

BIENNIAL REPORT OF THE REPUBLIC OF BELARUS

A. General information

Party	Republic of Belarus
Period covered in this report:	January 2015 – 1 July 2022
Details of agency preparing this report	Ministry of Natural Resources and Environment Protection of the Republic of Belarus
Department that provided for the preparation of this report	Biological and landscape diversity department

B. Legislative and regulatory measures

1	Has any new legislation regulating CITES relations appeared? Have they been sent to the CITES Secretariat? If yes, ignore questions 2, 3 and 4.	Yes (fully) Yes (partly) No No information/unknown	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2	<p>If any CITES-relevant legislation has been planned, drafted or enacted, please provide the following details:</p> <p>Law of the Republic of Belarus "On wildlife"</p> <p>Law of the Republic of Belarus "On environmental protection"</p> <p>Law of the Republic of Belarus "On flora"</p> <p>Decree of the President of the Republic of Belarus No. 200 "On administrative procedures carried out by government agencies and other organisations upon the applications of citizens".</p> <p>Decree of the President of the Republic of Belarus No. 63 "On the improvement of the management of property seized, arrested or turned over to the state revenue"</p> <p>Decree of the President of the Republic of Belarus No. 112 "On hunting and hunting management"</p> <p>Decree of the President of the Republic of Belarus No. 580 "On some measures on increasing the efficiency of fishing industry, improvement of its state management "</p> <p>Decree of the President of the Republic of Belarus No. 240 "On administrative procedures carried out in relation to economic entities"</p> <p>Decision of the Board of the Eurasian Economic Commission No. 30 "On the measures of non-tariff regulation"</p> <p>Decision of the Council of the Eurasian Economic Commission No. 15 "On the approval of the rules of good practice of cultivation, collection, processing and storage of initial raw materials of plant origin"</p> <p>Decision of the Commission of the Customs Union No. 317 "On the application of veterinary and sanitary measures in the Eurasian Economic Union"</p> <p>Code of the Administrative Offences of the Republic of Belarus</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 126 "On some issues of the management of wild animals included in the Red Book of the Republic of Belarus and species subject to international agreements of the Republic of Belarus, and the regulation of distribution and number of wild animals" (together with "Regulation on the procedure and conditions of the registration of wild animals kept and (or) bred in captivity (including their offspring that has reached the age of three months) included in the Red Book of the Republic of Belarus or CITES specimens")</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 638 "On some issues of the management of wild animals and plants" (together with "Regulation on the procedure of transfer of habitats of wild animals and plants included in the Red Book of the Republic of Belarus under the protection of the users of land plots and (or) water bodies", " Regulation on the procedure and conditions of the issuance of permits for the removal of wild animals and plants included in the Red Book of the Republic of Belarus from their habitat")</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 181 "On some issues of the production and sale of sturgeon species and (or) caviar from them"</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 255 "On the measures for the implementation of the Law of the Republic of Belarus "On the introduction of amendments and additions to the Law of the Republic of Belarus "On wildlife" (together with "Regulation on the procedure and conditions of the registration of facilities for keeping and (or) breeding of wild animals")</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 541 "On the approval of the list of organisations to which removed live wild animals and plants, as well as CITES specimens or species included in the Red Book of the Republic of Belarus, their parts and (or) derivatives are transferred for storage, and on the introduction of amendments and additions to the Resolution of the Council of Ministers of the Republic of Belarus of 17 February 2012 No. 156"</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 877 "On the cooperation with international organisations and interstate formations"</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 237 "On the cooperation between state authorities and other organisations upon the detection (identification) of a wild animal" (together with "Regulation on the procedure for the cooperation between state authorities and other organisations upon the detection (identification) of a sick, wounded, injured wild animal, or endangered by natural disasters, or which may threat to the life or health of citizens")</p> <p>Resolution of Council of Ministers of the Republic of Belarus No. 610 "On the issuance of permits in the field of environmental protection for the movement of certain types of goods across the state border of the Republic of Belarus" (together with "Regulation on the procedure and conditions of the issuance of permits for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973")</p>		

