental pollution” means entry into natural environment components, being and/or emerging in them as a result of a harmful environmental impact of a substance, physical factors (energy, noise, radiation and other factors), microorganisms, properties the location or quantity of which cause harmful changes of physical, chemical, biological and other characteristics of environmental indicators, including the exceedance of standards in the field of environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Pollutant” means a substance or a mixture of substances the entry of which into the environment causes its pollution;

“Environmental quality” means an environmental condition characterized by physical, chemical, biological and/or other indicators or their totality;

“Natural environment components” means land (including soils), subsurface resources, waters, the atmospheric air, flora and fauna and the ozone layer, the near-Earth space environment collectively providing favorable conditions for existence of life on Earth;
(as worded in the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3;

“Red Book of the Republic of Belarus” means a list of rare and endangered [species](#) in the territory of the Republic of Belarus, including subspecies and varieties (hereinafter “species”) of wild animals and wild-growing plants;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

“Environmental monitoring” means a system of observations over the environmental condition, assessment and prediction of environmental changes caused by natural and anthropogenic factors;

“Best available technical methods” means technological processes, methods, a procedure for organizing the manufacture of products and generation of energy, performance of works (delivery of services), designing, construction and exploitation of facilities and equipment ensuring the reduction and/or prevention of entry of pollutants into the environment, production waste generation as compared to the utilized one and which are the most effective for complying with environmental quality standards, admissible environmental impact standards, provided that their application is economically viable and technically feasible;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3);

“National Environmental Network” means a system of functionally interrelated protected natural areas and natural areas subject to special protection destined for the conservation of natural ecosystems, biological and landscape diversity, as well as ensuring the continuity of a habitat of Animal Kingdom objects;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

“Standards for allowable anthropogenic burden (load) on the environment” means standards established in conformity with the limit of allowable cumulative exposure of all sources on the environment and/or individual environmental components within the borders of specific areas and compliance with which ensures the sustainable functioning of natural ecological systems and biological diversity is conserved;

“Standards for allowable emissions and exhausts of chemical and other substances” means standards established for legal persons and citizens involved in economic and other activities in conformity with the mass indicators of chemical and other substances and microorganisms allowable for emission into the environment from stationary and mobile sources in accordance with the established procedure and with due regard to technological standards and their compliance ensures environmental quality standards;
(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of June 18, 2019 [No. 201-3](#))

“Standards for allowable physical effects” means standards established in conformity with allowable exposure levels of physical factors on the environment and their compliance ensures environmental quality standards;

“Standards for the maximum allowable concentrations of microorganisms” means standards established in conformity with the maximum permissible content of microorganisms in the environment non-observance of which has a harmful environmental impact;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Standards for maximum allowable concentrations of chemical and other substances” means standards established in conformity with the indicators of maximum allowable chemical and other substance content in the environment non-observance of which has a harmful environmental impact;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Standards for maximum allowable physical effects” means standards established in conformity with the indicators of maximum allowable exposure on the environment of heat, noise, vibration, ionizing radiation, electromagnetic field intensity and other physical effects non-observance of which has a harmful environmental impact;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Holder of ecological information” means the state body, another state organization, another legal person, their officials, an individual entrepreneur undertaking activities that result in moulding of ecological information;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Public discussions of draft environmentally significant decisions, environmental impact assessment reports, environmental reports on strategic environmental assessment” means a set of mandatory measures ensuring that citizens and legal persons are informed about draft environmentally significant decisions, environmental impact assessment reports, environmental reports on the strategic environmental assessment, as well as the possibility of the participants of public discussions to express their attitude to these drafts, reports, statements aimed at accommodating of public interests and respecting the rights of citizens and legal persons;
(as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

“Environment” means an aggregate of natural environment components, natural and natural-anthropogenic objects, as well as anthropogenic objects;

“Environmental protection (environmental activities)” means activities of a state body, public associations and other legal persons and citizens directed at the conservation and restoration of the natural environment, rational (sustainable) use of natural resources and their restoration, prevention of contamination, degradation, damage, depletion, extermination and another harmful environmental impact of economic and other activities and remediation of their implications; (as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

“Environmental impact assessment” means determining during the development of pre-design (pre-investment), design documentation of a possible environmental impact during the implementation of design solutions, anticipated environmental changes, forecasting of its state in future in order to make a decision on the possibility or impossibility of implementing design solutions, as well as determining required environmental measures, including the rational use of natural resources; (as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

“Provision of ecological information” means actions of ecological information holders directed at its transfer to state bodies, other legal persons and citizens, including individual entrepreneurs by virtue of duties such information holders are entrusted with by legislation or under an agreement for providing customized ecological information; (the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

“Natural environment” means an aggregate of natural environment components, natural and natural-anthropogenic objects;

“Natural anthropogenic object” means a natural object modified as a result of economic and other activities and/or an object created by a human with the properties of a natural object and of recreational and protective importance;

“Natural resources” means natural environment components, natural and natural-anthropogenic objects, which are used or may be used during the implementation of economic or other activities as sources of energy, production products and consumer items and are of consumer value;

“Natural complex” means functionally and naturally related natural objects united by geographic and other related principles;

“Natural landscape” means a natural object, which consists of interacting components of the natural environment formed in uniform climatic and natural conditions; (the Paragraph introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

“Natural object” means a natural ecological system, natural landscape, biotope and natural environment components, which have preserved their natural properties; (as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

“Nature management” means economic and other activities, which involve the use of natural resources and make an environmental impact;

“Environmental harm” means a harmful impact on the environment related to a violation of requirements in the field of environmental protection and other breaches of legislation, including through the emission of pollutants into the atmospheric air, the discharge of effluents into water objects with the exceedance of standards of permissible emissions and exhausts of chemical and other substances established in accordance with legislation by one or more contaminating substances, or in the absence of such standards, provided that their establishment is required in accordance with legislation, the unauthorized removal of wild-growing plants and/or their parts, wild animals, other natural resources;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2016 No. 201-3)

“Dissemination of ecological information” means actions of ecological information holders directed at its communication to state bodies, other state organizations, other legal persons and citizens, including individual entrepreneurs, by means of its publication in printed editions, other mass media, on their official websites over the global computer network Internet or by other publicly available means;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Rational (sustainable) use of natural resources” means the use of natural resources in such a way and at such a pace that do not in the long-term perspective lead to their depletion and thus allow protecting their ability to satisfy economic, esthetic and other needs of present and future generations;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

“Customized ecological information” means ecological information, which requires preliminary preparation before its submission, including collection, processing and analysis of information, as the compilation of it is not stipulated by legislation and it is not included in the State Data Fund on the Environmental State and Impact on it;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

“Strategic ecological assessment” means determining during the development of draft strategies, programmes, urban planning projects of possible environmental impacts (including transboundary ones) and environmental changes that may occur during the implementation of these strategies, programmes, urban planning projects, taking into account the introduction of changes and/or additions to them;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3; as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3)

“Fixed-rate determining the amount of compensation for environmental harm” means a rate for determining the amount of compensation for environmental harm – a conventional unit of monetary assessment of the amount of compensation for environmental harm;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Technological norm” means a standard of permissible emissions and exhausts of substances and microorganisms, which is established for stationary, mobile and other sources, technological processes, and equipment and which reflects the permissible mass of emissions and exhausts of substances and microorganisms into the environment as per unit of an output product;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

“Requirements in the field of environmental protection (environmental requirements, ecological safety requirements)” means indispensable conditions for economic and another activity, limitations or their aggregate established by laws, other normative legal acts, including binding technical normative legal acts in the field of environmental protection, binding standards in the field of environmental protection;

(as worded in the Laws of the Republic of Belarus of July 20, 2006 [No. 162-3](#); of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

“Ecological safety” means the state of protection of the environment, human life and public health against a possible harmful impact of economic and other activities, natural and man-induced emergencies;

“Environmental information” means documented information that contains data on the environmental condition, impacts on it and measures for its protection, as well as environmental impacts on man, the content of which shall be determined by this Law, other legislative acts and international treaties of the Republic of Belarus;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

“General purpose ecological information” means ecological information intended for public use by virtue of fulfillment by ecological information holders of obligations imposed on them by legislation and disseminated or gratuitously provided in accordance with this Law;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

“Environmentally important decisions” means decisions made by state bodies specified in [Part 1 of Article 15-2](#) of this Law the implementation of which has an environmental impact and/or related to the utilization of natural resources;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

“Environmentally degrading activity” means construction, exploitation, dismantlement or demolition of objects, other activities that create or may create a situation characterized by persistent negative environmental change and pose a risk to life, health and property of citizens, including individual entrepreneurs, the property of legal persons and state-owned property;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Ecological audit” means independent comprehensive documented check of compliance by legal persons and individual entrepreneurs carrying out economic and other activities with requirements in the field of environmental protection and preparing of recommendations to minimize/prevent a harmful environmental impact of such activities;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

“Environmental harm” means harm caused to the environment, as well as harm caused to life, health and property of citizens, including individual entrepreneurs, the property of legal persons and state-owned property as a result of a harmful environmental impact;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

“Ecological risk” means the probability of an event, which has unfavorable implications for the environment, and is caused by a harmful impact of economic and other activities, natural and man-induced emergencies.

Article 2. Legislation on Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

(as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

From 28 December 2020, Part 1 of Article 2 after the word “wastes” shall be supplemented with the wording “on the protection and use of peatlands” by the Law of the Republic of Belarus of December 18, 2019 No. 272-3.

Legislation on environmental protection shall be based on the [Constitution](#) of the Republic of Belarus and comprise this Law, legislative acts on specially protected natural areas, hydrometeorological activities, ozone layer protection, waste handling, as well as in the field of state ecological expertise, a strategic environmental assessment and an environmental impact assessment and other legislative acts, which include norms governing the relations in the field of environmental protection and nature management.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A legal regime of natural resources and other natural environment components shall be regulated by legislation on environmental protection, unless otherwise provided for by legislation on the protection and use of lands, the protection and use of waters, on the use, safeguarding and protection and reproduction of forests, the protection and use of bowels, the protection and use of the animal kingdom, on the protection and use of the plant kingdom and by other legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In preparing of draft legislative acts, inclusion of provisions the implementation of which may have a greater harmful impact on the environment must not be allowed.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 3. Main Objectives of Legislation on Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The main objectives of legislation on environmental protection shall be as follows:

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

securing of enabling environment;

handling of relations in the field of protection of natural resources, their utilization and restoration;

preventing a harmful environmental impact of economic and other activities;

environmental enhancement;

ensuring of rational (sustainable) use of natural resources.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Article 4. Main Principles of Environmental Protection

Economic and other activities of legal persons and other individuals, which have an impact on the environment, must be carried out on the basis of the principles as follows:

observance of the citizens' right to the enabling environment and compensation for harm caused by a violation of this right;

providing favourable conditions for life and health of citizens;

scientifically grounded harmonization of ecological, economic and social interests of citizens, society and state to ensure healthy environment;

protection, rational (sustainable) use of natural resources and their restoration as an essential prerequisite for the healthy environment and ecological safety;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

precautionary measures for environment protection and environmental harm prevention;

state regulation of environmental protection and nature management;

charging for special nature management and compensation for harm caused to the environment;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

economic incentives for the rational (sustainable) use of natural resources;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

independent control in the field of environmental protection and the rational use of natural resources;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3;

accountability of natural and socio-economic territorial characteristics, including a regime for the protection and use of specially protected natural areas, natural areas subject to special protection and biosphere reserves in planning and carrying out economic and other activities;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

priority of the conservation of natural ecological systems, typical and rare natural landscapes, biotopes and natural complexes;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

admissibility of an impact of economic and other activities on the natural environment, taking into account requirements in the field of environmental protection;

mandatory participation in the environmental activities of state bodies, non-governmental organisations, other legal persons and individuals;

conservation of biological diversity;

provision of integrated and individual approaches to the establishment of requirements in the field of environmental protection for legal persons and other individuals carrying out economic and other activities or planning them;

presumption of an environmental hazard of planned economic and other activities;

reduction of a harmful environmental impact of economic and other activities based on the use of best available technical methods and technologies ensuring the implementation of requirements in the field of environmental protection, taking into account of economic and social factors;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

prohibition of economic and other activities, which may cause the degradation of natural ecological systems, change or destruction of the gene pool of plant and animal kingdom objects, exhaustion of natural resources and other negative environmental changes;

publicity in the activities of state bodies, non-governmental organisations on environmental protection issues and providing complete, reliable and timely environmental information to citizens;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

avoidance of overlapping functions of state regulation, administration and control in the field of environmental protection, rational use of natural resources and nature management functions;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

responsibility for a violation of legislation on environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

ensuring the promotion of knowledge in the field of environmental protection and nature management and the formation of ecological culture;
(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

international cooperation of the Republic of Belarus in the field of environmental protection.

Article 5. Objects of Relations in the Field of Environmental Protection

(as worded in the [Laws](#) of the Republic of Belarus of July 2, 2009 [No. 32-3](#); of May 6, 2010 [No. 127-3](#); of January 22, 2013 [No. 18-3](#))

Objects of relations in the field of environmental protection are the Earth, including soils, bowels, waters, the atmospheric air, the ozone layer, the near-Earth space environment, forests, plant and animal kingdoms in their species diversity, specially protected natural areas and natural areas subject to special protection, a national ecological network, biosphere reserves, typical and rare natural landscapes and biotopes, climate, natural ecological systems, other natural objects, as well as the right to nature management.

Article 6. Parties to a Relationship in the Field of Environmental Protection

Parties to a relationship in the field of environmental protection shall be as follows:

President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, specially authorized republican bodies of the state administration in the field of environmental

protection, local Councils of Deputies, executive and regulatory bodies, as well as other state bodies, the bodies of territorial public self-government within the scope of their competence;

non-governmental organisations, other legal persons of the Republic of Belarus, as well as citizens of the Republic of Belarus, including individual entrepreneurs (hereinafter unless otherwise provided “citizens”).

(as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of May 6, 2010 [No. 127-3](#))

The rules established by this Law shall apply to relations involving foreign citizens, stateless persons, foreign and international legal persons (organizations that are not legal persons), foreign states, unless otherwise provided for by the [Constitution](#) of the Republic of Belarus and international treaties of the Republic of Belarus.

Article 7. Main Directions of the State Policy of the Republic of Belarus in the Field of Environmental Protection;

Main directions of the state policy of the Republic of Belarus in field of environmental protection shall be as follows:

securing the right of citizens to the enabling environment and compensation for harm caused by a violation of this right;

strengthening the state administration in the field of environmental protection;

scientific support for environmental protection;

establishing legal and economic mechanisms stimulating rational (sustainable) use of natural resources;

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

rational (sustainable) use of natural resources;

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

strengthening the system of environmental protection and nature management;

generating and ensuring the functioning of the system of specially protected natural areas, as well as natural areas subject to special protection, a national ecological network and biosphere reserves;

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

ensuring the conservation of biological and landscape diversity;

ensuring the continued operation of the national environmental monitoring framework in the Republic of Belarus;

carrying out state ecological expertise;

providing and disseminating ecological information;

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

disseminating knowledge in the field of environmental protection and nature management and moulding of ecological culture;
(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

providing assistance to non-governmental organisations undertaking activities in the field of environmental protection;

engaging citizens, non-governmental organisations in environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

international cooperation in field of environmental protection.

CHAPTER 2

STATE ADMINISTRATION IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 8. Bodies Exercising the State Administration in the Field of Environmental Protection

The state administration in the field of environmental protection shall be exercised by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the Ministry of Natural Resources and Environmental Protection and its territorial bodies, other specially authorized republican bodies of the state administration and their territorial bodies, local Councils of Deputies, executive and regulatory bodies within the scope of their competence.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Specially authorized republican bodies of the state administration are the Ministry of Natural Resources and Environmental Protection, the Ministry of Health, the Ministry for Emergency Situations, the Ministry of Forestry, the State Property Committee and other republican bodies of the state administration in accordance with legislation.
(as worded in the Laws of the Republic of Belarus of October 29, 2004 [No. 319-3](#); of June 13, 2007 [No. 238-3](#); of June 18, 2019 [No. 201-3](#))

Article 8-1. Powers of the President of the Republic of Belarus in the Field of Environmental Protection

(introduced by the [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3)

The President of the Republic of Belarus in field of environmental protection shall:

determine the unified state policy;

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3;

establish a procedure for granting of natural resources for use and make decisions on granting them for use in cases stipulated by legislative acts;
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

make decisions on declaring, transforming and terminating the operation of natural reserves, national parks, as well as the preserves of republican importance in the case of withdrawal of land lots from land users for these purposes;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

approve the National Ecological Network Scheme;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

declare ecological disaster zones;

establish a period for the suspension of works of industrial and other objects located in ecological disaster zones;

exercise other powers entrusted to him/her by the [Constitution](#) of the Republic of Belarus and legislative acts.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 9. Powers of the Council of Ministers of the Republic of Belarus in the Field of Environmental Protection

The Council of Ministers of the Republic of Belarus in the field of environmental protection shall:

ensure the implementation of the unified state policy of the Republic of Belarus;

(as worded in the [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3)

adopt normative legal acts in the field of environmental protection;

approve state programmes for the rational (sustainable) use of natural resources and environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3;

establish measures for environmental protection, scientifically grounded use of natural resources and environmental enhancement;

establish a procedure for the use of natural resources, unless otherwise provided for by legislative acts;

(as worded in the Laws of the Republic of Belarus of June 13, 2007 [No. 238-3](#); of June 18, 2019 [No. 201-3](#))

establish a [list](#) of officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies authorized to exercise control in the field of environmental protection, the rational use of natural resources;

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

establish a [procedure](#) for public ecologists' activities;

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of December 31, 2005 No. 80-3;

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3;

submit in accordance with the procedure established by legislation proposals to the President of the Republic of Belarus for establishing privileges to certain categories of legal persons and individuals;
(as worded in the Laws of the Republic of Belarus of June 13, 2007 No. 238-3; of December 31, 2010 No. 228-3; of June 18, 2019 No. 201-3)

establish a procedure for maintaining State Natural Resources Cadasters, as well as a [procedure](#) for the state record-keeping in the field of environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

establish a [list](#) of measures for the rational (sustainable) use of natural resources and environmental protection financed from the sources of republican and local budgets;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3; as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3; of January 24, 2015 No. 333-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3;

establish a [procedure](#) for the transfer of habitats of wild animals and wild-growing plants belonging to the [species](#) included in the Red Book of the Republic of Belarus, typical and rare natural landscapes and biotopes under the protection of the users of land lots and/or water bodies, the forms of Habitat Certificates for wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus, typical and rare natural landscapes and biotopes and a preservation [order](#), as well as a [procedure](#) and terms of their issuance;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of November 10, 2008 No. 444-3; as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

establish a [procedure](#) and terms of issuance of permits for withdrawal of wild animals and wild-growing plants belonging to the species included into the Red Book of the Republic of Belarus from their habitats, unless otherwise provided for by the President of the Republic of Belarus;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

determine a [procedure](#) for the establishment and maintenance of the state data fund on the environmental state and impacts on it;
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

determine in coordination with the President of the Republic of Belarus [requirements](#) for the composition of the National Ecological Network Scheme and [criteria](#) for the selection of territories to include them in the National Ecological Network;
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

make decisions on declaring, reorganizing and terminating the operation of sanctuaries of republican importance in a case where withdrawal of land lots from land users for such purposes is not required;
(as worded in the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

declare where it is required particular areas of the territory of the Republic of Belarus as ecological risk and ecological crisis zones;

establish a [procedure](#) for maintaining the National Environmental Monitoring Framework in the Republic of Belarus;

determine a procedure for monitoring and using environmental monitoring data;

establish a [procedure](#) for sampling and measuring in the field of environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3;

identify the [scope](#) of general-purpose ecological information subject to mandatory dissemination, the holders of such information who are obliged to disseminate it and the frequency of its dissemination;

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

determine an ecological audit [procedure](#);

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

establish a [form](#) and [procedure](#) for drawing up an act establishing the fact of environmental harm;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

establish a [procedure](#) to estimate the amount of compensation for harm caused to the environment;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3;

accomplish international cooperation in the field of environmental protection;

exercise other powers vested in it by this Law, other laws and acts of the President of the Republic of Belarus.

