

*European drivers for good landscape and
biodiversity governance in Eastern Europe*

***Involvement of non-
governmental sector to the
Aarhus process and
cooperation on Aarhus
objectives for better***

**GREEN
NETWORK**



Siarhei Mahonau
Ecohome NGO, BELARUS

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background

There are three main pillars in Aarhus-regulated relations

- access to environmental information,
- public participation in decision making,
- access to justice

and two main non-governmental actors:

- business
- environmental NGOs



what the business doing here?

According to national legislation, business is responsible for such issues as:

Providing environmental information for the public on request;

Initiating, coorganizing (with local authorities) public participation events (hearings, meetings, question replies);

In some cases standing before court



environmental NGOs

env NGOs in Belarus acts

- in their own capacity, human resources and expert potential;
- in cooperation with other NGOs and independent experts – such as Green Network;
- in cooperation with Ministry of Natural Resources and Environment Protection of the Republic of Belarus – such as Public Council under the Ministry and regional public councils



forms of cooperation

Direct exercising of AC rights – A2I, PPDM, A2J

Participation in legislation drafting and discussion

Assisting for public in AC rights exercising

Legal standing for environmental rights protection

International forum participation (MoP, Tfs)

Compliance Committee activities



access to information

Environmental NGO very often exercise their right on access to environmental information – asking for it public authority bodies, private companies, Ministry

Generally it does for next steps – PPDM and A2J, but sometimes happens for testing how does A2I works, to mark and fix gaps and overcome obstacles on A2I



Public Participation in environmental Decision Making is one of most important activity of env NGOs:

- public hearings - on Environmental Impact Assessment for many activities such as constructing etc
- public discussions on env related legislation and drafting (example – public env expertiza)
- Public Environmental Expertiza
- writing remarks and suggestions on projects

legal standing

In case of violation of public's rights (A2I, PPDM) env NGOs bring before courts such cases to protect these rights.

Another important meaning of court cases – changing legislation and practice of it's application, filling the gaps and, sometimes, exercising a right to PPDM – it happens when court room became a place of real public discussion of planning activity

legal standing - example

A Car Lead Battery Plant construction is in progress near to city of Brest. There is violated a right to PPDM – wrong announcement of public hearings.

Local activists with assistance of Ecohome run a court case against the plant and local authorities to stop constructing till the public's right to PPDM will be exercised properly.







Aarhus Convention Compliance Committee is an international body which works for better convention compliance in member states.

One of the opportunities is Communication from the public of non-compliance.

There are 3 Communications on Belarus, on PPDM, A2I and environmental activists persecution.

As a result of ACCC findings where a lot of national legislation changes (on A2I, PPDM) and we hope to legislation application will be also changed to better.

conclusions

Here are a lot of opportunities as for governmental bodies as well for civil society for better governance on environmental issues in the frameworks of Aarhus Convention – providing access to environmental information, transparent and participatory decision making process, access to justice in cases of breaking law.

The AC provisions can be applied in different areas as well landscape and biodiversity. In Belarus we can see good practice as cooperation with Ministry of Environment as well as misunderstanding of AC values – like in case of Brest, when local authorities and later court doesn't see clear law violation.



Thank you for attention

WWW.GREENBELARUS.INFO

Mr Siarhei Mahonau

Legal adviser

NGO Ecohome

Belarus

+375-29-5049611

sergio.swat2@gmail.com