Resolution of Council of Ministers of the Republic of Belarus No. 219 "On rates for the determination of the amount of compensation for harm caused to the environment and the procedure for its calculation" (together with "Regulation on the procedure for the calculation of the amount of compensation for harm caused to the environment and drawing up an act on the establishment of the fact of causing harm to the environment")						
Resolution of Council of Ministers of the Republic of Belarus No. 548 "On administrative procedures carried out in relation to economic entities"						
Resolution of the Ministry of Natural Recourses and Environmental Protection of the Republic of Belarus No. 16 "On requirements for the transportation of wild animals, keeping and (or) breeding in captivity, as well as settlement, introduction, reintroduction, acclimatisation and cross-breeding"						
Resolution of Council of Ministers of the Republic of Belarus No. 686 "On the functioning of markets"						
Resolution of the Ministry of Natural Recourses and Environmental Protection of the Republic of Belarus No. 16 "On the approval of the regulations of administrative procedures in the field of the protection and use of the objects of fauna and flora"						
Resolution of the Ministry of Natural Recourses and Environmental Protection of the Republic of Belarus No. 34 "On the establishment of a lists of species of wild animals"						
3	Is enacted legislation available in one of the working languages of the Convention?					<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No information
4	If yes, please attach a copy of the full legislative text or key legislative provisions that were gazetted.					<input checked="" type="checkbox"/> legislation attached <input type="checkbox"/> provided previously <input type="checkbox"/> not available, will send
5	Which of the following issues are addressed by any stricter domestic measures adopted for CITES-listed species (in accordance with Article XIV of the Convention)?					Tick all applicable
	The conditions for:			The complete prohibition of:		
Issue	Yes	No	No information	Yes	No	No information
Trade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Removal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Possession	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transport	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Additional information</p> <p>Possession. According to Article 43 of the Law of the Republic of Belarus "On wildlife", wild animals kept and (or) bred in captivity (including their offspring that has reached the age of three months) are subject to registration at the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus or its territorial authority:</p> <ul style="list-style-type: none"> species included in the Red Book of the Republic of Belarus or CITES specimens; capture of which for the purpose of keeping and (or) breeding in captivity is carried out on the basis of a permit for the removal of wild animals from their habitat. <p>In the process of registration of the above wild animals, the territorial authority of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus together with a representative of the National Academy of Sciences of Belarus checks the compliance of conditions for keeping wild animals in captivity, established by the legislation, as well as the legality of their possession.</p> <p>In addition, the Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (of 27 June 2022 No. 34):</p> <ul style="list-style-type: none"> for individuals a list of wildlife species prohibited for keeping and (or) breeding in captivity in flats of multi-family and blocked residential buildings, single-family residential buildings and on their adjacent territories, in horticultural associations, and dacha cooperatives was established; for legal entities, as well as individual entrepreneurs, a list of wildlife species permitted to be kept in contact zoos has been established. <p>Trade. In accordance with Article 45 of the Law of the Republic of Belarus "On wildlife", the owners of wild animals, their parts and (or) derivatives or individuals authorised by them may perform transactions, the subject of which are wild animals, their parts and (or) derivatives, in compliance with the requirements of the Law of the Republic of Belarus "On wildlife" and civil legislation.</p> <p>Transactions the subject of which are non-registered wild animals kept and (or) bred in captivity subject to registration are prohibited.</p> <p>Sale, exchange, donation or other alienation of wild animals included in the Red Book of the Republic of Belarus or CITES specimens, wild animals captured for the purpose of keeping and (or) breeding in captivity on the basis of a permit for the removal of wild animals from their habitat (except for the case specified in paragraph 5 of the present article), as well as their parts and (or) derivatives, their exposure can be carried out by the owners of such wild animals, their parts and (or) derivatives or individuals authorised by them in the presence of one of the documents confirming the legality of the possession of such animals, their parts and (or) derivatives.</p> <p>Settlement of transactions related to the performance of works on the production of stuffed animals, souvenirs and other products from the captured wild animals included in the Red Book of the Republic of Belarus or CITES specimens, wild animals captured for the purpose of keeping and (or) breeding in captivity on the basis of a permit for the removal of wild animals from their habitat (except for the case specified in paragraph 5 of the present article), as well as their parts and (or) derivatives, may only be carried out upon presentation by an individual for whom such works are performed of one of the documents confirming the legality of the possession of such animals, their parts and (or) derivatives. In this case, a copy of such document must be handed over to an individual performing works on the production of stuffed animals, souvenirs and other products from the captured wild animals that included in the Red Book of the Republic of Belarus or CITES specimens, wild animals captured for the purposes of keeping and (or) breeding in captivity on the basis of a permit for the removal of wild animals from their habitat.</p> <p>Documents confirming the legality of possession of wild animals, their parts and (or) derivatives shall include:</p> <ul style="list-style-type: none"> permission for the removal of wild animals from their habitat; registration certificate for wild animals kept and (or) bred in captivity; act confirming the birth of the offspring of wild animals in captivity; registration certificate of facilities for keeping and (or) breeding of wild animals; registration certificate of production facilities where production of sturgeon species and (or) products from them, including caviar, is carried out; trophy list; certificate of the right of inheritance; agreements of sale and purchase, exchange, donation, and other alienation; lease (gratuitous use) agreements; other documents established by the international treaties of the Republic of Belarus, international legislative acts constituting the right of the Eurasian Economic Union, legislative acts and Resolutions of the Council of Ministers of the Republic of Belarus <p>In addition, the Resolution of the Council of Ministers of the Republic of Belarus No. 686 establishes that the sale (storage) of live animals and plants, as well as their parts and derivatives and species included in the Red Book of the Republic of Belarus, as well as those subject the Convention on International Trade in Endangered Species of Wild Fauna and Flora is not permitted at trading places in accordance with the legislation.</p> <p>Removal. In accordance with the legislation of the Republic of Belarus in the field of environmental protection, hunting management, removal of wild animals and plants included in the Red Book of the Republic of Belarus, subject to international treaties, hunting species, from their habitat is permitted for strictly regulated purposes and on the basis of permits.</p>						