(as worded in the Laws of the Republic of Belarus of November 10, 2008 [No. 444-3](#); of June 18, 2019 [No. 201-3](#))

Article 10. Powers of the Ministry of Natural Resources and Environmental Protection in the Field of Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The Ministry of Natural Resources and Environmental Protection shall exercise powers vested in it directly and through its territorial bodies.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The Ministry of Natural Resources and Environmental Protection in the field of environmental protection shall:

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

implement the unified state policy of the Republic of Belarus in the field of environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

within the scope of its competence develop and adopt (issue) normative legal acts, as well as develop, approve (bring into force) technical normative legal acts in the field of environmental protection;

(as worded in the Laws of the Republic of Belarus of July 20, 2006 [No. 162-3](#); of December 24, 2015 [No. 333-3](#))

exercise the state administration in the field of environmental protection;

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3;

establish [categories](#) of national environmental significance and criteria for attributing of rare and endangered species of wild animals and wild-growing plants in the territory of the Republic of Belarus to them;

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

carry out, according to the established procedure, rationing, technical rationing and standardization in the field of environmental protection and utilization of natural resources;

(as worded in the Laws of the Republic of Belarus of July 20, 2006 [No. 162-3](#); of December 21, 2007 [No. 298-3](#))

participate in the state regulation of the certification activity in the field of environmental protection (hereinafter referred to as “ecological certification”);

(as worded in the Laws of the Republic of Belarus of December 31, 2010 [No. 228-3](#); of June 18, 2019 [No. 201-3](#))

ensure within the scope of its competence the uniformity of measurements in the field of environmental protection and in accordance with legislation in the field of ensuring the uniformity of measurements;

(as worded in the Laws of the Republic of Belarus of July 8, 2008 [No. 367-3](#); of June 18, 2019 [No. 201-3](#))

carry out in accordance with [legislation](#) the licensing of activities associated with an impact on the environment;

(as worded in the Laws of the Republic of Belarus of June 29, 2006 [No. 137-3](#); of December 22, 2011 [No. 326-3](#); of June 18, 2019 [No. 201-3](#))

coordinate the activities of republican bodies of the state administration in the field of environmental protection and utilization of natural resources;

Paragraphs 12-13 excluded. – The [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3;

From 1 January 2020, the operation of Paragraph 11, Part 2, Article 10 was suspended for 2020 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation ([Paragraph 2](#) of [Article 26](#) of the Law of the Republic of Belarus of December 16, 2019 No. 269-3).

From 1 January 2019, the operation of Paragraph 11, Part 2, Article 10 was suspended for 2019 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation ([Paragraph 3](#) of [Article 23](#) of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Paragraph 11, Part 2, Article 10 was suspended for 2018 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Paragraph 11, Part 2, Article 10 was suspended for 2017 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of October 18, 2016 No. 431-3).

within the scope of its competence, determine procedures for using the funds of the State Trust Budgetary Republican Fund for Nature Conservation;

(as worded in the [Laws](#) of the Republic of Belarus of December 31, 2009 No. 114-3; of May 6, 2010 No. 127-3)

The Paragraph excluded. – The [Law](#) of the Republic of Belarus January 22, 2013 No. 18-3;

carry out checks in the field of safeguarding, protection, reproduction and use of wild animals and wild-growing plants belonging to the [species](#) included in the Red Book of the Republic of Belarus, tree and shrub vegetation and other wild plants growing within the boundaries of residential localities, wild animals that are not objects of hunting and fishing; use and protection of bowels; protection of the atmospheric air and the ozone layer; use and protection of waters; waste management and other forms of control provided for by legislation on control (supervisory) activities;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

elicit the facts of a violation of requirements for legislation on environmental protection and rational use of natural resources (including violations related to environmental safety and the procedure for nature management);

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Paragraphs 15-16 excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3

make claims to legal persons or citizens who have caused harm to the environment, and claims in court to compensate for harm caused to the environment, the cost of illegally obtained products, assert claims in court to compensate for harm caused to the environment by way of writ proceedings, other claims (statements, requirements) stipulated by legislative acts;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

request and obtain on a gratuitous basis information needed to fulfill the tasks assigned to it from the republican bodies of the state administration, local executive and regulatory bodies, legal persons and individual entrepreneurs;

organize record-keeping and assessment of natural resources;

maintain together with related republican bodies of the state administration the following State Natural Resources Cadasters: [bowels](#), water, the atmospheric [air](#), the plant [kingdom](#), the animal [kingdom](#), as well as wastes and other cadastres, and coordinate the activities of these bodies on their maintenance;

(as worded in the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

organize, according to the established [procedure](#), the maintenance of the National Environmental Monitoring Framework in the Republic of Belarus;

form a data fund on the environment state and impacts on it;

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

maintain the Red [Book](#) of the Republic of Belarus;

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

carry out work on the identification of habitats of wild animals and wild-growing plants belonging to the [species](#) included in the Red Book of the Republic of Belarus, typical and rare natural landscapes and biotopes and their record-keeping;

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

ensure the elaboration and approve management plans for wild animal and wild-growing plant populations belonging to the species included in the Red Book of the Republic of Belarus, as well as the species that fall under the scope of the international treaties of the Republic of Belarus, plans of actions for the preservation of these wild animal and wild-growing plant species and other activities on the protection of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus, as well as the species that fall under the scope of the international treaties of the Republic of Belarus, management plans for typical and/or rare natural landscapes and biotopes, organize the implementation of such activities and exercise control over their implementation;

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

elaborate together with the National Academy of Sciences of Belarus, regional executive and regulatory bodies and other interested state bodies and organizations the draft layout of the National Ecological Network;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

prepare in coordination with the National Academy of Sciences of Belarus, as well as other interested state bodies and organizations, proposals for declaring and suspending the operation of biosphere reserves;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

issue permits for the withdrawal of wild animals and wild-growing plants belonging to the species included into the Red Book of the Republic of Belarus from their habitat;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of November 10, 2008 No. 444-3)

make decisions on declaring, reorganizing and suspending the functioning of natural monuments of republican significance;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

organize the ecological certification of objects;

establish the [procedure](#) for maintaining the enterprise's ecological passport;

provide and disseminate ecological information in accordance with this Law, other legislative acts, including the international treaties of the Republic of Belarus;
(as worded in the [Laws](#) of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of May 6, 2010 [No. 127-3](#); of June 18, 2019 [No. 201-3](#))

inform state administration bodies, legal persons and citizens about the environment state and measures for its protection;

liaise with non-governmental organizations carrying out their activities in the field of environmental protection, organize the Public Environmental Specialist Network;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 [No. 18-3](#))

organize the dissemination of knowledge in the field of environmental protection and nature management and ecological culture moulding;
(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 [No. 326-3](#))

carry out international cooperation in the field of environmental protection;

study, generalize and disseminate the experience of foreign countries in the field of environmental protection and rational (sustainable) use of natural resources;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 [No. 127-3](#))

coordinate the implementation of the international treaties of the Republic of Belarus in the field of environmental protection;

exercise other powers in accordance with this Law and other legislative acts.
(as worded in the [Laws](#) of the Republic of Belarus of November 10, 2008 [No. 444-3](#); of June 18, 2019 [No. 201-3](#))

The Ministry of Natural Resources and Environmental Protection shall elaborate and submit, in accordance with the procedure established by legislation to the Council of Ministers of the Republic of Belarus, the following:

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 [No. 201-3](#))

draft legislative acts on environmental protection;

(as worded in the [Laws](#) of the Republic of Belarus of July 2, 2009 [No. 32-3](#); of June 18, 2019 [No. 201-3](#))

draft state programs on rational (sustainable) use of natural resources and environmental protection, concepts, strategies, schemes and action plans in this field;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 [No. 127-3](#))

proposals related to environmental protection issues and rational (sustainable) use of natural resources to include them in forecast schemes and socio-economic development programmes;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 [No. 127-3](#))

proposals for establishing a [list](#) of activities on the environmental protection and natural resource restoration financed from republican and local budgets;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 [No. 18-3](#))

representations on the announcement, reorganization and suspension of the operation of specially protected natural areas of republican significance;

proposals for declaring the particular areas of the territory of the Republic of Belarus as ecological risk and ecological crisis zones;

From 1 January 2020, the operation of Paragraph 8, Part 3, Article 10 was suspended for 2020 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 16, 2015 No. 269-3).

From 1 January 2019, the operation of Paragraph 8, Part 3, Article 10 was suspended for 2019 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Paragraph 8, Part 3 of Article 10 was suspended for 2018 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Paragraph 8, Part 3 of Article 10 was suspended for 2017 in part of financing of programmes and activities on the rational (sustainable) use of natural resources and environmental protection from the resources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of October 18, 2016 No. 431-3).

proposals for forming and using State Trust Budgetary Funds for Nature Conservation;

proposals for establishing privileges (benefits) to certain categories of legal persons and individuals.
(as worded in the Laws of the Republic of Belarus of June 13, 2007 No. 238-3; of December 31, 2010 No. 228-3)

Article 11. Powers of the Local Councils of Deputies and Executive and Regulatory Bodies in the Field of Environmental Protection

Local Councils of Deputies in the field of environmental protection shall:

approve a regional set of activities to ensure the implementation of state programmes for the rational (sustainable) use of natural resources and environmental protection, stipulating financing from the funds of local budgets (hereinafter referred to as “a regional set of activities”);
(as worded in the Law of the Republic of Belarus of July 17, 2017 No. 51-3)

in the territory under their jurisdiction manage natural resources in cases and in accordance with a procedure established by legislation on environmental protection and rational use of natural resources;

(as worded in the Laws of the Republic of Belarus of July 2, 2009 [No. 32-3](#); of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

overturn decisions of local executive and regulatory bodies on withdrawing and granting of land lots for use, lease, lifetime inheritable ownership, their transfer to ownership, which are in contradiction with legislation in force on the protection and use of lands;

(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); June 18, 2019 [No. 201-3](#))

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3;

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3;

exercise other powers in accordance with this Law and other legislative acts.

(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

Local executive and regulatory bodies in the field of environmental protection shall:

form and submit for approval to the local Councils of Deputies regional sets of activities and take measures to implement them;

(as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3)

take measures on the protection of rights and legal interests of citizens of the Republic of Belarus in the field of environmental protection;

exercise control over use and protection of lands in accordance with the procedure established by legislation on monitoring (supervisory) activities;

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

in the territory under their jurisdiction manage natural resources in cases and in accordance with the procedure established by legislation on environmental protection and rational use of natural resources;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

make decisions on the reservation of areas to be declared as specially protected natural areas;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

make decisions on the announcement, reorganization and suspension of the operation of natural reserves and natural monuments of local significance;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

make decisions on the announcement and suspension of the operation of biosphere reserves;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

make decisions on the transfer, according to the established [procedure](#), of the identified habitats of wild animals and/or wild-growing plants belonging to the [species](#) included into the Red Book of the Republic of Belarus, typical and/or rare natural landscapes and biotopes under the protection of the users of land lots and/or water objects;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

determine disposal sites;

organize collection, transportation, storage and deactivation of the municipal waste generated in their territory;

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3;

The paragraph excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3;

make claims to legal persons and citizens who have caused harm to the environment and file lawsuits to compensate for harm caused to the environment;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

participate in the formation of ecological culture;

(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

examine proposals of legal persons, including non-governmental organizations and citizens, on environmental protection issues and rational (sustainable) use of natural resources;

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

exercise other powers in accordance with this Law and other legislative acts.

(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

CHAPTER 3

RIGHTS AND DUTIES OF CITIZENS, LEGAL PERSONS AND PUBLIC ENVIRONMENTAL SPECIALISTS IN THE FIELD OF ENVIRONMENTAL PROTECTION. PUBLIC DEBATES ON DRAFT ENVIRONMENTALLY SIGNIFICANT DECISIONS, ENVIRONMENTAL IMPACT ASSESSMENT REPORTS, ENVIRONMENTAL REPORTS ON THE STRATEGIC ENVIRONMENTAL ASSESSMENT

(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of July 18, 2016 [No. 399-3](#))

Article 12. Rights and Duties of Citizens in the Field of Environmental Protection

Every citizen shall have the right to the enabling environment and compensation for harm caused by the infringement of this right, as well as obtain, store and disseminate full, accurate and timely ecological information.

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Citizens shall exercise the right to:

establish, in accordance with legislation, non-governmental organizations undertaking activities in the field of environmental protection, as well as public funds for nature conservation; (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

apply, in accordance with the procedure established by legislation, to the bodies of the state administration, other organizations and officials for obtaining full, accurate and timely ecological information;

(as worded in the Laws of the Republic of Belarus of December 21, 2007 No. 298-3; of June 18, 2019 No. 201-3)

take part in public discussions of draft environmentally significant decisions, environmental impact assessment reports, environmental reports on the strategic environmental assessment;

(as worded in the Laws of the Republic of Belarus of December 24, 2015 No. 333-3; of July 18, 2016 No. 399-3)

put forward proposals on carrying out of public ecological expertise and participate in its conduction in accordance with the procedure established by legislation;

(as worded in the Law of the Republic of Belarus of June 18, 2019 No. 201-3)

provide assistance to state bodies in addressing environmental protection issues;

The Paragraph excluded. – The Law of the Republic of Belarus of January 22, 2013 No. 18-3;

Consultant Plus: comment.

A form for electronic applications of citizens to the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus shall be posted on the official website of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (<http://www.minpriroda.gov.by/ru/>).

apply to state bodies and other organizations in writing, by electronic means or verbally, as well as make comments for and/or suggestions to individual entrepreneurs in the Customer Comment and Suggestion Book on environmental protection issues and receive substantiated responses;

(as worded in the Law of the Republic of Belarus of January 22, 2013 No. 18-3)

submit claims to court to compensate for harm caused to lives, health, property as a result of a harmful environmental impact and suspend (ban) economic or other activities of legal persons and individual entrepreneurs that have a harmful environmental impact.

(as worded in the Laws of the Republic of Belarus of December 21, 2007 No. 298-3; of January 22, 2013 No. 18-3)

Citizens shall be obliged to:

comply with legislation on environmental protection;

(as worded in the Law of the Republic of Belarus of June 18, 2019 No. 201-3)

enhance ecological culture, promote mentoring of oncoming generation in this field;

preserve and protect natural environment, use natural resources rationally;

comply with waste management requirements;

comply with fire safety regulations;

comply with hunting and fishing regulations;

comply with the requirements established to combat indoor community noise, street noise, yard noise, noise in the territory of gardening associations (cooperatives), in recreational areas and other public places;

comply with the requirements (regulations) of state bodies and officials exercising control in the field of environmental protection and rational use of natural resources;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

compensate, in accordance with the [procedure](#) established by legislation, for harm caused to the environment by their actions.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Legislation may determine other rights and duties of citizens in the field of environmental protection.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 13. Ensuring the Rights of Citizens to the Enabling Environment

The right of citizens to the enabling environment shall be provided by the following means:

planning and environmental quality rationing, measures for preventing a harmful impact on the environment and its rehabilitation, preventing and managing the consequences of accidents, catastrophes and natural disasters;

compensating, according to the established procedure, for harm caused to life, health and property of citizens as a result of a harmful environmental impact;

providing full, accurate and timely ecological information in accordance with the procedure established by this Law and other legislative acts, including the international treaties of the Republic of Belarus;
(as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of May 6, 2010 [No. 127-3](#); of June 18, 2019 [No. 201-3](#))

appealing against the decisions and actions (inactions) of state bodies, organizations and officials;

judicial protection, self-protection and obtaining of qualified legal assistance;

public association activities;

control in the field of environmental protection, rational use of natural resources;
(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 [No. 18-3](#))

adopting other measures stipulated by this Law and other legislative acts.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 14. Protection of the Right to the Enabling Environment

The right to the enabling environment shall be enjoyed by every citizen by birth and be subject to protection as a personal non-property right, not related to the property one, in accordance with the procedure established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Moral harm caused to a citizen by the infringement of his/her right to the enabling environment shall be subject to compensation in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 15. Rights and Obligations of Public Associations Exercising Activities in the Field of Environmental Protection, of other Legal Persons

(as worded in the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

Public associations undertaking activities in the field of environmental protection shall exercise the right to:

elaborate, publicize and implement, according to the established procedure, programmes for the rational (sustainable) use of natural resources and environmental protection, protect rights and legitimate interests of citizens in the field of environmental protection, voluntarily engage citizens in the implementation of activities in the field of environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

take part in the elaboration of draft state and other programmes for the rational (sustainable) use of natural resources and environmental protection, a regional set of measures and facilitate their implementation;

(as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No.51-3)

using own and attracted funds, carry out activities on the restoration of natural resources and ensuring environmental security;

put forward to state bodies and direct to officials proposals on environmental protection issues and rational (sustainable) use of natural resources;

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

take part in the public discussions of draft environmentally significant decisions, environmental impact assessment reports, environmental reports on the strategic environmental assessment;

(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of July 18, [2016 No. 399-3](#))

organize and conduct, according to the established [procedure](#), public ecological expertise;

establish, in accordance with legislation, public nature conservation funds and use their funds for nature conservation activities;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

provide assistance to state bodies in addressing environmental protection issues;

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3;

apply, in accordance with the procedure, established by legislation to state administration bodies, other organizations and officials to obtain full, accurate and timely ecological information; (as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of June 18, 2019 [No. 201-3](#))

Consultant Plus: comment.

A form for electronic applications of citizens to the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus shall be posted on the official website of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (<http://www.minpriroda.gov.by/ru/>).

apply to state bodies, other organizations in writing, by electronic means or verbally on environmental protection issues and receive substantiated responses; (as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 [No. 18-3](#))

submit claims to court for harm caused to life, health, property of their members (participants) as a result of a harmful environmental impact and for the suspension (ban) of economic or other activities of legal persons and individual entrepreneurs having a harmful impact on the environment; (as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of January 22, 2013 [No. 18-3](#))

appear in the media on environmental protection issues.