<p>Transport. The Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of 27 February 2007 No. 16 "On the approval of requirements for keeping and (or) breeding of wild animals in captivity, as well as other requirements for the protection of the objects of wildlife", establishes requirements for conditions of keeping wild animals in captivity, as well as for their movement (transportation).</p> <p>Exposure. In accordance with Article 42 of the Law of the Republic of Belarus "On wildlife", travelling zoos are prohibited on the territory of the Republic. There are also time limits (up to 30 days) on the temporary keeping of wild animals in captivity for the purpose of their storage (removed wild animals), selling and exposure at travelling exhibitions.</p>						
6	What were the results of any review or assessment of the effectiveness of CITES legislation, with regard to the following items?			Tick all applicable		
	Item	Adequate	Partially Inadequate	Inadequate	No information	
	Powers of CITES authorities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Clarity of legal obligations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Control over CITES trade	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Consistency with existing policy on wildlife management and use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Coverage of law for all types of offences	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Coverage of law for all types of penalties	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Implementing regulations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Coherence within legislation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (please specify)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Please provide details if available: The issue of internet trade is not sufficiently addressed. However, joint work with the public authorities concerned is currently underway to address this issue.					
7	If no review or assessment has taken place, is one planned for the next reporting period?			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	No information <input type="checkbox"/>
	Please provide details if available:					
8	Has there been any review of legislation on the following subjects in relation to implementation of the Convention?			Tick all applicable		
	Subject	Yes	No	No information		
	Access to or ownership of natural resources	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Harvesting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Transporting of live specimens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Handling and housing of live specimens	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	Please provide details if available: In the framework of the conducted analysis of regulatory legal acts related to the implementation of the CITES Convention, the need to revise the decrees of the Government of the Republic of Belarus, as well as certain legislative acts was established. In particular, the Decree of the President of the Republic of Belarus of 19 February 2016 No. 63 "On the improvement of the management of property seized, arrested or turned over to the state revenue " was adopted, which defines the procedure for accounting, storage, assessment and sale of property seized, arrested or turned over to the state revenue. Chapter 23 of this Decree establishes the procedure and conditions of work with wild animals, wild-growing plants, their parts and (or) derivatives confiscated by the state administration authorities. In furtherance of the Decree of the President of the Republic of Belarus No. 63, a Decree of the Government of the Republic of Belarus was adopted for the determination of the list of organisations to which live wild animals and wild plants, as well as CITES specimens or those included in the Red Book of the Republic of Belarus, their parts and (or) derivatives shall be transferred for storage. In addition, on the basis of the analysis of law enforcement practice, additions have been made to the Code of Administrative Offences (article 16.24), providing for the confiscation of illegally exported from or imported into Belarus wild animals, wild-growing and other plants, their parts or derivatives, trade in which is regulated by international treaties, or illegal export from Belarus of wild animals, wild-growing and other plants included in the Red Book of the Republic of Belarus. In furtherance of the provisions of the CITES Convention, the following governmental regulations were adopted: Resolution of the Council of Ministers of the Republic of Belarus of 9 March 2015 No. 181 (defines the procedure and conditions for the registration of production facilities where the production of sturgeon species and (or) products from them, including caviar, is carried out, the Resolution of the CITES Convention 12.7); Resolution of the Council of Ministers of the Republic of Belarus of 29 March 2016 No. 255 (defines the procedure and conditions for the registration for keeping and (or) breeding of wild animals) Decision of Board of the European Economic Commission of 21 April 2015 No. 30 (Section 2.7. establishes types of wild fauna and flora subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (CITES); Resolution of the Council of Ministers of the Republic of Belarus of 27 October 2020 No. 610 "On the issuance of permits in the field of environmental protection for the movement of certain types of goods across the state border of the Republic of Belarus (establishes the procedure and conditions for the issuance of permits for the movement across the state border of the Republic of Belarus (export, import, re-export) of animal and plant species, their parts or derivatives subject to the CITES Convention, defines the form of a CITES permit that meets the requirements of CITES Resolution 12.3 "Permits and certificates" and designates the national authorities responsible for the implementation of the provisions of the CITES Convention in the country).					
9	Please provide details of any additional measures taken:					

C. Compliance and enforcement measures

		Yes	No	No information
1	Have any of the following compliance monitoring operations been undertaken?			
	Review of reports and other information provided by traders and producers:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Inspections of traders, producers, markets	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Border controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related violations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	If Yes, please indicate how many and for what types of violations. If available, please attach details. Code of the Administrative Offences of the Republic of Belarus of 6 January 2021: Article 15.1 Movement of goods across the customs border of the Eurasian Economic Union outside places specified by the legislation or at unspecified times			

	<p>Paragraph 1. Movement of goods across the customs border of the Eurasian Economic Union outside the places specified by the legislation or at an unspecified time of work of customs authorities in these places, as well as an attempt to such movement – shall entail the imposition of a fine in the amount of ten to thirty base values with or without the confiscation of goods, regardless of who owns them, with or without the confiscation of vehicles used for the movement of goods, regardless of who owns them, for an individual entrepreneur – from one hundred to one hundred and fifty base values with or without the confiscation of goods, regardless of who owns them, as well as with or without the confiscation of the vehicles used for the movement of goods, regardless of who owns them, and for a legal entity – from five hundred to eight hundred base values with or without the confiscation of goods, regardless of who owns them, as well as with or without the confiscation of vehicles used for the movement of goods, regardless of who owns them.</p> <p>Paragraph 2. Movement of goods subject to customs declaration across the customs border of the Eurasian Economic Union with concealment from customs control, that is, using caches or other methods that make it difficult to detect them, or with giving some goods the appearance of other goods, as well as an attempt to such movement - shall entail the imposition of a fine in the amount of up to thirty base values with or without the confiscation of concealed goods subject to customs declaration, regardless of who owns them, as well as with or without the confiscation of vehicles (except for aircraft, railway and inland water transport of general use) and (or) other items with caches used for the movement of concealed goods subject to customs declaration, regardless of who owns them, to an individual entrepreneur – up to one hundred base values with or without the confiscation of concealed goods subject to customs declaration, regardless of who owns them, as well as with or without the confiscation of vehicles (except for aircraft, railway and inland water transport of general use) and (or) other items with caches used for the movement of concealed goods subject to customs declaration, regardless of who owns them, and for a legal entity – up to five hundred base values with or without the confiscation of concealed goods subject to customs declaration, regardless of who owns them, as well as with or without the confiscation of vehicles (except for aircraft, rail and inland water transport of general use) and (or) other items with caches used for the movement of concealed goods subject to customs declaration, regardless of who owns them.</p> <p>Note. Caches referred to in this article shall be considered as any storage (places) made (equipped, adapted) for the concealment of goods, including structural cavities, containers and objects on vehicles that have previously been dismantled, installed, etc. for the same purpose, regardless of their other functional purpose.</p> <p>Article 15.5: Failure to declare or the submission of inaccurate information on goods</p> <p>Paragraph 1. Failure to declare goods subject to customs declaration, if it served or could serve as a basis for exemption from payments charged by customs authorities, or the understatement of their amount, or failure to apply prohibitions and (or) limitations established by the legislation of the Republic of Belarus or international legal acts constituting the law of the Eurasian Economic Union – shall entail the imposition of a fine of five to thirty base values, and for an individual entrepreneur or a legal entity – up to thirty percent of the cost of the subject of an administrative offence.