Legislation may ascertain other rights of public associations, undertaking their activities in the field of environmental protection. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 [No. 201-3](#))

Other legal persons shall exercise rights specified in the [Paragraphs 2-6, 9-13](#) of [Part 1](#) of this Article. (Part 3 of Article 15 introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 [No. 333-3](#))

Public associations undertaking activities in the field of environmental protection shall carry out work on the outreach and cultivation of environmental friendliness in citizens, raising ecological culture of citizens, inform the territorial bodies of the Ministry of Natural Resources and Environmental Protection, local executive and regulatory bodies about the established cases of unsustainable use of natural resources, violations of legislation on environmental protection, as well as accidents and other emergency situations, breakdown in technological processes as a result of which environmental pollution or another harmful environmental impact has occurred or may occur. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 [No. 201-3](#))

Public associations undertaking activities in the field of environmental protection, other legal persons shall be obliged to comply with requirements in the field of environmental protection. (Part 5 of Article 15 as worded in the [Law](#) of the Republic of Belarus of December 24, 2015 [No. 333-3](#))

Article 15-1. Public Environmental Specialists

(introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Public environmental specialists may be legally capable citizens of the Republic of Belarus willing to provide assistance voluntary and gratuitously to the Ministry of Natural Resources and Environmental Protection and its territorial bodies in the implementation of activities on environmental protection and rational use of natural resources.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Public environmental specialists shall have the right to:

provide assistance to the Ministry of Natural Resources and Environmental Protection and its territorial bodies in undertaking environmental activities;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

participate in the dissemination of ecological information;

provide assistance to the Ministry of Natural Resources and Environmental Protection and its territorial bodies in mainstreaming and fostering environmental friendliness in citizens, enhancing their environmental culture.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Legislation may also ascertain other rights of public environmental specialists.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Public environmental specialists shall be obliged to:

know legislation on environmental protection and rational use of natural resources and comply with its provisions;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

report violations of legislation on environmental protection and rational use of natural resources to the Ministry of Natural Resources and Environmental Protection or its territorial bodies;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

report on the work done to the territorial bodies of the Ministry of Natural Resources and Environmental Protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The Ministry of Natural Resources and Environmental Protection and its territorial bodies shall:

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

organize work of public environmental specialists;

organize work on training of public environmental specialists;

provide ecological information to public environmental specialists;

coordinate the activities of public environmental specialists, assess their performance and develop measures to enhance its efficiency;
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

ensure safety of public environmental specialists during the implementation of environmental protection measures.

A [procedure](#) for the activities of public environmental specialists shall be established by the Council of Ministers of the Republic of Belarus.

Article 15-2. Public Discussions of Draft Environmentally Important Decisions, Environmental Impact Assessment Reports, Environmental Reports on the Strategic Environmental Assessment

(introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3; as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

Citizens and legal persons shall have the right to take part in public discussions of the following draft environmentally important decisions unless otherwise provided by in [Part 3](#) of this Article:

concepts, programmes, plans, schemes, a regional set of measures the implementation of which has an impact on the environment and/or is associated with the use of natural resources, as well as changes and additions to them that are not of a technical nature;
(as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3)

normative legal acts (in part of provisions aimed at regulating relations associated with the implementation of economic and other activities related to environmentally hazardous ones, according to the [criteria](#) determined by the President of the Republic of Belarus or the state body authorized by him/her);
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

decisions on the issuance of a [permit](#) for the removal of plant kingdom objects in residential localities, a [permit](#) for the transplantation of plant kingdom objects in residential localities in cases stipulated by legislation on the safeguarding and use of the plant kingdom.
(as worded in the Laws of the Republic of Belarus of July 17, 2017 [No. 51-3](#); of June 18, 2019 [No. 201-3](#))

In the event that in accordance with legislation in the field of state ecological expertise, a strategic environmental assessment and an environmental impact assessment, facilities undergo an environmental impact assessment and a strategic environmental assessment, environmental impact assessment reports, environmental reports on the strategic environmental assessment shall also be subjects to public discussion.
(as worded in the Laws of the Republic of Belarus of July 18, 2016 [No. 399-3](#); of June 18, 2019 [No. 201-3](#))

Public discussions of draft environmentally important decisions may not be conducted in cases of:

draft environmentally important decisions related to the construction and operation of defense

facilities, military infrastructure facilities;

draft environmentally important decisions related to the construction and operation of facilities information on which is classified as the State secret;

draft environmentally important decisions related to other facilities in cases stipulated by the legislative acts and international treaties of the Republic of Belarus;
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

environmental impact assessment reports, environmental reports on the strategic environmental assessment in relation to the facilities specified in the [Paragraphs 2-4](#) of this Part.
(as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

Public discussions of draft environmentally important decisions specified in the [Paragraphs 2 and 4](#) of [Part 1](#) of this Article shall be organized and held by the state body that makes such decisions, or an organization determined by it. Public discussions of draft environmentally important decisions specified in the [Paragraph 3](#) of [Part 1](#) of this Article shall be organized and held by the subject of a rule-making initiative who prepared the draft normative legal act. Comments and suggestions received in the course of public discussions of draft environmentally important decisions shall be considered when finalizing related draft decisions. Information on the results of public discussions of draft environmentally important decisions shall be made public by posting it in the media, on the official website of the state authority that has made such decisions (the subject of a rule-making initiative that has prepared the draft normative legal act) over the global computer network Internet (if such website is available) and/or by other publicly available methods in accordance with legislation on information, informatization and information protection.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In the event that environmentally important decisions specified in the [Paragraph 2](#) of [Part 1](#) of this Article are the subject of state ecological expertise in accordance with legislation in the field of state ecological expertise, a strategic environmental assessment and an environmental impact assessment, comments and suggestions received during public discussions of such draft decisions shall be considered by the state body before the approval of the conclusion of state ecological expertise.
(as worded in the Laws of the Republic of Belarus of July 18, 2016 [No. 399-3](#); of June 18, 2019 [No. 201-3](#))

Environmentally important decisions made by the state body shall be made public by posting them in the media, on the official website of this body over the global computer network Internet (if such website is available) and/or by other publicly available methods in accordance with legislation on information, informatization and information protection, except for normative legal acts subject to official publication according to the procedure established by legislative acts.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A [procedure](#) for organizing and conducting public discussions of draft environmentally important decisions, except for the reports specified in [Part 8](#) of this Article on an environmental impact assessment, environmental reports on the strategic environmental assessment, keeping records of environmentally important decisions made shall be established by the Council of Ministers of the Republic of Belarus, unless otherwise established by the President of the Republic of Belarus.
(as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

Public discussions of draft concepts, programmes, plans, schemes, regional sets of measures in the field of architectural, urban planning and construction activities shall be held according to the procedure stipulated by legislation on architectural, urban planning and construction activities. (as worded in the Laws of the Republic of Belarus of July 17, 2017 [No. 51-3](#); of June 18, 2019 [No. 201-3](#))

CHAPTER 4 NATURE MANAGEMENT

Article 16. Right to Nature Management

Natural resources may be provided for use in accordance with the procedure established by legislation. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Citizens shall be guaranteed the right to common use of natural resources to meet their needs gratuitously, without vesting these resources in them and without obtaining related permits, except for the cases stipulated by legislation (common nature management right). (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Implementation of nature management in the course of economic activity (special nature management) shall be allowed to legal persons and individual entrepreneurs for a fee, unless otherwise provided for by legislative acts, on the basis of decisions of state bodies under the competence of which such decisions fall, a lease agreement, an integrated environmental permit for the cases established by the Acts of the President of the Republic of Belarus or otherwise provided for by legislation. (as worded in the Laws of the Republic of Belarus of December 22, 2011 [No. 326-3](#); of January 22, 2013 [No.18-3](#); of June 18, 2019 [No. 201-3](#))

Article 17. Licensing in the Field of Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of June 29, 2006 No. 137-3)

Licensing in the field of environmental protection shall be carried out by specially authorized republican bodies of the state administration in accordance with legislation on licensing. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

CHAPTER 5
RATIONING, TECHNICAL NORMATIVE LEGAL ACTS IN THE FIELD OF ENVIRONMENTAL PROTECTION. ECOLOGICAL CERTIFICATION

(as worded in the Laws of the Republic of Belarus of July 20, 2006 [No. 162-3](#);
of July 8, 2008 [No. 367-3](#); of June 18, 2019 [No. 201-3](#))

Article 18. Rationing in the Field of Environmental Protection

Rationing in the field of environmental protection shall be carried out for the purposes of state regulation of an impact of economic and other activities on the environment, guaranteeing the enabling environment conservation and ensuring environmental safety.

Rationing in the field of environmental protection shall stipulate setting of environmental quality standards, permissible environmental impact standards, nature management limits, as well as other standards in the field of environmental protection.

Environmental quality standards, permissible environmental impact standards, as well as other standards in the field of environmental protection shall be elaborated, approved and made effective on the basis of state-of-the-art achievements in science and technology with due regard to international rules and standards in the field of environmental protection.

Environmental quality standards and permissible environmental impact standards, as well as other standards in the field of environmental protection, shall be set by the Ministry of Natural Resources and Environmental Protection, the Ministry of Health and other specially authorized republican bodies of the state administration within the scope of their competence.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 19. Main Requirements for the Elaboration of Standards in the Field of Environmental Protection

Main requirements for the elaboration of standards in the field of environmental protection shall be as follows:

establishing grounds for their elaboration;

conducting research and development for their substantiation;

assessing and forecasting environmental, social and economic ramifications of their application;

other requirements established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 20. Environmental Quality Standards

Environmental quality standards shall be established at the level providing ecological safety and applied for the environmental state assessment and rationing of a permissible environmental impact on it.

Environmental quality standards shall include as follows:

standards for maximum permissible concentrations of chemical and other substances;

standards for maximum permissible physical effects;

standards for the maximum permissible concentrations of microorganisms;

other environmental quality standards.

Environmental quality standards shall be approved and brought into effect by the Ministry of Health by agreement with the Ministry of Natural Resources and Environmental Protection, other state bodies in accordance with legislation.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

More stringent environmental quality standards than those operational in other territories may be established in specially protected natural areas, natural areas subject to special protection, and the territories of biosphere reserves.
(Part 4 of Article 20 as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Article 21. Admissible Environmental Impact Standards

In order to prevent a harmful environmental impact of economic and other activities, the following permissible environmental impact standards shall be established for legal persons and individual entrepreneurs (users of natural resources) and for specific territories:
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

standards for permissible emissions and discharges of chemical and other substances;

waste generation standards;

permissible physical effects standards (heat amount, the levels of noise, vibration, ionizing radiation, electromagnetic field strength and other physical effects);

permissible natural resources withdrawal standards;

permissible anthropogenic environmental burden standards;

standards for another permissible environmental impact in carrying out of economic and other activities established by legislation.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Permissible environmental impact standards must ensure that environmental quality standards are observed with due regard to the natural specifics of territories.

Article 22. Standards for Permissible Emissions and Discharges of Chemical and Other Substances

Standards for permissible emissions and discharges of chemical and other substances shall be established for stationary and mobile environmental impact sources on the basis of permissible

anthropogenic environmental burden standards, environmental quality standards, and technological standards.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Technological standards shall be established for stationary and mobile sources on the basis of best available technical methods and technologies ensuring the fulfillment of environmental protection requirements with due regard to economic and social factors.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

In the event that complying with the standards for permissible emissions and discharges of chemical and other substances is impossible, temporary standards for such emissions and discharges may be set on the basis of permits issued by the Ministry of Natural Resources and Environmental Protection or its territorial bodies and are valid only in cases of simultaneous implementation of environmental protection measures, integration of technologies ensuring compliance with the requirements in the field of environmental protection and/or the implementation of other environmental protection measures with due regard to gradual achievement of standards set for permissible emissions and discharges of chemical and other substances.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 23. Industrial Waste Generation Standards

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Industrial waste generation standards shall be set to prevent their harmful environmental impact in accordance with [legislation](#) on waste handling.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 24. Permissible Physical Effects Standards

Permissible physical effects standards (heat amount, the levels of noise, vibration, ionizing radiation, electromagnetic field strength and other physical effects) shall be established for every source of such an effect on the basis of environmental quality standards and with due regard to other sources of physical effects.

Article 25. Permissible Natural Resources Withdrawal Standards

Permissible natural resources withdrawal standards are the standards established in accordance with the limits on their withdrawal volume in order to preserve natural and nature anthropogenic objects, ensure stable functioning of natural ecological systems and prevent their degradation.

Permissible natural resources withdrawal standards and a procedure for their setting shall be established by legislation on environmental protection and rational use of natural resources.

(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of June 18, 2019 [No. 201-3](#))

Article 26. Permissible Anthropogenic Environmental Burden Standards

Permissible anthropogenic environmental burden standards shall be established for specific territories in order to regulate a cumulative impact of all stationary and mobile environmental impact sources located within the boundaries of these areas.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Permissible anthropogenic environmental burden standards shall be established by every kind of an impact of economic and other activities on the environment and a cumulative impact of all the sources located on these territories.

In establishing permissible anthropogenic environmental burden standards, the natural features of particular territories shall be taken into account.

Article 27. Nature Management Limits

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Nature management limits are the volumes of limit use (withdrawal, extraction) of natural resources, emissions and discharges of pollutants, storage and disposal of wastes and other kinds of a harmful impact on the environment established for the users of natural resources for a certain period of time.

Nature management limits shall be established in accordance with legislation on waste management, as well as in the field of rational use of natural resources.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 28. Other Standards in the Field of Environmental Protection

For the purposes of state regulation of an environmental impact of economic and other activities, an environmental quality assessment in accordance with this Law and other normative legal acts, other standards in the field of environmental protection may be established.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 29. Excluded.

(Article 29 excluded. – The [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 30. Technical Normative Legal Acts in the Field of Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

Technical normative legal acts in the field of environmental protection shall apply to:

environmental binding standards and rules;

technical normative legal acts in the field of technical regulation and standardization establishing requirements in the field of environmental protection for technical regulation and standardization objects.

Environmental standards and rules shall establish the rules for setting (calculating) permissible environmental impact standards, as well as permissible anthropogenic environmental burden standards, environmental quality standards, technological standards, other requirements in the field of environmental protection.

(Part 2 of Article 30 as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Environmental standards and rules may not establish requirements for products, the processes of their development, production, exploitation (use), storage, transportation, realization and disposal

or for the performance of works (delivery of services), maintenance and exploitation of capital structures (buildings, facilities), isolated premises and other objects owned by legal persons and individual entrepreneurs.

(Part 3 of Article 30 as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Environmental standards and rules shall be approved by the Ministry of Natural Resources and Environmental Protection. A [procedure](#) for the development, coordination, approval, registration, commissioning and publication of environmental standards and rules shall be established by the Council of Ministers of the Republic of Belarus.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Consultant Plus: comment.

The national [classifier](#) of the Republic of Belarus OKRB 021-2019 “Classifier of wastes generated in the Republic of Belarus” was approved by the Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of September 9, 2019 No. 3-T.

Technical normative legal acts in the field of environmental protection specified in the [Paragraph 3](#) of [Part 1](#) of this Article shall be approved by the Council of Ministers of the Republic of Belarus, the Ministry of Natural Resources and Environmental Protection, the State Standardization Committee, other state bodies within the scope of their competence in accordance with legislation on technical regulation and standardization.

(as worded the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 31. Ecological Certification

(as worded in the [Law](#) of the Republic of Belarus of July 20, 2006 No. 162-3)

Ecological certification shall be carried out in accordance with legislation by certification bodies accredited in the National Accreditation System of the Republic of Belarus.

(as worded in the Laws of the Republic of Belarus of December 31, 2010 [No. 228-3](#); June 18, 2019 [No. 201-3](#))

Ecological certification objects shall be as follows:

environmental administration (management) system;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

products;

personnel competence in performing of works (delivery of services) in the field of environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

performance of works, delivery of services in the field of environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

other objects in the field of environmental protection in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of December 31, 2010 [No. 228-3](#); of June 18, 2019 [No. 201-3](#))

State regulation in the field of ecological certification shall be carried out by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, the State Standardization Committee and the Ministry of Natural Resources and Environmental Protection.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Part 4 of Article 30 excluded. – The [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3.

Consultant Plus: comment.

General [requirements](#) in the field of environmental protection for the maintenance and exploitation of capital structures (buildings, facilities), isolated premises and other objects belonging to economic entities were approved by the Decree of the President of the Republic of Belarus of November 23, 2017 No. 7.

CHAPTER 6

REQUIREMENTS IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 32. General Requirements in the Field of Environmental Protection during Placing, Projecting, Building, Reconstruction, Commissioning, Exploitation, Conservation, Dismantling and Demolition of Buildings, Facilities and Other Objects
(as worded in the [Law](#) of the Republic of Belarus of July 19, 2005 No. 42-3)

In placing, projecting, building, reconstruction, commissioning, exploitation, preservation, dismantling and demolition of buildings, facilities and other objects legal persons and individual entrepreneurs shall be obliged to ensure the enabling environmental state and provide for:
(as worded in the [Law](#) of the Republic of Belarus of July 19, 2005 No. 42-3)

preservation, restoration and/or recovery of the environment;

reduction (prevention) of a harmful environmental impact;

use of best available technical methods, low-waste, energy-efficient and resource-saving technologies;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

rational (sustainable) use of natural resources;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

prevention of accidents and other emergency situations;

material, financial and other resources to compensate for possible environmental harm;

financial guarantees that planned activities on environmental protection are implemented.

Article 33. Requirements in the Field of Environmental Protection during Placing of Buildings, Facilities and Other Objects

In placing of buildings, constructions and other objects, the fulfillment of requirements in the field of environmental protection taking into account of immediate and long-term ecological,

economic, demographic and other consequences resulting from exploitation of specified objects and observing a priority of conservation of the enabling environment, biological and landscape diversity, rational (sustainable) use of natural resources and their restoration shall be provided.
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Selection of sites for placing of buildings, constructions and other objects shall be carried out in compliance with legislative requirements.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 34. Requirements in the Field of Environmental Protection during the Elaboration of Projects of Construction, Reconstruction, Preservation, Dismantling and Demolition of Buildings, Facilities and Other Objects
(as worded in the [Law](#) of the Republic of Belarus of July 19, 2005 No. 42-3)

During the elaboration of projects of construction, reconstruction, conservation, dismantling and demolition of buildings, facilities and other objects, permissible anthropogenic environmental burden standards, measures for the prevention and liquidation of environmental contamination, as well as waste management methods must be taken into account, best available technologies, resource-saving, low and non-waste technologies contributing to the protection of the environment, restoration of natural environment, rational (sustainable) use of natural resources and their reproduction must be applied.
(as worded in the Laws of the Republic of Belarus of July 19, 2005 [No. 42-3](#); of May 6, 2010 [No. 127-3](#))

Decline in value or exclusion from project works and an approved project of planned activities on environmental protection in projecting of the construction, reconstruction, conservation, dismantling and demolition of buildings, facilities and other objects shall be prohibited.
(as worded in the [Law](#) of the Republic of Belarus of July 19, 2005 No. 42-3)

A project of construction, reconstruction, conservation, dismantling or demolition of buildings, facilities and other objects subject to state ecological expertise and which has failed to receive a positive conclusion shall not be subject to approval and works on its implementation shall not be financed, unless otherwise provided for by the President of the Republic of Belarus.
(as worded in the [Laws](#) of the Republic of Belarus of July 19, 2005 [No. 42-3](#), of May 6, 2010 [No. 127-3](#))

Article 35. Requirements in the Field of Environmental Protection during the Construction and Reconstruction of Buildings, Facilities and Other Objects

Construction and reconstruction of buildings, facilities and other objects must be carried out under a project approved by the established procedure, unless otherwise provided for by the President of the Republic of Belarus, with compliance of requirements in the field of environmental protection, as well as sanitary, fire-prevention, construction and other legislative requirements.
(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of June 18, 2019 [No.201-3](#))

Construction and reconstruction of buildings, facilities and other objects before the approval of a project and in-kind land allotment, unless otherwise provided for by the President of the Republic of Belarus, as well as changing of the approved project to the detriment of environmental protection requirements shall be prohibited.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

During the construction and reconstruction of buildings, facilities and other objects, all measures for protecting the environment, improving the territory, protecting historic and cultural values, collecting and another handling of wastes and other measures to prevent a harmful impact on the environment shall be implemented.