</p> <p>Paragraph 3. Submission to the customs authority during the customs declaration of goods or during the submission of an application for the release of goods prior to the submission of a declaration for goods of false information about the goods (with the exception of information about the classification code in accordance with the unified Commodity nomenclature for foreign economic activity of the Eurasian Economic Union), or submission for the purpose of placing goods under customs procedure or during the submission of an application for the release of goods prior to the submission of a declaration for goods of invalid documents, or the use for this purpose of a fake means of identification or genuine means of identification related to other goods and (or) vehicles, if these actions served or could serve as the basis for exemption from payment charged by customs authorities, or the understatement of their amount, or failure to apply prohibitions and (or) limitations established by the legislation of the Republic of Belarus or international legal acts constituting the law of the Eurasian Economic Union – shall entail the imposition of a fine of five to thirty base values, and for an individual entrepreneur or legal entity – up to thirty percent of the cost of the subject of an administrative offence.</p> <p>Note 1. Invalid documents referred to in this article shall be considered as forged documents, documents obtained illegally, documents related to other goods and (or) means of transport and other invalid documents.</p> <p>Article 16.23. Violation of the requirements of the legislation on the protection and use of wildlife.</p> <p>Paragraph 2. Violation of requirements for keeping and (or) breeding of wild animals in captivity, their movement – shall entail the imposition of a fine of up to twenty base values, for an individual entrepreneur – up to fifty base values, and for a legal entity – up to two hundred base values.</p> <p>Paragraph 4. Violation of regulations for the capture of wild animals or requirements for settling (including resettlement), introduction, reintroduction, acclimatisation, cross-breeding of wild animals, as well as regulations for the harvesting, procurement and (or) acquisition of wild animals not related to the objects of hunting and fishing – shall entail the imposition of a fine of up to twenty base values, for individual entrepreneurs – up to fifty base values, and for legal entities – up to five hundred base values.</p> <p>Article 16.24. Illegal export or import of wild animals and wild-growing plants from or to the Republic of Belarus.</p> <p>Illegal export or import from or to the Republic of Belarus of wild animals, wild-growing and other plants, their parts or derivatives, trade in which is regulated by the international treaties of the Republic of Belarus, or illegal export from the Republic of Belarus of wild animals, wild-growing and other plants related to species included in the Red Book of the Republic of Belarus, – shall entail the imposition of a fine of twenty to thirty base values with or without the confiscation of the object of an administrative offence, for an individual entrepreneur – from twenty to two hundred base values with or without the confiscation of the object of an administrative offence, and for a legal entity – from twenty to one thousand base values with or without the confiscation of the object of an administrative offence.</p>			
4	Have any significant seizures, confiscations and forfeitures of CITES specimens been made?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	If information available: <input type="checkbox"/> Significant seizures/confiscations <input checked="" type="checkbox"/> Total seizures/confiscations If possible, please specify per group of species and attach details. All animals (spiders, snakes, lizards) were seized by the representatives of the structural subdivisions of the Customs Committee of the Republic of Belarus while attempting to illegally import (export) wild animals to (from) the territory of the Republic of Belarus. In accordance with the Decree of the President of the Republic of Belarus No. 63, all specimens of animals were transferred to zoological parks. Period from 2019 to 2022.	Number - 159		
6	Have there been any criminal prosecutions of significant CITES-related violations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7	If Yes, how many and for what types of violations? If available, please attach details as Annex. –			
8	Have there been any other court actions of CITES related violations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	If Yes, what were the violations involved and what were the results? Please attach details as Annex.–			
10	How were the confiscated specimens usually disposed of?	Tick if applicable		
– Return to country of export – Public zoos or botanical gardens - – Designated rescue centres - – Approved, private facilities - – Euthanasia - – Other (specify)-				<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments: - The list of organisations to which the removed live wild animals, wild-growing plants, as well as CITES specimens or those included in the Red Book of the Republic of Belarus, their parts and (or) derivatives are transferred for storage, was approved by the Resolution of the Council of Ministers of the Republic of Belarus of 12 July 2016 No. 541.				

11	Has detailed information been provided to the Secretariat on significant cases of illegal trade (e.g. through an ECOMESSAGE or other means), or information on convicted illegal traders and persistent offenders?	Yes No Not applicable No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments: -			
12	Have there been any cooperative enforcement activities with other countries (e.g. exchange of intelligence, technical support, investigative assistance, joint operation, etc.)?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
13	If Yes, please give a brief description:		
14	Have any incentives been offered to local communities to assist in the enforcement of CITES legislation, e.g. leading to the arrest and conviction of offenders?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
15	If Yes, please describe: -		
16	Has there been any review or assessment of CITES-related enforcement?	Yes No Not applicable No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Comments: - The report "Trade in the objects of fauna and flora in the EurAsEC Customs Union and selected Central Asian states" was prepared in the framework of the EU-CITES Project No. S-415 on capacity building by TRAFFIC. The report reflects the results of studies conducted on the implementation of the CITES Convention in the countries of the Eurasian Customs Union.			
17	Please provide details of any additional measures taken:		

D. Administrative measures

D1 Management Authority (MA)

1	Have there been any changes in the designation of or contact information for the MA(s) which are not yet reflected in the CITES Directory?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2	If Yes, please use the opportunity to provide those changes here. Due to staff changes in the structure of the Administrative Authority of the CITES Convention in the Republic of Belarus (Ministry of Natural Resources and Environmental Protection of the Republic of Belarus), Mr. Andrey Khudyk, Minister of Natural Resources and Environmental Protection of the Republic of Belarus, Mr. Alexander Korbut, Deputy Minister and a new National Contact Point from the Republic of Belarus, Ms. Tatiana Zeleznova, Consultant, Department of Biological and Landscape Diversity, Ministry of Natural Resources and Environmental Protection of the Republic of Belarus were appointed (zheleznova@minpriroda.gov.by).		
3	If there is more than one MA in your country?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
4	If Yes, please name that MA and indicate whether it is identified in the CITES Directory –		
5	How many staff work in each MA? 3 people		
6	Can you estimate the percentage of time they spend on CITES-related matters? If yes, please give estimation: 40%	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7	What are the skills/expertise of staff within the MA(s)? – Administration – Biology – Economics – Law – Other (specify): – No information	Tick if applicable <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
8	Have the MA(s) undertaken or supported any research activities in relation to CITES species or technical issues (e.g. labelling, tagging, species identification) not covered in D2(8) and D2(9)?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
9	If Yes, please give the species name and provide details of the kind of research involved. To date, the State Scientific Institution "Institute of Genetics and Cytology of the National Academy of Sciences of Belarus" carries out genetic certification of wild animals included in the Red Book of the Republic of Belarus, as well as those subject to international treaties (european bison, siberian sturgeon).		
10	Please provide details of any additional measures taken: -		