(as worded in the [Law](#) of the Republic of Belarus of May 7, 2007 No. 212-3)

Part 4 of Article 35 excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3.

Article 36. Requirements in the Field of Environmental Protection during the Commissioning of Buildings, Facilities and Other Objects

Placing in exploitation of buildings, facilities and other objects shall be carried out on condition that all works on environmental protection and site improvement stipulated by the project are fully implemented in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Commissioning of buildings, constructions and other objects not equipped with registration and control devices, technical facilities on purifying, decontaminating of emissions and discharges of pollutants, utilizing or deactivating of wastes that ensure the implementation of established environmental protection requirements shall be prohibited.

Heads and members of commissions for commissioning of buildings, facilities and other objects shall bear in accordance with legislation a [responsibility](#) for commissioning of buildings, facilities and other objects failing to meet the requirements in the field of environmental protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Consultant Plus: comment.

Legal persons and individual entrepreneurs carrying out activities (planning to carry out activities) related to the exploitation of [facilities](#) that have a multifaceted impact on the environment shall have the right to obtain integrated environmental permits from January 1, 2012 and from January 1, 2016 they shall carry out such activities only if integrated environmental permits are available (see the [Decree](#) of the President of the Republic of Belarus of November 17, 2011 No. 528).

Consultant Plus: comment.

Until January 1, 2020 it is allowed to carry out activities related to the commissioning of facilities that have a multifaceted impact on the environment in accordance with the [Annex](#) to the Decree of the President of the Republic of Belarus of November 17, 2011 No. 528 on the basis of permits for emissions of pollutants into the atmospheric air, special water use, storage and burial of industrial waste issued before January 1, 2016 (see [Part 2](#) of [Subparagraph 1.1](#) of [Paragraph 1](#) of the Decree of the President of the Republic of Belarus of November 17, 2011 No. 528).

Article 37. Requirements in the Field of Environmental Protection during the Exploitation of Buildings, Facilities and Other Objects

Legal persons and citizens carrying out the operation of buildings, facilities and other objects shall be obliged to comply with technological standards and other requirements in the field of environmental protection.

Legal persons and citizens carrying out the operation of buildings, facilities and other objects shall ensure compliance with environmental quality standards by applying technical tools and technologies for the neutralization and utilization of industrial wastes, neutralization of emissions and discharges of pollutants, as well as other technologies that ensure compliance with requirements in the field of environmental protection.

During the exploitation of buildings, facilities and other objects, legal persons and individual entrepreneurs shall be obliged to maintain an Enterprise's ecological passport. An Enterprise's ecological passport is understood as a document that includes data on the utilization of resources (natural and secondary) by a legal person or an individual entrepreneur undertaking economic and other activities and determining an impact of production on the environment. A [procedure](#) for maintaining of an Enterprise's ecological passport shall be established by the Ministry of Natural Resources and Environmental Protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 38. Requirements in the Field of Environmental Protection during the Liquidation of a Legal Person or the Termination of Individual Entrepreneur's Activities

(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

Upon the liquidation of a legal person or the termination of individual entrepreneur's activities, including due to recognizing them as economically insolvent (bankrupts), undertaking activities associated with a harmful impact on the environment, an ecological audit and estimation of harm caused to the environment as a result of the activities of such a legal person or an individual entrepreneur shall be carried out on a mandatory basis, compensation measures for harm caused to the environment shall be taken, as well as measures for the environment restoration shall be elaborated and implemented in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 39. Requirements in the Field of Environmental Protection during Placing, Designing, Construction, Reconstruction, Commissioning and Exploitation of Energy Objects

During designing and construction of thermal power stations, their equipment with purification facilities for emissions and discharges of contaminating substances ensuring the implementation of requirements in the field of environmental protection, use of environmentally friendly fuels and safe industrial waste disposal, as well as measures for reducing the generation and emissions of gases effecting the climate into the environment, shall be provided.

During placing, designing, construction, reconstruction, commissioning and exploitation of hydroelectric power stations, terrain features shall be taken into account, measures for the maximum conservation of water objects, watersheds, lands (including soils), forests, inhabited localities, natural ecological systems, biological and landscape diversity shall be stipulated, functioning of specially protected natural territories, natural territories subject to special protection, and biosphere reserves shall be provided, as well as measures for the timely procurement and

transportation of timber, removal of topsoil during the clearing and flooding of reservoir beds and other required measures not to allow adverse changes of the natural environment, preserve a water regime providing the most favorable conditions for the reproduction of aquatic bioresources shall be implemented.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

During placing, designing, construction, reconstruction, commissioning and exploitation of nuclear facilities, protection of the environment from radioactive effects of these facilities shall be provided, an established procedure and technological standards, requirements of specially authorized republican bodies of the state administration that exercise the state [oversight](#) in the field of nuclear and radiation safety shall be observed, as well as measures to ensure the full radiation safety of the environment and population in accordance with legislation and generally accepted principles and rules of international law shall be implemented, training and professional development of employees of nuclear facilities shall be provided.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Placing of nuclear facilities shall be carried out upon availability of positive conclusions on projects and other supporting materials of state ecological expertise and other state expertise stipulated by legislation and confirming the ecological and radiation safety of nuclear facilities.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Projects of placement and construction of nuclear facilities must contain decisions that ensure safe decommissioning and safe handling of radioactive wastes.

Article 40. Requirements in the Field of Environmental Protection during Placing, Designing, Construction, Reconstruction, Commissioning, Exploitation, Conservation and Liquidation of Military and Defense Facilities, Weapons and Military Hardware

Requirements in the field of environmental protection for placing, designing, construction, reconstruction, commissioning, exploitation, conservation and liquidation of buildings, constructions and other objects shall fully apply to military and defense facilities, weapons and military hardware.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Part 2 of Article 40 excluded. – The [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3.

Article 41. Requirements in the Field of Environmental Protection during the Exploitation of Agricultural Designation Facilities

Legal persons and citizens carrying out the exploitation of agricultural designation facilities shall be obliged to implement measures for the protection of lands (including soils), bowels, waters, the atmospheric air, forests, plant and animal kingdom objects, comply with the regime for the protection and use of specially protected natural areas, natural areas subject to special protection and biosphere reserves.

(as worded in the Laws of the Republic of Belarus of July 2, 2009 [No. 32-3](#); of May 6, 2010 [No. 127-3](#))

Legal persons and individual entrepreneurs carrying out the production, procurement and processing of agricultural products, as well as maintenance and repair of agricultural machinery,

storage of fuel and lubrication materials, organic and mineral fertilizers, plant protection agents, growth promoters and other agents must have the sanitary protection zone around industrial objects and waste treatment facilities ensuring the fulfillment of requirements in the field of environmental protection.

Article 42. Requirements in the Field of Environmental Protection during Land Melioration, Placing, Designing, Construction, Reconstruction, Commissioning and Exploitation of Melioration Systems and Separately Located Hydrotechnical Facilities
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

In meliorating of lands, placing, designing, constructing, reconstructing, commissioning and operating of melioration systems and separately located hydrotechnical facilities, legal persons and individual entrepreneurs shall implement measures ensuring a water economy balance and water conservation, protection of lands (including soils), forests, conservation of biological and landscape diversity, compliance with a regime for protecting and using specially protected natural areas, natural areas subject to special protection and biosphere reserves, as well as preventing other harmful impacts on the environment during melioration activities. Land melioration must not cause environmental deterioration, disruption to the stable functioning of natural ecological systems.

Article 43. Requirements in the Field of Environmental Protection during Placing, Designing, Constructing and Reconstructing of Inhabited Localities

In placing, designing, constructing and reconstructing inhabited localities, requirements in the field of environmental protection ensuring the enabling environment for life and health of citizens, as well as conservation of natural ecological systems, biological and landscape diversity, must be observed.
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Facilities used for economic and other activities shall be placed with due regard to requirements in the field of environmental protection, as well as sanitary, fire-fighting, construction and other legislative requirements and in compliance with a regime for the protection and use of specially protected natural areas, natural areas subject to special protection and biosphere reserves.
(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of June 18, 2019 [No. 201-3](#))

During planning and development of inhabited localities, measures for the protection and restoration of the environment shall be stipulated, requirements in the field of environmental protection shall be complied with, measures for sewage water treatment, sanitary purification, collection, transportation, handling and/or neutralization of wastes, compliance with the standards for permissible emissions and discharges of chemical and other substances, as well as for the recultivation of lands, improvement of territories and other measures to ensure ecological safety shall be implemented.

Green zones shall be created around inhabited localities and their legal regime shall be established in accordance with legislation. Sizes of green zones shall be determined during the elaboration of the schemes and designs of regional planning of administrative-territorial units, general plans, detailed planning and development designs, projects for the improvement of inhabited localities and other projects taking into account the numbers of citizens, as well as natural and climatic conditions.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Organization of inhabited localities and territories must be carried out in accordance with architectural and urban planning projects, which must stipulate greening and other activities on the handling of plant kingdom objects ensuring the enabling environment for the life and health of citizens.

Handling of plant kingdom objects located on the lands of inhabited localities shall be carried out in accordance with legislation on the safeguarding and use of the plant kingdom, housing and communal services, in the field of architectural, housing and communal services, in the field of architectural, urban planning and construction activities.

(as worded in the Laws of the Republic of Belarus of July 19, 2005 [No. 42-3](#); of July 18, 2016 [No. 399-3](#); of June 18, 2019 [No. 201-3](#))

The liquidation (removal), including felling without a related permit and/or damaging, of plant kingdom objects in inhabited localities, green zones surrounding inhabited localities, municipal forests and sanitary protection areas shall be prohibited.

Article 44. Requirements in the Field of Environmental Protection for Mobile Sources

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Legal persons and citizens during designing, production, exploitation, repair and technical services of mobile sources shall be obliged to elaborate and implement measures for the reduction of toxicity, exhaust smoke capacity, purification or neutralization of emissions and discharges of pollutants into the environment, transition to less toxic types of fuel and other measures aimed at preventing and reducing a harmful impact on the environment.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Production and/or exploitation of mobile sources in which the content of contaminating substances in exhausts and levels of other harmful physical effects on the environment exceed established standards shall be prohibited.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Article 45. Requirements in the Field of Environmental Protection during Placing, Designing, Construction, Reconstruction, Commissioning, Exploitation and Liquidation of Facilities for the Extraction, Processing, Transportation, Storage and Realization of Oil and Gas and the Products of their Processing

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Placing, designing, construction, reconstruction, commissioning, exploitation and liquidation of facilities for the extraction, processing, transportation, storage and realization of oil, gas and the products of their processing must be carried out in compliance with requirements in the field of environmental protection, sanitary, fire prevention and other legislative requirements and in compliance with a regime for the protection and use of specially protected natural areas, natural areas subject to special protection and biosphere reserves.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In placing, designing, constructing, reconstructing, commissioning, exploiting and liquidating of facilities for the extraction, processing, transportation, storage and realization of oil, gas and products of their processing, measures for the purification and neutralization of industrial wastes, as well as the collection of oil (associated) gas and associated waters, recultivation of lands, reducing a

harmful impact on the environment and compensating for environmental harm caused in the process of construction and/or exploitation of specified facilities as the result of a violation of legislation on environmental protection, shall be provided.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The construction and exploitation of facilities for the extraction, processing, transportation, storage and realization of oil, gas and products of their processing (including those located at surface water objects) shall be allowed upon availability of projects for the restoration of contaminated lands, positive conclusions of state ecological expertise and financial guarantees of such projects' implementation.

Article 46. Requirements in the Field of Environmental Protection during the Production of Hazardous Chemical Substances, their Handling and Deactivation

The production of hazardous chemical substances and their handling shall be allowed in the territory of the Republic of Belarus after conducting the required toxicological-hygienic and toxicological investigation of these substances, establishing the procedure for their handling in compliance with requirements in the field of environmental protection and state registration of these substances and in accordance with the procedure established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The neutralization of hazardous chemical substances shall be carried out upon availability of design and technological documentation agreed in accordance with the procedure established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 47. Requirements in the Field of Environmental Protection during the Utilization of Radioactive Substances

Legal persons and individual entrepreneurs shall be obliged to observe the rules of production, storage, transportation, utilization, burial of radioactive substances (sources of ionizing radiation), not to allow the exceedance of the maximum permissible level of radiation exposure and in the case where it is exceeded, immediately inform the specially authorized republican bodies of the state administration, local executive and regulatory bodies about elevated radiation levels hazardous to the environment and health of citizens and implement measures for liquidating the points of radioactive contamination.

Legal persons and individual entrepreneurs who have failed to ensure compliance with the rules for the handling of radioactive substances and radioactive wastes shall be liable in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The import of ionizing radiation sources into the territory of the Republic of Belarus from other states for the purposes of their storage or burial shall be prohibited, unless otherwise provided for by legislative acts. The transit or import of ionizing radiation sources for other purposes shall be carried out in accordance with the [procedure](#) established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The burial of ionizing radiation sources on the Earth's surface and in its bowels without implementing measures that exclude the possibility of the accidental exposure of ionizing radiation sources or their individual components into the environment shall be prohibited.

The burial of ionizing radiation sources in water objects, in specially protected natural areas, in natural areas subject to special protection and the areas of biosphere reserves shall be prohibited. (Part 5 of Article 47 as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Article 48. Requirements in the Field of Environmental Protection during the Use of Chemical Substances in Agriculture and Forestry

Legal persons and citizens shall be obliged to implement the rules for the production, storage, transportation and use of chemical substances in agriculture and forestry, as well as requirements in the field of environmental protection, and implement measures to prevent a harmful impact of economic and other activities and liquidate their negative repercussions to ensure environmental quality, sustainable functioning of natural ecological systems and conservation of biological and landscape diversity, functioning of specially protected natural areas, natural areas subject to special protection and biosphere reserves.

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

The utilization of toxic chemical substances not exposed to decay shall be prohibited.

Article 49. Requirements in the Field of Environmental Protection for the Activities, which Have or May Have a Harmful Biological Impact on the Environment

Introduction, acclimatization, growing, breeding and utilization of plants and animals, which are not typical of natural ecological systems, including those developed artificially, without the elaboration of measures to prevent their harmful impact on natural ecological systems, obtaining positive conclusions of appropriate expertise and/or permits shall be prohibited in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

During placing, designing, constructing, reconstructing, commissioning, operating and liquidating of hazardous industrial facilities, using of technologies associated with a harmful impact of microorganisms on the environment, requirements and standards in the field of environmental protection, including the standards for maximum permissible concentrations of microorganisms, technical normative legal acts in the field of environmental protection, which are binding upon, shall be observed.

(as worded in the Laws of the Republic of Belarus of July 20, 2006 No. [162-3](#); of June 18, 2019 No. [201-3](#))

Legal persons and individual entrepreneurs carrying out activities associated with a possible harmful impact of microorganisms on the environment shall be obliged to ensure ecologically safe production, transportation, use, storage, placing and neutralization of microorganisms; elaborate and carry out measures for preventing of accidents and catastrophes, preventing and liquidating of implications of a harmful impact of microorganisms on the environment.

Consultant Plus: comment.

On the issue related to the regulation of safety in genetic engineering activity, see the Law of the

Requirements in the field of handling of genetically modified organisms shall be established by legislation in the field of genetic engineering activity.
(as worded in the Laws of the Republic of Belarus of July 18, 2016 [No. 399-3](#); of June 18, 2019 [No. 201-3](#))

Article 50. Requirements in the Field of Environmental Protection during Waste Handling

Part 1 of Article 50 excluded since July 1, 2008. – The [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3.

Legal persons and citizens whose economic and other activities are associated with waste handling shall be obliged to observe requirements in the field of environmental protection, as well as sanitary, fire protection and other requirements established by legislation.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Parts 3-4 of Article 50 excluded since July 1, 2008. – The [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3.

Relations arising in the course of waste handling shall be regulated by legislation on waste handling and other legislation.
(as worded in the Laws of the Republic of Belarus of December 21, 2007 No. [298-3](#); of June 18, 2019 [No. 201-3](#))

Article 51. Requirements in the Field of Environmental Protection for the Sources that Exert a Harmful Physical Effect

Legal persons and citizens whose activities are associated with the use of physical effect sources, as well as local executive and regulatory bodies, shall be obliged to implement appropriate measures for the prevention and liquidation of the harmful impact of noise, vibration, electric, electromagnetic, magnetic fields and other harmful physical effects on the environment, including industrial, public and residential spaces, in streets, in yards, in city squares and other inhabited localities, in recreation areas and other public places, in the habitats of wild animals, including their breeding grounds, on natural ecological systems and typical and rare natural landscapes and biotopes.

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

For these purposes the following shall be implemented:

integration of low-noise technological processes;

improvement of constructions of automobile, railroad, air, marine and river means of transportation, agricultural, road and building machinery and other movable means and installations equipped with internal combustion engines and modes of their operation, as well as the qualitative maintenance of railways and tram lines, automobile roads and street network of inhabited localities;

placement of airdromes, airports and other facilities, operation of equipment, which are the sources of noise, in the distance that provides ecological safety of inhabited localities;

special noise-protective measures.

Operation of buildings, constructions and other facilities that have the sources of physical effects exceeding the standards for permissible physical effects shall be prohibited.

Article 52. Requirements in the Field of Environmental Protection during Scientific Research, Design and Experimental and Technological Works

When carrying out fundamental and applied scientific research, design and experimental and technological works, requirements in the field of environmental protection shall be taken into consideration.

Use of inventions and application of machinery, equipment, materials and technologies, which involve a violation of requirements in the field of environmental protection, shall be prohibited.

Article 53. Requirements in the Field of Environmental Protection for Establishing of Protection and Protective Zones

In order to ensure the sustainable functioning of natural ecological systems, the protection of natural complexes, natural landscapes, biotopes and specially protected natural areas from pollution and another harmful impact of economic and other activities, protection and protective zones may be established.

(as worded in the Laws of the Republic of Belarus of July 2, 2009 [No. 32-3](#); of January 22, 2013 [No. 18-3](#))

A procedure for establishing and forming protection and protective zones, their legal regime shall be determined by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 54. Requirements in the Field of Environmental Protection during the Privatization of Enterprises as Property Complexes of State Unitary Enterprises

(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 [No. 326-3](#))

When privatizing enterprises that exert a harmful impact on the environment as property complexes of State Unitary Enterprises, the implementation of environmental activities and compensation for harm caused to the environment shall be provided.

(Part 1 of Article 54 as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 [No. 326-3](#))

When privatizing enterprises as property complexes of State Unitary Enterprises, the installations and equipment destined for the environmental protection shall be considered as undivided whole with an object of privatization.

(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

Article 54-1. Requirements in the Field of Environmental Protection during Sports, Mass Sports, Cultural and Entertainment, other Mass Events, Touristic Trips
(introduced by the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

Holding of sports, mass sports, cultural and entertainment, and other mass events, making touristic trips, including the use of mechanical and other means of transport, self-propelled vehicles in places not specifically destined for these purposes, located in natural ecological systems (forest, meadow, swamp, water, etc.) shall not be allowed if as a result of their execution a harmful impact on natural complexes and facilities will be exerted or there is a threat of such an impact.

CHAPTER 7
PROTECTION OF THE OZONE LAYER. REGULATION OF A CLIMATIC IMPACT

Article 55. Protection of the Ozone Layer
(as worded in the [Law](#) of the Republic of Belarus of June 16, 2014 No. 161-3)

In order to protect human life and health, the environment from harmful implications exerted by the depletion of the ozone layer as a result of the effect of ozone-depleting substances, the protection of the ozone layer shall be provided.

Protection of the ozone layer shall be provided by:

developing and implementing state and other programmes for the protection of the ozone layer;

(as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3)

reducing the consumption levels of ozone-depleting substances and reducing (terminating) their use in accordance with the international treaties of the Republic of Belarus;

imposing restrictions and prohibitions during the handling of ozone-depleting substances and a ban on the production of ozone-depleting substances;

establishing requirements in the field of ozone layer protection during the implementation of economic and other activities;

economic incentives in the field of ozone layer protection;

continuous monitoring of the ozone layer;

exercising control over ozone layer protection;

implementing liability measures for a violation of legislation on ozone layer protection;
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

exercising other measures in accordance with legislation on ozone layer protection and other legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 56. Responsibility of Legal Persons and Individual Entrepreneurs Involved in Economic and Other Activities Related to Greenhouse Gas Emissions into the Atmospheric Air

Legal persons and individual entrepreneurs carrying out economic and other activities related to greenhouse gas emissions into the atmospheric air shall be obliged to reduce the levels of emissions of these gases and/or other substances contributing to their generation and the accumulation of which in the atmospheric air may lead to the climate change.

Article 57. Regulation of a Climatic Impact

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In order to prevent climate change and protect human life and health, the environment from climate change impacts, climate impact regulation shall be carried out.

When carrying out any economic and other activities, measures to prevent climate change in order to achieve a balance between emissions from sources and the absorption by greenhouse gas sinks, measures to adapt to climate change based on the principle of economic incentives for the rational (sustainable) use of natural resources must be implemented.

Measures for preventing climate change, including reducing greenhouse gas emissions, measures for adapting to climate change must be implemented in accordance with legislation on environmental protection and rational use of natural resources.

**CHAPTER 8
ENVIRONMENTAL IMPACT ASSESSMENT. STRATEGIC ENVIRONMENTAL
ASSESSMENT. ECOLOGICAL EXPERTISE**

(as worded in the [Law](#) of the Republic of Belarus of July 18, 2016 No. 399-3)

Article 58. Environmental Impact Assessment

An environmental impact assessment shall be carried out for the facilities a list of which is established by legislation in the field of state ecological expertise, a strategic environmental assessment and an environmental impact assessment.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A [procedure](#) for an environmental impact assessment, requirements for the composition of an environmental impact assessment report and requirements for specialists carrying out an environmental impact assessment shall be established by the Council of Ministers of the Republic of Belarus.

Article 58-1. Strategic Environmental Assessment

A strategic environmental assessment shall be carried out for the facilities a list of which is established by legislation in the field of state ecological expertise, a strategic environmental assessment and an environmental impact assessment.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A [procedure](#) for carrying out a strategic environmental assessment, requirements for the composition of an environmental report on the strategic environmental assessment and requirements for specialists carrying out a strategic environmental assessment shall be established by the Council

of Ministers of the Republic of Belarus.

Article 59. Ecological Expertise

Ecological expertise shall be carried out to determine whether planned project and other solutions in pre-project (pre-investment), project and/or other documentation are in compliance or non-compliance with requirements for legislation on environmental protection and the rational use of natural resources.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In the Republic of Belarus, state ecological and public ecological expertise shall be carried out.

Article 60. State Ecological Expertise

State ecological expertise shall be carried out according to the [procedure](#) established by legislation in the field of state ecological expertise, a strategic environmental assessment and an environmental impact assessment.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 61. Public Ecological Expertise

Public ecological expertise shall be organized and carried out at the initiative of public associations and citizens by independent specialists, who in accordance with the procedure established by legislation, shall have the right to obtain from the customer (the initiator of planned economic and other activities) documentation subject to public ecological expertise, including materials on the environmental impact assessment, as well as other materials needed to conduct public ecological expertise.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A conclusion of public ecological expertise may be directed to organizations that carry out state ecological expertise, local executive and regulatory bodies, as well as other stakeholders and is advisory in nature.

Financing of public ecological expertise shall be carried out using the funds of its initiators – public associations and/or citizens.

A [procedure](#) for carrying out public ecological expertise shall be established by the Council of Ministers of the Republic of Belarus.

CHAPTER 9
NATURAL COMPLEXES AND OBJECTS SUBJECT TO SPECIFIC OR SPECIAL PROTECTION, NATIONAL ECOLOGICAL NETWORK, BIOSPHERE RESERVES

(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#);
of January 22, 2013 [No.18-3](#))

Consultant Plus: comment.

Information on specially protected natural areas shall be posted on the official website of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (<http://www.minpriroda.gov.by/ru/>).

Article 62. Specially Protected Natural Areas

(as worded in the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

Unique, model or other valuable natural complexes and facilities of special environmental, scientific and/or esthetic importance shall be subject to special protection. In order to protect such natural complexes and facilities, specially protected natural areas shall be declared.

Declaring, transforming or terminating the functioning of specially protected natural areas shall be carried out in accordance with [legislation](#) on specially protected natural areas.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 63. Natural Areas Subject to Special Protection

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

In order to preserve valuable qualities of the environment, the following natural areas subject to special protection shall be distinguished in the Republic of Belarus:

resort zones;

recreation zones;

parks, squares and boulevards;

water protection zones and riparian lines of rivers and water bodies;

sanitary protection zones of mineral water and medicinal sapropel deposits;

sanitary protection zones of drinking water supply sources of centralized drinking water supply systems;

(as worded in the [Law](#) of the Republic of Belarus of January 9, 2019 No. 166-3)

recreational and protective forests;

(as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3)

typical and rare natural landscapes and biotopes;

From December 28, 2020, by the [Law](#) of the Republic of Belarus of December 18, 2019 No. 272-3 Paragraph 10 of Part 1 of Article 63 shall be worded as follows: “natural bogs and their hydrological buffer zones;”.

high bogs, bogs, which are water stream sources;

habitats of wild animals and habitats of wild-growing plants, belonging to the [species](#) included in the the Red Book of the Republic of Belarus;

natural areas that are of importance for mating, feeding, wintering and/or migrating of wild animals,

protection zones of specially protected natural areas;

other areas with a specially established regime for protection and use.

In natural areas subject to special protection, restrictions and prohibitions may be established on carrying out certain types of economic and other activities, which are specified in [documentation](#) certifying rights to the use of a land lot, a forest fund lot, a water object (its part), a subsoil plot, hunting and/or fishing areas. The specified restrictions and prohibitions shall be taken into account during the development and implementation of the following:

land management projects and schemes;

urban development projects;

sectoral schemes for allocation and development of production and transport and engineering infrastructure objects;

land reclamation projects;

projects for water protection zones and riparian lines of water bodies;

republican complex scheme for the allocation of fishing areas;

biologic and economic feasibility of fishing areas;

piscicultural and biological grounding;

forest management projects;

hunting management projects;

biologic and economic feasibility of hunting areas;

recreation area planning.

A legal regime for the special protection of areas specified in [Part 1](#) of this Article shall be established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 63-1. National Ecological Network

(introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Establishment and functioning of the National Ecological Network shall be carried out taking into account watersheds (basins of water bodies), requirements for the establishment and functioning of ecological networks stipulated in the international treaties of the Republic of Belarus and in accordance with the National Ecological Network scheme.

[Requirements](#) for the content of the National Ecological Network scheme and [criteria](#) for selecting of areas to include them in the National Ecological Network shall be established by the Council of Ministers of the Republic of Belarus in coordination with the President of the Republic of Belarus.

The project of the National Ecological Network scheme shall be developed by the Ministry of Natural Resources and Environmental Protection jointly with the National Academy of Sciences of Belarus, regional executive and regulatory bodies, other interested state bodies, other state organizations.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The National Ecological Network scheme shall be approved by the President of the Republic of Belarus.

The approved National Ecological Network scheme shall be taken into account during the development and implementation of a scheme for the rational distribution of specially protected natural areas of republican significance, regional schemes for the rational distribution of specially protected natural areas of local significance, land management projects and schemes, urban development projects, sectoral schemes for the allocation and development of production and transport and engineering infrastructure facilities, land reclamation projects, projects of water protection zones and riparian lines of water bodies, the republican complex scheme for the distribution of fishing areas, forest management projects, hunting management projects and recreation areas' planning.

Article 63-2. National Ecological Network Elements

(introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

The National Ecological Network consists of nucleus areas, ecological corridors and protective zones.

Separate specially protected natural areas (their parts) and/or natural areas subject to special protection (their parts) ensuring the conservation of natural ecological systems, biological and landscape diversity shall be included in nucleus areas.

Separate natural areas subject to special protection (their parts) not included in nucleus areas providing a link between nucleus zones shall be included in ecological corridors. Separate specially protected natural areas or their parts if they are important for the resettlement and/or migration of wild animals may be included in ecological corridors.

Separate natural areas subject to special protection not included in nucleus areas and ecological corridors ensuring the prevention or mitigation of harmful impacts on natural complexes and facilities located in nucleus areas and ecological corridors shall be included in protective zones.

For specially protected natural areas and natural areas subject to special protection included in the National Ecological Network, a protection and utilization regime established for these areas during their declaring (establishing) or transforming shall apply.

Article 63-3. Biosphere Reserves

(introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

The biosphere reserve shall be declared by decision of the regional executive and regulatory body the territories of which are planned to be included in the composition of the biosphere reserve on the grounds of a proposal of the Ministry of Natural Resources and Environmental Protection coordinated with the National Academy of Sciences of Belarus, other interested state bodies and state organizations. In case where the territories of two or more regions are planned to be included in the biosphere reserve, the biosphere reserve shall be declared by joint decision of regional executive and regulatory bodies the territories of which are planned to be included in its composition. By decision (joint decision) on declaring the biosphere reserve, the boundaries, area and land use categories of the biosphere reserve, its zones shall be established and a provision on the biosphere reserve shall be approved.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Provision on the biosphere reserve shall determine a protection and utilization regime for the biosphere reserve. For specially protected natural areas and natural areas subject to special protection included in the biosphere reserve, a protection and utilization regime established for these territories during their declaring (establishing) or transforming shall apply.

The biosphere reserve operation shall be terminated by decision of the regional executive and regulatory body, which has made a decision on its declaring. In case where the biosphere reserve includes the territories of two or more regions, the biosphere reserve operation shall be terminated by a joint decision of regional executive and regulatory bodies, which have made a decision on its declaring.

Biosphere reserves may be included in the Global Network of Biosphere Reserves in accordance with the international treaties of the Republic of Belarus.

Article 63-4. Biosphere Reserve Structure

(introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Main, buffer and transition zones shall be established within the boundaries of the biosphere reserve.

Separate specially protected natural areas (their parts) and/or natural areas subject to special protection (their parts), which ensure the conservation of natural ecological systems, biological and landscape diversity shall be included in the composition of the main zone.

Separate specially protected natural areas (their parts) and/or natural areas subject to special protection (their parts) not included in the composition of the main zone that ensure the prevention

or mitigation of harmful impacts on the main zone shall be included in the composition of the buffer zone. The buffer zone shall be located around the main zone or be adjacent to it.

Territories not included in the composition of main and buffer zones on which the rational (sustainable) use of natural resources is purposefully stimulated by applying the elements of an economic mechanism for environmental protection and nature management stipulated in [Chapter 14](#) of this Law in order to provide forest restoration and forest cultivation, the protection of waters and plant and animal kingdom objects, use renewable energy sources in economic and other activities, apply other best available techniques, develop agroecotourism, apply crop rotation schemes in agriculture that exclude the need to use chemical fertilizers and plant-protecting agents, as well as for other purposes aimed at ensuring environmental safety, conservation and restoration of biological diversity, natural resources and objects shall be included in the composition of the transition zone.

Each of biosphere reserve zones may be territorially separated and consist of several plots located in different areas of the biosphere reserve.

Article 63-5. Biosphere Reserve Management

(introduced by the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

By decision of the regional executive and regulatory body that has made a decision on declaring the biosphere reserve, the Coordinating Board for Biosphere Reserve Management shall be established to carry out biosphere reserve management. In case where the territories of two or more regions are included in the composition of the biosphere reserve, regional executive and regulatory bodies the territories of which are included in the composition of the biosphere reserve shall make a coordinated decision on the establishment of the Coordinating Board for Biosphere Reserve Management. By decision of the regional executive and regulatory body (by coordinated decision of regional executive and regulatory bodies), a Resolution on this Board and its personal composition shall be approved.

The Coordinating Board for Biosphere Reserve Management shall be comprised of the representatives of state bodies, other state organizations the management of specially protected natural areas has been transferred to, as well as other interested state bodies, other state organizations.

Article 63-6. Typical and Rare Natural Landscapes and Biotopes and their Protection

(introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Natural landscapes and biotopes included in a list of typical and rare natural landscapes and biotopes subject to approval by the Ministry of Natural Resources and Environmental Protection in accordance with the established criteria shall be related to typical and rare natural landscapes and biotopes.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In order to protect typical and rare natural landscapes and biotopes, the Ministry of Natural Resources and Environmental Protection shall organize work on their identification and record.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Local executive and regulatory bodies upon application of the related territorial body of the Ministry of Natural Resources and Environmental Protection coordinated with the National

Academy of Sciences of Belarus shall make a decision on the transfer of typical and/or rare natural landscapes and biotopes under the protection of the users of land lots and/or water bodies.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Users of land lots and/or water bodies who receive typical and/or rare natural landscapes and biotopes under their protection shall be issued with typical and/or rare natural landscape and biotope certificates and a preservation [order](#) stipulating a special regime for their protection and use.

A [procedure](#) for transferring of typical and/or rare natural landscapes and biotopes under the protection of the users of land lots and/or water bodies, the forms of certificates for typical and/or rare natural landscapes and biotopes and a preservation order, as well as a procedure and terms of their issuance shall be established by the Council of Ministers of the Republic of Belarus.

In case where it is necessary to undertake measures for the restoration of typical and/or rare natural landscapes and biotopes, the Ministry of Natural Resources and Environmental Protection shall provide for the development, approve and organize the implementation of plans for typical and/or rare natural landscape and biotope management, as well as exercise control over their implementation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 64. Rare and Endangered Species of Wild Animals and Wild-Growing Plants in the Territory of the Republic of Belarus. The Red Book of the Republic of Belarus

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

To rare and endangered species of wild animals and wild-growing plants in the territory of the Republic of Belarus shall belong the species of wild animals and wild-growing plants in relation to which there is animal and plant kingdom monitoring data, as well as of the State Animal Kingdom Cadastre and the State Plant Kingdom Cadastre, of scientific and other research stating at least one of the following grounds:

annual, within 10 years or three generations (a longer time interval value shall be chosen with regard to two cases), decrease in their population and/or habitat;

adverse changes in their habitat conditions;

limited expansion and small size of their populations.

Rare and endangered [species](#) of wild animals and wild-growing plants in the territory of the Republic of Belarus shall be included in the Red Book of the Republic of Belarus. Inclusion of rare and endangered species of wild animals and wild growing plants in the territory of the Republic of Belarus into the Red Book of the Republic of Belarus and their exclusion from it shall be exercised by the Ministry of Natural Resources and Environmental Protection on the basis of proposals of the National Academy of Sciences of the Republic of Belarus.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

When including rare and endangered species of wild animals and wild growing plants in the territory of the Republic of Belarus into the Red Book of the Republic of Belarus, the categories of national nature conservation significance shall be assigned to them.

The [categories](#) of national nature conservation significance and the criteria for ranking rare and endangered species of wild animals and wild-growing plants in the territory of the Republic of Belarus to them shall be established by the Ministry of Natural Resources and Environmental Protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

If the grounds listed in [Part I](#) of this Article according to which rare and endangered species of wild animals and wild-growing plants in the territory of the Republic of Belarus were included in the Red Book of the Republic of Belarus have fallen away, such species shall be subject to exclusion from the Red Book of the Republic of Belarus.

The Red Book of the Republic of Belarus shall contain the names of rare and endangered species of wild animals and wild-growing plants in the territory of the Republic of Belarus, information on their expansion, habitats, biology (including a brief description of these species), population and change trends, prime threat factors and protection measures, as well as the categories of national nature conservation significance. The Red Book of the Republic of Belarus shall be subject to publication at least once every 10 years.

Article 64-1. Protection of Wild Animals and Wild-Growing Plants Belonging to the Species Included in the Red Book of the Republic of Belarus, as well as the Species of Wild Animals and Wild-Growing Plants Falling Within the Scope of the International Treaties of the Republic of Belarus

(introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

In order to protect wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus, the Ministry of Natural Resources and Environmental Protection shall organize work on the identification of habitats of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus and the record of such habitats.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Local executive and regulatory bodies upon an application of a corresponding territorial body of the Ministry of Natural Resources and Environmental Protection coordinated with the National Academy of Sciences of Belarus shall make decisions on the transfer of the identified habitats of wild animals and/or wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus under the protection of the users of land lots and/or water bodies.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The users of land lots and/or water bodies under the protection of which the habitats of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus shall be issued with Habitat Certificates for wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus and a preservation [order](#) providing for a special regime for the protection and use of such habitats.

A [procedure](#) for the transfer of the habitats of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus under the protection of the users of land lots and/or water bodies, forms of Habitat Certificates for Wild Animals and/or Wild Plants belonging to the species included in the Red Book of the Republic of Belarus and of a preservation [order](#) and a procedure and terms of their issuance shall be established by the Council of Ministers of the Republic of Belarus.

The Ministry of Natural Resources and Environmental Protection shall facilitate the elaboration and approve management plans for the populations of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus, as well as the species falling under the scope of the international treaties of the Republic of Belarus, plans of action for the conservation of these species of wild animals and wild-growing plants and other activities on the protection of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus, as well as the species falling under the scope of the international treaties of the Republic of Belarus. Organization of the implementation of such activities and the control over their implementation shall be carried out by the Ministry of Natural Resources and Environmental Protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The Ministry of Natural Resources and Environmental Protection may establish limits, prohibitions and other measures in relation to the protection, withdrawal, maintenance, storage and exhibition of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus, their parts and/or derivatives and trade in them, as well as in relation to the conservation, protection and restoration of their habitats and carrying out of economic and other activities during which they are used as raw materials, for other purposes of consumption or disposal.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The import into the Republic of Belarus and the export from the Republic of Belarus of wild animals and wild growing-plants belonging to the species included in the Red Book of the Republic of Belarus, their parts and/or derivatives, the species of animals and plants, their parts or their derivatives falling under the scope of the international treaties of the Republic of Belarus, shall be carried out in accordance with the international treaties of the Republic of Belarus, international legal acts that constitute the Law of the Eurasian Economic Union, legislation on the customs regulation and legislation on international economic activities.

(as worded in the Laws of the Republic of Belarus of June 16, 2014 [No. 161-3](#), of December 24, 2015 [No. 333-3](#), of June 18, 2019 [No. 201-3](#))

The Article shall not apply to cultivated plants and wild animals bred in captivity that belong to rare or endangered species in the territory of the Republic of Belarus.

Article 64-2. Withdrawal of Wild Animals and Wild-Growing Plants Belonging to the Species Included in the Red Book of the Republic of Belarus from their Habitat

(introduced by the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Withdrawal of wild animals and wild-growing plants belonging to the [species](#) included in the Red Book of the Republic of Belarus from their habitats shall be allowed for scientific purposes, for the purposes of settlement (including resettlement), introduction, reintroduction, acclimatization, crossing and/or breeding in captivity. Wild animals belonging to the species included in the Red Book of the Republic of Belarus may be withdrawn from their habitat also in cases of a disease threatening their life, hazardous to the life or health of citizens, as well as in cases where assistance to wild animals is needed in the event of diseases, injuries, traumas or a death threat.

Withdrawal of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus from their habitats shall be carried out on the basis of a [permit](#) issued by the Ministry of Natural Resources and Environmental Protection according to the

[procedure](#) and terms established by the Council of Ministers of the Republic of Belarus, unless otherwise provided for by the President of the Republic of Belarus.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Unauthorized withdrawal of wild animals and wild-growing plants belonging to the species included in the Red Book of the Republic of Belarus from their habitats, their illegal trafficking, as well as committing other actions, which may cause their death, reduction in their number or their habitat destruction shall be prohibited.

The Article shall not apply to cultivated plants and wild animals bred in captivity that belong to rare or endangered species in the territory of the Republic of Belarus.

CHAPTER 10 ENVIRONMENTALLY DISADVANTAGED AREAS

Article 65. Ecological Risk Zones

Particular areas of the territory of the Republic of Belarus in which an unfavorable ecological situation has emerged as a result of economic and other activities, continuous negative environmental changes have begun to occur threatening the safety of life and health of citizens, natural ecological components and natural ecological systems shall be declared by the Council of Ministers of the Republic of Belarus as ecological risk zones.

In ecological risk zones, measures for preventing a negative impact on the environment and its restoration shall be implemented.

Financing of activities on the restoration of ecological risk zones shall be carried out, first of all, at the expense of legal persons and individual entrepreneurs whose economic and other activities have developed in an adverse ecological situation and continuous negative environmental changes have begun to occur, as well as from republican and local budgets and other sources in accordance with legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 66. Ecological Crisis Zones

Particular areas of the territory of the Republic of Belarus in which as a result of economic or other activities, an accident, a disaster, a natural disaster or other emergency or unforeseen circumstances under existing conditions, continuous negative environmental changes have occurred threatening the safety of life and health of citizens, natural environment components and natural ecological systems shall be declared as ecological crisis zones by the Council of Ministers of the Republic of Belarus.

In the ecological crisis zone for a period established by the Council of Ministers of the Republic of Belarus:

economic and other activities of legal persons and individual entrepreneurs causing a harmful environmental impact may be suspended;

use of certain categories of natural resources may be limited;

reconstruction or conversion of industrial and other objects causing a harmful environmental impact may take place;

environmental rehabilitation measures may be implemented.

Financing of measures for the rehabilitation of ecological crisis zones shall be carried out in accordance with the procedure established by [Part 3 of Article 65](#) of this Law.

Article 67. Ecological Disaster Zones

Particular areas of the territory of the Republic of Belarus in which as a result of economic and other activities irreversible environmental changes have occurred, threatening the safety of life and health of citizens and leading to the ecological disturbance, destruction of natural ecological systems, degradation of natural environment components, shall be declared as ecological disaster zones by the President of the Republic of Belarus.

In the ecological disaster zone:

operation of industrial and other facilities (excluding the facilities connected with the service of citizens residing in the territory of this zone) shall be suspended for the period established by the President of the Republic of Belarus;

construction, reconstruction and placing in operation of new buildings, constructions and other facilities, excluding the ones necessary to eliminate ecological disaster consequences, shall be prohibited;

nature management shall be limited;

operational environmental rehabilitation measures shall be implemented.

Financing of measures for the rehabilitation of ecological disaster zones shall be carried out in accordance with the procedure established by [Part 3 of Article 65](#) of this Law.

CHAPTER 11 ENVIRONMENTAL STATE MONITORING

Article 68. National Environmental Monitoring Framework

In order to ensure the interaction of environmental monitoring systems, assessment and forecast of environmental changes caused by natural and anthropogenic factors, obtain and provide full, accurate and timely ecological information, the National Environmental Monitoring Framework shall be established in the Republic of Belarus.

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

The National Environmental Monitoring Framework shall be managed in the Republic of Belarus in accordance with the [procedure](#) established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Management of the National Environmental Monitoring Framework in the Republic of Belarus shall be coordinated by the Ministry of Natural Resources and Environmental Protection. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 69. Environmental Monitoring

Environmental monitoring shall be carried out in order to observe the environmental state (including the environmental state in the areas where the sources of a harmful impact are located and the impact of these sources on the environment), provide state bodies, legal persons and citizens with full, accurate and timely information needed for the management and control in the field of environmental protection and rational use of natural resources. (as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Environmental monitoring shall be a part of the National Environmental Monitoring Framework in the Republic of Belarus.

Environmental monitoring shall be carried out by the Ministry of Natural Resources and Environmental Protection, other state administration bodies and the National Academy of Sciences of Belarus in accordance with the procedure established by legislation. Other state administration bodies and the National Academy of Sciences of Belarus shall carry out environmental monitoring in coordination with the Ministry of Natural Resources and Environmental Protection. (as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of June 18, 2019 [No. 201-3](#))

State administration bodies and other legal persons in accordance with the procedure established by legislation shall submit by way of a grant to the Ministry of Natural Resources and Environmental Protection and its territorial bodies and/or subordinate organizations authorized by the Ministry of Natural Resources and Environmental Protection materials related to the environmental state observation. (Part 4 of Article 69 as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Part 5 of Article 69 excluded from July 1, 2008. – The [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3.

Republican bodies of the state administration, local executive and regulatory bodies, legal persons during the elaboration of the forecast of social and economic development and in making related decisions, as well as during the elaboration of programmes and measures for the rational (sustainable) use of natural resources and environmental protection, placement of industrial and other facilities shall consider environmental monitoring data and use it to inform the citizens about the environmental state and measures for its protection. (as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

A procedure for carrying out and using environmental monitoring data shall be established by the Council of Ministers of the Republic of Belarus.

CHAPTER 12
RECORD-KEEPING IN THE FIELD OF ENVIRONMENTAL PROTECTION.
STATE DATA FUND ON THE ENVIRONMENTAL STATE AND IMPACTS ON IT.
ECOLOGICAL INFORMATION

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Article 70. State Record-keeping in the Field of Environmental Protection

Legal persons and individual entrepreneurs whose economic or other activities exert a harmful impact on the environment, including environmentally degrading activities, types and the amount of emissions and discharges of contaminating substances into the environment, types and the magnitude of harmful physical and other effects on the environment shall be subject to state record-keeping by the territorial bodies of the Ministry of Natural Resources and Environmental Protection, as well as other specially authorized republican bodies of the state administration in accordance with the procedure established by legislation.

(as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of June 18, 2019 [No. 201-3](#))

State record-keeping in the field of environmental protection shall be conducted in accordance with the [procedure](#) established by the Council of Ministers of the Republic of Belarus for the purpose of state regulation of nature protection activities, as well as ongoing and long-term planning of measures for reducing of a harmful impact of economic and other activities on the environment.

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

[Criteria](#) for classifying economic and other activities exerting a harmful impact on the environment as ecologically degrading activities shall be established by the President of the Republic of Belarus or by the state body authorized by him/her.

(Part 3 of Article 70 introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

When keeping state record in the field of environmental protection, the territorial bodies of the Ministry of Natural Resources and Environmental Protection shall maintain the State Register of Legal Persons and Individual Entrepreneurs whose economic and other activities exert a harmful impact on the environment.

(Part 4 of Article 70 introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3; as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In the course of the state registration in the field of environmental protection, every legal person and individual entrepreneur whose economic and other activities exert a harmful impact on the environment shall be assigned with a registration number of the user of natural resources at the place they carry economic and other activities.

(Part 5 of Article 70 introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Article 71. Record-keeping of Utilized Natural Resources and Harmful Impacts on the Environment

Legal persons and individual entrepreneurs in carrying out economic and other activities shall be obliged to keep record of utilized natural resources, emissions and discharges of contaminating

substances into the environment, waste management, as well as record of other types of a harmful impact on the environment in accordance with the procedure established by the Ministry of Natural Resources and Environmental Protection and other specially authorized republican bodies of the state administration within the scope of their competence.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Data on utilized natural resources, emissions and discharges of contaminating substances into the environment, waste management, as well as other types of a harmful impact on the environment shall be subject to record-keeping in the Enterprise's ecological passport in accordance with the [procedure](#) established by legislation.
(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

Article 72. State Natural Resources Cadastres

State Natural Resources Cadastres shall be maintained for the record-keeping of quantitative, qualitative and other characteristics of natural resources, as well as for the record of their utilization capacity, pattern and regime.

In the Republic of Belarus, the following State Natural Resources Cadastres are maintained: [land](#), [bowels](#), [water](#), the atmospheric [air](#), [forest](#), the plant kingdom, the animal [kingdom](#), [climate](#) and [wastes](#).
(as worded in the [Law](#) of the Republic of Belarus of July 2, 2009 No. 32-3)

Legislative acts may provide for the maintenance of other State Natural Resources Cadastres.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The maintenance of State Natural Resources Cadastres shall be exercised by the Ministry of Natural Resources and Environmental Protection and other specially authorized republican bodies of the state administration within the scope of their competence.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The maintenance of State Natural Resources Cadastres shall be coordinated by the Ministry of Natural Resources and Environmental Protection.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 73. State Data Fund on the Environmental State and Impacts on It

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

The State Data Fund on the Environmental State and Impacts on It shall include ecological information generated as a result of the activities specified in [Part 2](#) of [Article 74](#) of this Law carried out by ecological information holders and accumulated at the Ministry of Natural Resources and Environmental Protection, other state bodies and other state organizations by virtue of functions vested in them by legislative acts.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The Ministry of Natural Resources and Environmental Protection, other state bodies and state organizations accumulating ecological information generated as a result of ecological information activities implemented by ecological information holders specified in [Part 2](#) of [Article 74](#) of this

Law shall maintain Ecological Information Registers of the State Data Fund on the Environmental State and Impacts on It.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A list of data contained in the Ecological Information Registers of the State Data Fund on the Environmental State and Impacts on It shall be posted by the Ministry of Natural Resources and Environmental Protection, other state bodies and other state organizations that maintain these registers in an accessible place (on information boards, scoreboard) and on their official sites over the global computer network Internet.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A [procedure](#) for the formation and maintenance of the State Data Fund on the Environmental State and Impacts on It shall be established by the Council of Ministers of the Republic of Belarus.

Provision and dissemination of data included in the Ecological Information Registers of the State Data Fund on the Environmental State and Impacts on it shall be carried out in accordance with [Articles 74-74-7](#) of this Law.

Article 74. Composition, Sources and Types of Ecological Information, Forms of Its Provision and Dissemination
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Ecological information shall include the following data on:

environmental state, including the atmospheric air, waters, grounds (including soils), the plant and animal kingdom in its biological diversity, natural landscapes, biotopes, other natural objects and interaction between these objects, as well as genetically engineered organisms and microorganisms;
(as worded in the Laws of the Republic of Belarus of July 2, 2009 [No. 32-3](#); of January 22, 2013 [No. 18-3](#))

impact on the environment of substances, as well as energy, noise, radiation and other physical factors;

decisions of state bodies, economic and other activities of legal persons and individual entrepreneurs associated with a harmful impact on the environment or its protection, as well as justification that their compliance is needed, including financial-economic feasibility;

legislative acts, programmes and measures for the rational/sustainable utilization of natural resources and environmental protection, concepts, strategies, schemes, action plans, programmes and measures the implementation of which have an impact or may have an impact on the environment, as well as justification that their adoption is needed, including financial-economic feasibility;
(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

state of health and safety of citizens, their living conditions, the state of cultural facilities, buildings and constructions to the extent they are affected or may be affected by the environment or through the environment by the factors, activities and measures specified in [Paragraphs 3-5](#) of this Part.

Ecological information provided or disseminated by ecological information holders in accordance with this Law shall be generated as a result of:

environmental monitoring;

measurements carried out in the field of environmental protection;

state record-keeping in the field of environmental protection;

state record-keeping of utilized natural resources and impacts on the environment;

maintenance of databases containing information on the environmental state and impacts on it; (the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

issuance of special permits/licenses for carrying out activities associated with an impact on the environment, other permits and documents on the basis of which nature management is provided, introducing amendments and/or additions to these permits and other documents, suspension, resumption, extension of their validity, termination of their validity or annulment; (as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

environmental impact assessment; (as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

ecological expertise;

exercising control in the field of environmental protection, rational use of natural resources; (as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

environmental [auditing](#);

environmental certification;

standardization in the field of environmental protection;

development and implementation of programmes and measures for the rational/sustainable use of natural resources and environmental protection. (as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of December 24, 2015 [No. 333-3](#))

Ecological information generated as a result of activities not specified in [Part 2](#) of this Article shall be provided and disseminated in accordance with legislative acts on the financial and credit system, state statistics, health care, safety in genetic engineering activity, hydrometeorological activities, the state system for the prevention and liquidation of emergencies, historical and cultural heritage, information and informatization, other legislative acts. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Ecological information shall be provided and disseminated verbally, in writing, by electronic, audiovisual or other means.

Ecological information generated as a result of the activities specified in [Part 2](#) of this Article shall fall into general ecological information and customized ecological information.

Attributing of ecological information related to the fact of environmental harm to customized ecological information shall be prohibited.

Article 74-1. Access to Ecological Information

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Access of state bodies, other state organizations, other legal persons and citizens to general ecological information shall be guaranteed by providing or disseminating of general ecological information by ecological information holders.

Access of state bodies, other state organizations, other legal persons and citizens to customized ecological information shall be guaranteed pursuant to an agreement for providing of customized ecological information concluded with ecological information holders.

Article 74-2. Restricted Access to Ecological Information

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Ecological information shall not be provided or disseminated:

in cases where information is attributed to state secrets in accordance with legislation on state secrets;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

in cases where disclosure of information will lead to the infringement of rules governing the delivery of justice, preliminary investigation and administrative process;

in cases where disclosure of information will cause harm to the environment or pose a threat of its causing;

in other cases stipulated by legislative acts, the international treaties of the Republic of Belarus in the interests of the national security, protection of rights and freedoms of citizens, rights of legal persons.

Provision of ecological information may be denied in cases where:

state body or another state organization does not have the requested ecological information and such information may not be obtained from other ecological information holders due to its unavailability;

legal person, other than the state body or state organization, or an individual entrepreneur does not have the requested ecological information;

request to provide information concerns the documents related to the internal documentation management of the ecological information holder.

In the case stipulated by [Paragraph 4](#) of [Part 2](#) of this Article, the ecological information holder shall be obliged to segregate, if possible, the ecological information contained in such documents without prejudice to the confidentiality thereof and provide it to an applicant.

Restricting of access shall not be allowed for ecological information on:

environmental state or harm caused to it;

emissions of contaminating substances into the atmospheric air and discharges of effluents into water facilities exceeding the standards in the field of environmental protection, or in the absence of such standards, provided that their setting is required, in accordance with legislation; (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

exhausts into the water facility of chemical and other substances, their mixtures, items or wastes;

applying of chemical and other substances to the ground/soil that led to the deterioration of its quality or the quality of subsurface waters;

ionizing and electromagnetic radiation, noise or other physical effects exceeding the standards in the field of environmental protection or in the absence of such standards, provided that their setting is required, in accordance with legislation. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 74-3. Provision of Ecological Information to State Bodies and Other State Organizations

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

General ecological information shall be provided to state bodies and other state organizations upon their request by ecological information holders in accordance with this Law and other legislative acts by means of such information exchange or its dissemination. (as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Customized ecological information shall be provided to state bodies by way of a grant. Customized ecological information shall be provided to other state organizations in accordance with the procedure stipulated by [Article 74-5](#) of this Law.

Article 74-4. Provision of Ecological Information to Citizens and Legal Persons, Other than State Bodies or Other State Organizations

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

General ecological information shall be provided by an ecological information holder upon request of a citizen or a legal person, other than a state body or a state organization (hereinafter – an applicant), by way of a grant.

General ecological information shall be provided by an ecological information holder within ten working days from the date an application for its request has been submitted.

If an application for general ecological information does not comply with the requirements of [Article 74-6](#) of this Law, an ecological information holder shall be obliged within three working

days from the date the application has been submitted to notify an applicant of it in writing with an indication of information missing in the application.

General ecological information shall be provided in the form, scope and composition specified in an application requesting general ecological information, and if an ecological information holder has no technical facilities to provide it in the requested form and scope – in the available form and scope stating corresponding reasons.

If an application requesting to provide general ecological information relates to the ecological information, which is being prepared and must be provided or disseminated within the specified period established by legislation after its preparation, an ecological information holder shall be obligated within five working days from the date an application has been submitted to notify an applicant of it in writing and indicate the period and means of possible receipt of such information by him/her.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

If a holder of the requested general ecological information is a legal person, other than the state body or another state organization, or an individual entrepreneur, then the state body or another state organization that has received an application and satisfying this application is within the scope of their competence shall be obliged within five working days from the date of receipt of the application to independently request such ecological information from the ecological information holder notifying the applicant of it in writing.

Upon receipt of a request from the state body or another state organization for the provision of general ecological information specified in [Part 6](#) of this Article, an ecological information holder shall be obliged to provide the requested information within ten working days from the date of its receipt or notify within three working days of the refusal to provide it stating the reasons for such refusal in the cases stipulated by this Law and other legislative acts.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The state body or another state organization, which in accordance with [Part 7](#) of this Article has received general ecological information, shall provide the specified information to an applicant within one month from the date of receipt of an application from him/her. If an ecological information holder has informed about the refusal to provide general ecological information, the state body or another state organization shall inform an applicant about it within three working days and specify reasons for the refusal.

If satisfying an application for general ecological information is not within the competence of the state body or another state organization, they shall be obliged within five working days from the date of receipt of an application to hand it over to another state body or another state organization the competence of which extends to satisfying such an application having notified an applicant of it in writing.

If the requested ecological information refers to customized ecological information, an ecological information holder shall within five working days from the date of receipt of an application for ecological information invite an applicant to enter into an agreement for the provision of customized ecological information and communicate the essential terms of such an agreement.

An applicant shall not be obliged to specify the reasons for his/her interest in obtaining of ecological information.

If there are grounds for refusal to provide ecological information stipulated by this Law and other legislative acts, a holder of ecological information shall within three working days notify an applicant in writing of the refusal to provide ecological information indicating the reasons for the refusal and explaining the procedure and terms to appeal against the decision.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Refusal to provide ecological information may be appealed to the superior state body or another state organization (superior official) and/or to court.

Article 74-5. Procedure for Providing Customized Ecological Information

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Customized ecological information shall be provided to state organizations, other legal persons who are not state bodies and to citizens for a fee within the time limits and under the terms specified in an agreement for providing customized ecological information. An amount to charge for providing such information may not exceed economically viable costs associated with the collection, processing and analysis of customized environmental information.

Article 74-6. Application for Providing Ecological Information

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

An application for providing ecological information shall include:

data on the ecological information holder (a name of the state body or another state organization, another legal person, a full name of an official or an individual entrepreneur);

data on the applicant (a full name and place of residence of a citizen, a full name of an individual entrepreneur, his/her registration number and a name of the registering authority, a name and a registered address of a legal person);

specification of the requested ecological information allowing to determine its scope and composition;

indication of the form for providing ecological information.

An application for providing ecological information shall be registered by the ecological information holder on the day of its receipt.

Article 74-7. Dissemination of General Ecological Information

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

General ecological information shall be disseminated by ecological information holders by means of its publication in printed editions, other mass media, on their official web-sites over the global computer network Internet or other publicly accessible means in accordance with [legislation](#) on information and informatization.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The composition of general ecological information subject to obligatory dissemination, the holders of such information obliged to disseminate it and the periodicity of its dissemination shall be established by the Council of Ministers of the Republic of Belarus.

CHAPTER 13

EDUCATION, AWARENESS-RAISING AND SCIENTIFIC RESEARCH IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 75. Education in the Field of Environmental Protection and Nature Management
(as worded in the [Law](#) of the Republic of Belarus of December 22, 2011 No. 326-3)

Education of citizens in the field of environmental protection and nature management shall be ensured through the inclusion of knowledge foundations in the field of environmental protection and nature management into the curriculum documentation of educational programmes.

Article 76. Requirements for Employees whose Activities are Related to the Utilization of Natural Resources and an Impact on the Environment

Employees whose activities are related to the utilization of natural resources and an impact on the environment shall have requisite knowledge in the field of environmental protection, nature management and regularly enhance it. When appointing officials and specialists, during their performance assessment and reattestation process, the fact that they have requisite knowledge in the field of environmental protection shall be paid due regard to.

Article 77. Awareness-raising in the Field of Environmental Protection

In order to form ecological culture of citizens and foster environmental friendliness in them, awareness-raising in the field of environmental protection shall be implemented through the dissemination of ecological information, including information on ecological safety, as well as knowledge of the ecological information composition, a procedure for its generation, dissemination and provision to parties of a relationship in the field of environmental protection.
(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Awareness-raising in the field of environmental protection, including the provision of information related to legislation on environmental protection to citizens, shall be carried out by the Ministry of Natural Resources and Environmental Protection and its territorial bodies, the republican bodies of the state administration, local government and self-government bodies, public associations, the mass media, as well as health care institutions, museums, libraries and other cultural establishments, nature protection institutions, sports and tourism organizations and other legal persons.
(as worded in the Laws of the Republic of Belarus of December 22, 2011 [No. 326-3](#); of June 18, 2019 [No. 201-3](#))

Article 78. Scientific Research in the Field of Environmental Protection

Scientific research in the field of environmental protection shall be carried out for the following purposes:

improvement of legislation on environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

elaboration of concepts, scientific forecasts, programmes and measures for the rational/sustainable use of natural resources and environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

elaboration of rehabilitation programmes for ecological risk areas, ecological crisis zones, ecological disaster zones, the improvement of means and methods to restore ecologically disadvantaged areas;

development and improvement of indicators for a comprehensive environmental impact assessment, means and methods of their identification;

development of technologies in the field of environmental protection and rational/sustainable use of natural resources;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Development of requirements in the field of environmental protection;

other purposes in the field of environmental protection.

Scientific research in the field of environmental protection shall be carried out in accordance with a procedure established by legislation on scientific activities.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

CHAPTER 14

ECONOMIC MECHANISM FOR ENVIRONMENTAL PROTECTION AND NATURE MANAGEMENT

Article 79. Elements of an Economic Mechanism for Environmental Protection and Nature Management

An economic mechanism for environmental protection and nature management shall include the following elements:

elaboration of state projections and programmes for the social and economic development of the Republic of Belarus in part of the rational/sustainable use of natural resources and environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection;
(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

From 1 January 2020, the operation of Paragraph 4 of Article 79 was suspended for 2020 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 16, 2019 No. 269-3).

From 1 January 2019, the operation of Paragraph 4 of Article 79 was suspended for 2019 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Paragraph 4 of Article 79 was suspended for 2018 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Paragraph 4 of Article 79 was suspended for 2017 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of October 18, 2016 No. 231-3).

establishment of nature funds;

fixing payments for nature management;

carrying out an economic evaluation of natural objects;

carrying out an economic evaluation of the impact of economic and other activities on the environment;

establishing economic incentive measures in the field of environmental protection;

compensation in accordance with the established procedure for harm caused to the environment;

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

ecological insurance;

other measures directed at environmental protection.

Article 80. Programmes and Measures for the Rational/Sustainable Use of Natural Resources and Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

Development of programmes for the rational/sustainable use of natural resources and environmental protection shall be carried out to ensure the favorable environment on the basis of a scientifically grounded combination of environmental, economic and social interests, the choice of nature management methods that ensure a minimum possible level of a harmful impact on the environment, prevention and reduction of a harmful impact on the environment of economic and other activities, as well as the conservation and reproduction of natural resources.

(as worded in the [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3)

State programmes for the rational/sustainable use of natural resources and environmental

protection shall be developed by the Ministry of Natural Resources and Environmental Protection in cooperation with interested state bodies/organizations and approved by the Council of Ministers of the Republic of Belarus.

(as worded in the Laws of the Republic of Belarus of July 17, 2017 [No. 51-3](#); of June 18, 2019 [No. 201-3](#))

Parts 3-5 of Article 80 excluded. – The [Law](#) of the Republic of Belarus of July 17, 2017 No. 51-3.

A regional set of measures shall be formed by local executive and regulatory bodies in accordance with state programmes for the socio-economic development of the Republic of Belarus, state programmes for the rational/sustainable use of natural resources and environmental protection and/or the international treaties of the Republic of Belarus by coordination with the territorial bodies of the Ministry of Natural Resources and Environmental Protection and approved by the local Councils of Deputies.

(as worded in the Laws of the Republic of Belarus of July 17, 2017 [No. 51-3](#); of June 18, 2019 [No. 201-3](#))

Legal persons and individual entrepreneurs carrying out economic and other activities that have a harmful impact on the environment shall be obliged to plan, develop and implement measures for environmental protection according to the procedure established by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 81. Financing of Programmes and Measures for the Rational/Sustainable Use of Natural Resources and Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

Financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection shall be provided out of funds of:

(as worded in the [Law](#) of the Republic of Belarus of May 6, 2010 No. 127-3)

From 1 January 2020, the operation of Paragraph 2 of Article 81 was suspended for 2020 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 16, 2019 No. 269-3).

From 1 January 2019, the operation of Paragraph 2 of Article 81 was suspended for 2019 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Paragraph 2 of Article 81 was suspended for 2018 in part of financing of programmes and measures for the rational/sustainable use of natural resources and environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Paragraph 2 of Article 81 was suspended for 2017 in part of financing of programmes and measures for the rational/sustainable use of natural resources and

environmental protection from the sources of State Trust Budgetary Funds for Nature Conservation (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of October 18, 2016 No. 431-3).

republican and/or local budgets, including State Trust Budgetary Funds for Nature Conservation;

(as worded in the [Law](#) of the Republic of Belarus of December 31, 2009 No. 114-3)

The Paragraph excluded from January 1, 2010. – The [Law](#) of the Republic of Belarus of December 31, 2009 No. 114-3;

legal persons and individual entrepreneurs;

citizens, including foreign ones;

bank credits;

foreign investments;

other non-budgetary sources attracted for the implementation of these programmes and activities and not prohibited by legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 82. Economic Incentives for Environmental Protection

Economic incentives for environmental protection may be carried out on the basis as follows:

(as worded in the [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3)

establishing by the President of the Republic of Belarus and/or laws, unless otherwise established by the President of the Republic of Belarus, privileges for certain categories of legal persons and individuals in complying by them with the regimes for the protection and use of specially protected natural areas, natural areas subject to special protection and rational/sustainable use of natural resources by them in the territory of transfer zones of biosphere reserves, as well as during the integration by legal persons and individuals of best available technical methods, low-waste, energy- and resource-saving technologies, special equipment reducing a harmful impact on the environment in the utilization of waste products as secondary raw-materials and carrying out other nature protection activities;

(as worded in the Laws of the Republic of Belarus of May 6, 2010 [No. 127-3](#); of December 31, 2010 [No. 228-3](#); of June 18, 2019 [No.201-3](#))

The Paragraph excluded. – The [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3;

accelerated amortization of equipment and other objects designed for the protection and rehabilitation of environment.

Legislation may also establish other kinds of economic incentives in the field of environmental protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 83. Payments for Nature Management

(as worded in the [Law](#) of the Republic of Belarus of June 13, 2007 No. 238-3)

Public nature management shall be free of charge; special nature management shall be carried out on a paid basis, unless otherwise provided for by legislative acts.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Payments for special nature management shall be collected in accordance with legislative acts in the form of taxes, duties/dues, other obligatory payments and a rent payment.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

An amount of rent for the use of natural resources, a procedure, terms and time limits of its payment shall be determined in a lease agreement in accordance with legislation on environmental protection and rational use of natural resources and civil legislation. The Council of Ministers of the Republic of Belarus may establish in accordance legislative acts minimum rent rates for the use of individual natural resources.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Making payments for special nature management shall not release the user of nature from the execution of measures for environmental protection and compensation for harm caused as a result of illegal use (extraction, mining) of natural resources, another harmful impact on the environment.

Article 84. Nature Protection Funds

From 1 January 2020, the operation of Part 1 of Article 84 was suspended for 2020 ([Paragraph 2 of Article 23](#) of the Law of the Republic of Belarus of December 16, 2019 No. 269-3).

From 1 January 2019, the operation of Part 1 of Article 84 was suspended for 2019 ([Paragraph 2 of Article 23](#) of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Part 1 of Article 84 was suspended for 2018 ([Paragraph 2 of Article 25](#) of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Part 1 of Article 84 was suspended for 2017 ([Paragraph 2 of Article 25](#) of the Law of the Republic of Belarus of October 18, 2016 No. 431-3).

In order to finance state programmes for the rational/sustainable use of natural resources and environmental protection, a regional set of measures and other purposes in the field of environmental protection, republican and in cases stipulated by legislative acts local nature protection funds, which are State Trust Budgetary Funds, shall be established.

(as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of May 6, 2010 [No. 127-3](#); of July 17, 2017 [No. 51-3](#); of June 18, 2019 [No. 201-3](#))

From 1 January 2020, the operation of Part 2 of Article 84 was suspended for 2020 ([Paragraph 2 of Article 23](#) of the Law of the Republic of Belarus of December 16, 2019 No. 269-3).

From 1 January 2019, the operation of Part 2 of Article 84 was suspended for 2019 (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Part 2 of Article 84 was suspended for 2018 (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Part 2 of Article 84 was suspended for 2017 (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of October 18, 2016 No. 431-3).

Sources of establishing State Trust Budgetary Funds for Nature Conservation may be as follows:

payments for special nature management, unless otherwise provided for by legislative acts; (as worded in the Laws of the Republic of Belarus of June 13, 2007 No. 238-3; of June 18, 2019 No. 201-3)

funds received as compensation for harm caused to the environment; (as worded in the Law of the Republic of Belarus of December 21, 2007 No. 298-3)

finances for the contamination of the environment, non-rational use of natural resources and other infringements of legislation on environmental protection; (as worded in the Law of the Republic of Belarus of June 18, 2019 No.201-3)

funds from the realization of hunting tools, fishing and other aquatic animal gears confiscated or otherwise turned into the state revenue, as well as from the sale of products illegally seized using these tools; (as worded in the Law of the Republic of Belarus of December 24, 2015 No. 333-3)

voluntary contributions of legal persons and individual entrepreneurs, including the foreign ones;

other funds in accordance with legislation. (as worded in the Law of the Republic of Belarus of June 18, 2019 No. 201-3)

From 1 January 2020, the operation of Part 3 of Article 84 was suspended for 2020 (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 16, 2019 No. 269-3).

From 1 January 2019, the operation of Part 3 of Article 84 was suspended for 2019 (Paragraph 2 of Article 23 of the Law of the Republic of Belarus of December 30, 2018 No. 160-3).

From 1 January 2018, the operation of Part 3 of Article 84 was suspended for 2018 (Paragraph 2 of Article 25 of the Law of the Republic of Belarus of December 31, 2017 No. 86-3).

From 1 January 2017, the operation of Part 3 of Article 84 was suspended for 2017 (Paragraph 2 of

Revenues and expenditures of the Republican Nature Conservation Fund shall be approved by the law on the republican budget for the next financial year. Revenues and expenditures of local nature protection funds shall be approved by Decisions of local Councils of Deputies on the budget for the next financial year. A procedure and allocation of republican and local nature protection funds shall be established by legislation
(as worded in the Laws of the Republic of Belarus of December 31, 2009 No. 114-3; of June 18, 2019 No. 201-3)

From voluntary contributions of legal persons, citizens and other sources not in contrary with legislation, public nature conservation funds used for the implementation of measures for environmental protection and building of ecological culture of citizens may be established according to the procedure determined by legislation.
(as worded in the Law of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 85. Environmental Insurance

(as worded in the Law of the Republic of Belarus of December 21, 2007 No. 298-3)

Environmental insurance is a civil liability insurance of legal persons and individual entrepreneurs on the protection of property interests of citizens and organizations, as well as the Republic of Belarus and its administrative-territorial units, in the event of environmental harm.

Environmental insurance shall be maintained in accordance insurance legislation.
(as worded in the Law of the Republic of Belarus of June 18, 2019 No. 201-3)

CHAPTER 15

CONTROL IN THE FIELD OF ENVIRONMENTAL PROTECTION, RATIONAL USE OF NATURAL RESOURCES. ORGANIZATION OF WORK ON ENVIRONMENTAL PROTECTION DURING ECONOMIC AND OTHER ACTIVITIES

(as worded in the Law of the Republic of Belarus of December 24, 2015 No. 333-3)

Article 86. Main Objectives of Control in the Field of Environmental Protection, Rational Use of Natural Resources

(as worded in the Law of the Republic of Belarus of January 22, 2013 No. 18-3)

Control in the field of environmental protection, rational use of natural resources shall be exercised to ensure the implementation of legislation in the field of environmental protection, compliance with requirements in the field of environmental protection, as well as ensure environmental safety, by the republican bodies of state administration, local executive and regulatory bodies, legal persons and citizens.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 No. 18-3; of June 18, 2019 No. 201-3)

Part 2 of Article 86 excluded. – The Law of the Republic of Belarus of January 22, 2013 No. 18-3.

Article 87. Control in the Field of Environmental Protection, Rational Use of Natural Resources

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Control in the field of environmental protection, rational use of natural resources shall include a system of measures aimed at preventing, detecting and suppressing of violations of legislation on environmental protection and rational use of natural resources exercised in the form of checks in the spheres specified in Part 2 of this Article and other forms of control stipulated by legislation on control/supervisory activities, as well as in the form of field control activities.

Control in the field of environmental protection, rational use of natural resources shall be exercised in accordance with the procedure established by legislation on control/supervisory activities and this Law:

by the State Inspectorate for the Protection of Fauna and Flora under the President of the Republic of Belarus in the form of checks in the spheres of protection and use of wild animals related to hunting and fishing objects, lands under wild tree and shrub vegetation/plantings, tree and shrub vegetation not included in the Forest Fund, except for tree and shrub vegetation within the boundaries of inhabited localities and included in the Red Book of the Republic of Belarus; the safeguarding, protection, reproduction and use of the Forest Fund; management of fisheries and fishing; management of hunting (game) husbandry and hunting and other forms of control provided for by legislation on control/supervisory activities, as well as in the form of field control activities;

by the Ministry of Natural Resources and Environmental Protection and its territorial bodies determined by the Council of Ministers of the Republic of Belarus in the form of checks in the spheres of the safeguarding, protection, reproduction and use of wild animals and wild-growing plants belonging to the [species](#) included in the Red Book of the Republic of Belarus, tree and shrub vegetation and other wild plants within the boundaries of inhabited localities, wild animals that are not objects of hunting and fishing; use and protection of bowels; protection of the atmospheric air and the ozone layer; use and protection of waters; waste management and other forms of control provided for by legislation on control/supervisory activities;

by local executive and regulatory bodies in the form of checks in the field of land use and protection and other forms of control provided for by legislation on control/supervisory activities.

Control in the field of environmental protection, rational use of natural resources may be exercised out by other state bodies/organizations authorized to exercise control by the legislative acts or normative legal acts of the Council of Ministers of the Republic of Belarus.

A [list](#) of officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies authorized to exercise control in the field of environmental protection, rational use of natural resources shall be established by the Council of Ministers of the Republic of Belarus.

Article 88. Rights of Officials of the Ministry of Natural Resources and Environmental Protection and its Territorial Bodies Exercising Control in the Field of Environmental Protection, Rational Use of Natural Resources

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

When performing their official duties, officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies exercising control in the field of environmental protection, rational use of natural resources shall be guided by rights in accordance with legislation on control/supervisory activities, as well as within the scope of their competence in relation to legal

persons and individual entrepreneurs, shall have the right to:

conduct checks at the location of the control/supervisory body on the ground of the inspection of documents and information obtained by the control/supervisory body in accordance with legislation, without requiring other documents (desk audits);

exercise control measures to confirm that violations identified during checks or monitoring have been eliminated;

exercise control measures upon the application of an audited entity.

In the exercise of powers specified in Paragraphs 2-4 of Part 1 of this Article, officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies in relation to legal entities and individual entrepreneurs shall have the right to:

issue mandatory requirements/instructions for eliminating of violations of legislation on environmental protection and rational use of natural resources, except for those identified during monitoring;

in accordance with legislation, draw up protocols on administrative offenses, get clarifications from persons brought to administrative liability in regard to a violation of legislation on environmental protection and rational use of natural resources by them; consider cases on administrative offenses and impose administrative penalties for a violation of legislation on environmental protection and rational use of natural resources;

draw up acts establishing the fact of causing harm to the environment;

summon the representatives of legal persons and individual entrepreneurs for considering materials on the fact of a violation of legislation on environmental protection and rational use of natural resources;

obtain by way of a grant from republican bodies of the state administration, local executive and regulatory bodies, legal persons and individual entrepreneurs information required to fulfill the tasks assigned to the Ministry of Natural Resources and Environmental Protection and its territorial bodies.

When performing their official duties, officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies exercising control in the field of environmental protection, rational use of natural resources, within the scope of their competence in relation to citizens shall have the right to:

reveal the facts of a violation of requirements for legislation on environmental protection and rational use of natural resources (including violations of environmental safety and the procedure for nature management);

in accordance with legislation, draw up protocols on administrative offenses, get clarifications from persons brought to administrative liability on the grounds of a violation of legislation on environmental protection and rational use of natural resources; consider cases on administrative offenses and impose administrative penalties for a violation of legislation on environmental protection and rational use of natural resources;

request and receive written and oral explanations, as well as the required documentation (its copies), other information on issues arising in the course of exercised control;

draw up acts establishing the fact of causing harm to the environment;

issue mandatory requirements/instructions for eliminating of violations of legislation on environmental protection and rational use of natural resources, except for those identified during monitoring;

when detecting violations of legislation on environmental protection and rational use of natural resources, use technical means (equipment for sound and video recording, photography);

carry out in cases and according to the procedure stipulated by legislative acts the inspection of things;

withdraw illegally seized objects of flora and fauna and products obtained from them, as well as tools used in the seizure of these objects.

Legislative acts may define other rights of officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies exercising control in the field of environmental protection, rational use of natural resources.

Article 89. Duties of Officials of the Ministry of Natural Resources and Environmental Protection and its Territorial Bodies Exercising Control in the Field of Environmental Protection, Rational Use of Natural Resources

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies, exercising control in the field of environmental protection, rational use of natural resources, in fulfilling their official duties shall be obliged to:

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

timely and to the full extent exercise powers delegated to them to prevent, identify and suppress violations of legislation on environmental protection;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 [No. 201-3](#))

Paragraphs 3-4 excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 [No. 18-3](#);

carry and show an official ID when requested;

(the Paragraph introduced by the Law of the Republic of Belarus of December 24, 2015 [No. 333-3](#))

comply with legislative requirements, prevent unjustified restriction of the rights and freedoms of citizens, commit actions degrading their honor and dignity;

(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 [No. 333-3](#); as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 [No. 201-3](#))

clarify the requirements for legislation on environmental protection to citizens;

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 [No. 201-3](#))

perform other duties stipulated by legislative acts.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Article 90. Responsibility of Officials of the Ministry of Natural Resources and Environmental Protection and its Territorial Bodies that Exercise Control in the Field of Environmental Protection, Rational Use of Natural Resources

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Officials of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and its territorial bodies exercising control in the field of environmental protection, rational use of natural resources shall bear responsibility for a violation of legislation on control/supervisory activities in accordance with the procedure established by legislation.

Article 91. Appealing against the Decisions of the Ministry of Natural Resources and Environmental Protection and its Territorial Bodies, Actions/Non-actions of its Officials

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Decisions of the Ministry of Natural Resources and Environmental Protection and its territorial bodies, including requirements/instructions to eliminate violations, actions/non-actions of their officials may be appealed to a higher authority (a higher official of this body) and/or to court.

Article 92. Main Guarantees of Officials of the Ministry of Natural Resources and Environmental Protection and its Territorial Bodies Exercising Control in the Field of Environmental Protection, Rational Use of Natural Resources

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies exercising control in the field of environmental protection and rational use of natural resources during the fulfillment of their official duties are the representatives of state power and shall be subject to state protection.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Any form of influence on the officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies exercising control in the field of environmental protection, rational use of natural resources preventing them from the fulfillment of official duties, or interference with their activities shall be prohibited.

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

State protection of the officials of the Ministry of Natural Resources and Environmental Protection and its territorial bodies shall be provided in accordance with legislation on the state protection of judges, officials of law enforcement and regulatory bodies and other legislative acts.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 93. Provision of Uniforms and Service Weapons to the Officials of the Ministry of Natural Resources and Environmental Protection and its Territorial Bodies Exercising Control in the Field of Environmental Protection and Rational Use of Natural Resources
(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Officials of the Ministry of Natural Resources and Environmental and its territorial bodies exercising control in the field of environmental protection and rational use of natural resources shall have the right to wear uniform with insignia, carry and use a service weapon during the performance of their official duties.
(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

A procedure for providing a uniform and a service weapon, as well as a procedure for carrying, using and keeping of a service weapon shall be established by legislation.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 94. Production Observations in the Field of Environmental Protection and Rational Use of Natural Resources
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Legal persons and individual entrepreneurs during the implementation of economic and other activities that have a harmful impact on the environment shall be obliged to ensure the implementation of production observations in the field of environmental protection, rational use of natural resources, including the organization of sites for the collection of samples and execution of measurements in accordance with requirements established by normative legal acts, including binding technical normative legal acts, in the field of environmental protection.

Production observations in the field of environmental protection, rational use of natural resources shall be carried out from own funds and other sources of financing in line with the instruction elaborated and approved by a legal person or an individual entrepreneur in accordance with the procedure established by the Ministry of Natural Resources and Environmental Protection.

Organization of work on environmental protection in the implementation of economic and other activities by legal persons and individual entrepreneurs shall be carried out in accordance with Article 95-1 of this Law.

Article 95. Excluded.
(Article 95 excluded. – The [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Article 95-1. Organization of Work on Environmental Protection and Carrying out of Production Observations in the Field of Environmental Protection, Rational Use of Natural Resources during the Implementation of Economic and other Activities
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)
(introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

In order to organize work on environmental protection and carry out production observations in the field of environmental protection, rational use of natural resources, a legal person and an individual entrepreneur (in the event that he/she has no knowledge in the field of environmental protection and nature management), whose economic and other activities have a harmful impact on

the environment, shall establish an environmental service, introduce a staff position of an environmental specialist or impose respective duties on an employee who has knowledge in the field of environmental protection and nature management, unless otherwise provided for by [Part 2](#) of this Article.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A legal person carrying out economic and other activities related to environmentally hazardous activities shall establish an environmental service. The environmental service structure and its personnel number shall be established by a legal person depending on the number of employees and types of activities. In this case, budgetary organizations and other organizations receiving subsidies from the budget, carrying out economic and other activities related to environmentally hazardous activities, shall establish an environmental service within the assigned number of employees.

An environmental service, an environmental specialist, another employee vested with duties on environmental protection and carrying out of production observations in the field of environmental protection, rational use of natural resources shall report directly to the head of a legal person.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

A model [clause](#) on the environmental service shall be approved by the Ministry of Natural Resources and Environmental Protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 96. Collecting of Samples and Conducting of Measurements in the Field of Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Collecting of samples and conducting of measurements in the field of environmental protection shall be implemented for the purposes as follows:

assessment of compliance with environmental quality standards;

assessment of compliance with the standards for permissible impacts on the environment;

assessment of the effectiveness of environmental protection measures;

comprehensive assessment of an impact on the environment of economic and other activities carried out on the basis of integrated environmental permits;

assessment of compliance of actual operating parameters of treatment facilities, machines, mechanisms with the parameters approved in the design documentation;

assessment of compliance with technical requirements for the fuel composition;

assessment of the effectiveness of production observations in the field of environmental protection, rational use of natural resources;

assessment of compliance with other requirements and standards in the field of environmental protection.

Collecting of samples and conducting of measurements in the field of environmental protection shall be carried out by a subordinate organization authorized by the Ministry of Natural

Resources and Environmental Protection, as well as other legal persons and individual entrepreneurs accredited in accordance with legislation.

Legal persons and individual entrepreneurs in carrying out of economic and other activities that have a harmful impact on the environment shall collect samples and exercise measurements in the field of environmental protection when exercising production observations in the field of environmental protection, rational use of natural resources, or involve legal persons and individual entrepreneurs referred to in Part 2 of this Article on the basis of an agreement concluded with them for the provision of services in collecting of samples and conducting of measurements in the field of environmental protection.

The results of collecting of samples and conducting of measurements in the field of environmental protection shall be formalized by related acts and protocols according to the [forms](#) approved by the Ministry of Natural Resources and Environmental Protection. The protocol on conducted measurements in the field of environmental protection shall be the basis for confirming the fact of compliance or non-compliance by legal persons and individual entrepreneurs with the requirements of legislation on environmental protection and rational use of natural resources.

The frequency of collecting of samples and conducting of measurements in the field of environmental protection shall be established by the Ministry of Natural Resources and Environmental Protection depending on the object of control and its characteristics.

A [procedure](#) for collecting of samples and conducting of measurements in the field of environmental protection shall be established by the Council of Ministers of the Republic of Belarus.

Article 97. Ecological Audit

An ecological audit shall be conducted to ensure ecological safety, as well as determine ways and means of reducing a risk of a harmful impact on the environment of economic and other activities through independent inspection of such activities for compliance with requirements in the field of environmental protection.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

An ecological audit shall be conducted by legal persons and individual entrepreneurs in accordance with the [procedure](#) established by the Council of Ministers of the Republic of Belarus. Persons conducting an ecological audit may provide services in working out solutions for enhancing the ecological safety of production at inspected facilities.

(as worded in the Laws of the Republic of Belarus of June 29, 2006 [No. 137-3](#); of December 24, 2015 [No. 333-3](#))

An ecological audit of economic and other activities of legal persons and individual entrepreneurs may be conducted on a voluntary or obligatory basis from own funds of these legal persons or individual entrepreneurs.

When privatizing enterprises as property complexes of state unitary enterprises and in other cases established by this Law and other legislative acts, an ecological audit shall be conducted on an obligatory basis in accordance legislation.

(as worded in the Laws of the Republic of Belarus of December 22, 2011 [No. 326-3](#); of June 18, 2019 [No. 201-3](#))

Part 5 of Article 97 excluded. – The [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

CHAPTER 16
LIABILITY FOR A VIOLATION OF LEGISLATION ON ENVIRONMENTAL PROTECTION

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 98. Excluded.

(Article 98 excluded. – The [Law](#) of the Republic of Belarus of November 10, 2008 No. 444-3)

Article 99. Liability for a Violation of Legislation on Environmental Protection

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Violation of legislation on environmental protection shall entail liability in accordance with legislative acts.

(Part 1 of Article 99 as worded in the [Law](#) of the Republic of Belarus of November 10, 2008 No. 444-3)

Bringing individuals to liability for violation of legislation on environmental protection shall not exempt them from compensation for harm caused to the environment and implementation of measures for its protection.

(as worded in the Laws of the Republic of Belarus of December 21, 2007 [No. 298-3](#); of June 18, 2019 [No. 201-3](#))

Article 100. Suspension/Prohibition, other Limitations of Economic and other Activities

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

In the event of a detected violation of legislation on environmental protection and rational use of natural resources that poses a risk of harm to the environment, state bodies/organizations authorized to exercise control in the field of environmental protection, rational use of natural resources may implement measures aimed at the suspension/prohibition, other limitations of economic and other activities of legal persons or individual entrepreneurs.

Suspension/prohibition may apply to economic and other activities of legal persons or individual entrepreneurs, as well as their workshops, production sites, construction objects, equipment.

Limitations of economic and other activities of legal persons or individual entrepreneurs may apply through the suspension/prohibition of production and/or the realization of goods (works, services), the operation of vehicles, the imposition of arrest on the property of a legal person or an individual entrepreneur, the detention of vehicles for the duration of the inspection, the arrest and/or seizure of things and inventory items, which are the objects, instruments and means of committing violations of legislation, sealing of premises, places of keeping of documents and/or possessions.

Suspension/prohibition, other limitations of economic and other activities shall be implemented according to the procedure established by legislation on control/supervisory activities, procedural legislation on administrative offenses, and criminal procedural legislation.

Public associations that carry out activities in the field of environmental protection and citizens shall have the right to bring a claim to court for the suspension/prohibition of economic and

other activities that have a harmful impact on the environment, including in the event of violated requirements in the field of environmental protection, environmental harm caused or a risk of environmental harm in future as a result of such activities.

Article 100-1. Excluded.

(Article 100-1 excluded. – The [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 101. Compensation for Harm Caused to the Environment and Establishment of a Fact of Its Infliction

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Harm caused to the environment shall be subject to compensation in full, unless otherwise provided for in this Article, on a voluntary basis or by decision of a court by a person inflicted it.

A fact of inflicted environmental harm established in accordance with legislation shall be recorded by the state body exercising control in the field of environmental protection, rational use of natural resources in the [act](#) establishing the fact of inflicted environmental harm drawn up according to the [procedure](#) established by the Council of Ministers of the Republic of Belarus.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

The act establishing the fact of inflicted environmental harm shall include:

information on the state body/official established the fact of inflicted environmental harm (name and registered address of the state body, position and full name of the official);

time, place, circumstances of inflicted environmental harm with reference to normative legal acts, including binding technical normative legal acts in the field of environmental protection, the provisions of which have been violated;

(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

results if measurements in the field of environmental protection, if conducted, confirming a fact of inflicted environmental harm;

amount of compensation for inflicted environmental harm.

The act establishing the fact of inflicted environmental harm shall be signed by the official who has established this fact.

The fact of inflicted environmental harm established by the state body in accordance with legislation shall not be subject to proof, but evidence may be provided to refute it.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Conducting of measurements in the field of environmental protection proving the fact of inflicted environmental harm shall be implemented in accordance with the provisions of [Article 96](#) of this Law.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

The fact of inflicted environmental harm may be recorded by the bodies of inquiry, preliminary investigation, procuratorial or other state authorities, which do not exercise control in the field of environmental protection, rational use of natural resources in accordance with criminal procedure legislation, procedural legislation on administrative offences and other legislation of the Republic of Belarus.

(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No.201-3](#))

Claims to compensate for harm caused to the environment resulting in its contamination shall not be submitted by the state body exercising control in the field of environmental protection, rational use of natural resources, provided that the amount of such compensation does not exceed three base [values](#).

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

If economic and other activities that have a harmful impact on the environment and cause environmental harm pose a risk of inflicting of environmental harm in future, court shall have the right to oblige legal persons or individual entrepreneurs not only to compensate for environmental harm, but also suspend until the established infringement has been eliminated, or prohibit such activities.

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Article 101-1. Amount, Ways and Time Limits to Compensate for Harm Caused to the Environment

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

The amount of compensation for harm caused to the environment shall be determined in accordance with the [rates](#) for determining the amount of compensation for harm caused to the environment established by the President of the Republic of Belarus, and in their absence or impossibility of application – according to the actual expenditure on restoring of the disturbed state of the environment, taking into account the losses incurred, including lost profits.

(as worded in the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

A [procedure](#) for determining the amount of compensation for harm caused to the environment shall be established by the Council of Ministers of the Republic of Belarus.

Harm caused to the environment may be compensated by a person inflicted it by way of restoration of the disturbed environmental state from own funds in accordance with the instructions of the state authority exercising control in the field of environmental protection, rational use of natural resources contained in the compensation claim for harm caused to the environment, or by the decision of court, given the circumstances of the case. In such a case, the amount of funds aimed at restoring of the disturbed environmental state may not be less than the amount of compensation for harm determined in accordance with the rates for determining the amount of compensation for harm caused to the environment.

(as worded in the [Law](#) of the Republic of Belarus of January 22, 2013 No. 18-3)

Restoration of the disturbed environmental state at the expense of a person inflicted environmental harm shall be executed within the time limits established in the instructions of the state authority, exercising control in the field of environmental protection, rational use of natural resources, which appear in a claim to compensate for harm caused to the environment or in the

decision of court in accordance with legislation and needed to carry out works on the restoration of the disturbed environmental state.
(as worded in the Laws of the Republic of Belarus of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

Article 101-2. Compensation for Harm Caused to the Environment during Ecologically Hazardous Activities

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Legal persons and individual entrepreneurs exercising ecologically hazardous activities shall be obliged to compensate for harm caused to the environment as a result of such activities unless they prove that harm appeared as the result of force majeure.

In the event that environmental harm was caused as a result of activities that meet the [criteria](#) to refer economic and other activities that have a harmful impact on the environment to environmentally hazardous activities before the state registration in the field of environmental protection of legal persons and individual entrepreneurs carrying them out, the court may impose an obligation on the specified persons to compensate for harm in accordance with [Part 1](#) of this Article.

Article 101-3. Claims to Compensate for Harm Caused to the Environment

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Before bringing a claim for harm caused to the environment before a court, according to a procedure established by legislation, the state authority exercising control in the field of environmental protection, rational use of natural resources, another state organization within the scope of competence shall present a claim to compensate for harm caused to the environment to a person who has inflicted harm to the environment.

(as worded in the Laws of the Republic of Belarus of November 10, 2008 [No. 444-3](#); of January 22, 2013 [No. 18-3](#); of June 18, 2019 [No. 201-3](#))

A claim for harm caused to the environment shall include as follows:

information on the state authority which has submitted a claim (name and registered address of the state authority);

information on a person inflicted harm (full name and place of residence, full name of an individual entrepreneur, his/her registration number and name of the registering body, name and registered address of a legal person);

circumstances on which the state authority making a claim bases its requirements with reference to normative legal acts, including binding technical normative legal acts in the field of environmental protection, the provisions of which have been violated;

(as worded in the Laws of the Republic of Belarus of December 24, 2015 [No. 333-3](#); of June 18, 2019 [No. 201-3](#))

calculation of the compensation amount for harm caused to the environment, its compensation methods and time limits, bank account details the environmental harm compensation should be transferred into;

amount of funds allocated for the restoration of the disturbed environmental state, provided

that harm caused to the environment is compensated by a person who has inflicted it by means of such restoration.
(the Paragraph introduced by the [Law](#) of the Republic of Belarus of December 24, 2015 No. 333-3)

If harm caused to the environment is subject to monetary compensation, its indemnity period shall not exceed two months from the date a claim has been submitted.

A claim for harm caused to the environment shall be adjoined with an act that establishes the fact of inflicted environmental harm.

Article 101-4. Requirements to Compensate for Harm Caused to the Environment

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

The state authority exercising control in the field of environmental protection, rational use of natural resources, another state organization within the scope of its competence in the event of a complete or partial refusal to satisfy a claim to compensate for harm caused to the environment, or a prosecutor shall submit a claim to compensate for harm caused to the environment.

(as worded in the Laws of the Republic of Belarus of November 10, 2008 [No. 444-3](#); of January 22, 2013 [No. 18-3](#))

The statute of limitations shall not apply to claims to compensate for harm caused to the environment. However, claims filed after three years from the date of establishment of the fact of inflicted harm shall be satisfied no more than three years preceding the filing of a claim to compensate for harm caused to the environment.

The state authority exercising control in the field of environmental protection, rational use of natural resources may file a claim to court to compensate for harm caused to the environment by way of writ proceedings in cases and according to a procedure stipulated by economic procedural and civil procedural legislation.

(Part 3 of Article 101-4 introduced by the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Article 102. Compensation for Harm Caused to the Life, Health and Property of Citizens, the Property of Legal Persons and State-Owned Property as a Result of a Harmful Impact on the Environment

(as worded in the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Harm caused to life, health and property of citizens, the property of legal persons and state-owned property as a result of an environmental impact shall be subject to full compensation by a person inflicted it in accordance with civil legislation.

(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

Compensation for harm caused to life, health and property of citizens, the property of legal persons and state-owned property as a result of a transboundary impact on the environment shall be implemented in accordance with the international treaties of the Republic of Belarus in the field of environmental protection.

Article 102-1. Compensation for Ecological Harm by a Person Insured his/her Liability
(introduced by the [Law](#) of the Republic of Belarus of December 21, 2007 No. 298-3)

Legal persons and individual entrepreneurs who have insured their civil liability for inflicted environmental harm according to the environmental insurance procedure shall compensate the difference between the insurance indemnity and the actual size of harm caused to the environment, unless the insurance indemnity is sufficient to fully compensate for harm caused to the environment.

Article 103. Settlement of Disputes in the Field of Environmental Protection

Disputes in the field of environmental protection shall be resolved by the Ministry of Natural Resources and Environmental Protection or its territorial bodies and/or by court in accordance with the procedure established by legislation.
(as worded in the [Law](#) of the Republic of Belarus of June 18, 2019 No. 201-3)

CHAPTER 17
INTERNATIONAL COOPERATION IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 104. International Cooperation in the Field of Environmental Protection

The Republic of Belarus shall maintain international cooperation in the field of environmental protection in accordance with generally accepted principles and norms of international law and the international treaties of the Republic of Belarus in the field of environmental protection.

The Republic of Belarus shall take part in international cooperation in the field of environmental protection in accordance with legislation of the Republic of Belarus.

Article 105. International Treaties

(as worded in the Laws of the Republic of Belarus of June 13, 2007 [No. 238-3](#); of November 10, 2008 [No. 444-3](#))

If the international treaty of the Republic of Belarus establishes other environmental standards than those provided for in this Law, the standards of the international treaty shall apply.

Chairperson of the Supreme Soviet
of the Republic of Belarus

S. Shushkevich

**Non-binding translation*