D2 Scientific Authority (SA)

1	Have there been any changes in the designation of or contact information for the SA(s) which are not yet reflected in the CITES Directory?	Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
2	If Yes, please use the opportunity to provide those changes here. -		
3	Is the designated Scientific Authority independent from the Management Authority?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4	What is the structure of the SA(s)? –Government institution –Academic or research institution –Permanent committee –Pool of individuals with certain expertise –Other (specify):	Tick if applicable <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
5	How many staff work in SA? 20		
6	Can you estimate the percentage of time they spend on CITES -related matters? If yes, please give estimation: 30%	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
7	What are the skills/expertise of staff within the SA(s)? – Botany – Ecology – Fisheries	Tick if applicable <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	

	<ul style="list-style-type: none"> - Plants - Legislation for the protection of wildlife - Zoology - Other (specify) - No information 	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>						
8	Have any research activities been undertaken by the SA(s) in relation to CITES specimens?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>					
9	If Yes, please give the species name and provide details of the kind of research involved.							
	Species name	Populations	Distribution	Purchase and sale	Legal trade	Illegal trade	Other (specify)	
	Wolf (Canis Lupus)		Gomel region, Republic of Belarus State Environmental Research Institution "Polesky State Radiation-Ecological Reserve" (PSRER)				Joint project with the Norwegian Radiation Protection Agency 'Wolves of Chernobyl: GPS dosimetry'. Subject: assessment of doses and identification of exposure effects in chronically exposed animals freely living in the PSRER area	
	Wolf (Canis Lupus)		SNPO "SPC of the National Academy of Sciences of Belarus for Bioresources"				State research programme "Natural Resource Potential" Assignment 5.2.46: Analysis of population and ecological and biological characteristics of the main resource mammal species for the optimisation of their rational use. Assignment 2: Characteristics of reproductive behavior and rates of reproduction of the wolf in Belarus (on the example of the Nalibokskaya Pushcha agrarian field), deadline 1 January 2014 – 31 December 2015.	
	European eel (Anguilla Anguilla)		SNPO "SPC of the National Academy of Sciences of Belarus for Bioresources"				"Estimate the number of annual European eel migration from water bodies in Belarus to transboundary river basins, with a view to the sustainable use of its resources" (2014-2015)	
	Brown bear (Ursus arctos) European lynx (Lynx lynx)		SNPO "SPC of the National Academy of Sciences of Belarus for Bioresources"				"Assessment of the current status of bear, lynx and badger populations and the development (update) of management plans for these wildlife species" (2020-2023)	
	Swamp turtle (Emys orbicularis) Medical leech (Hirudo medicinalis)		SNPO "SPC of the National Academy of Sciences of Belarus for Bioresources"				"Development (update) of action plans for the conservation of wild animals belonging to the species included in the Red Book of the Republic of Belarus (great eagle, marsh tortoise, speckled ground squirrel, broad-backed crayfish, medical leech)" (2022-2023)	
	Przewalski's horse		SNPO "SPC of the National Academy of Sciences of Belarus for Bioresources"				"Development of an action plan for the conservation of the Przewalski horse population and implementation of priority measures" (2022)	
	[Please continue on a separate sheet, if necessary.]						No information	<input type="checkbox"/>
10	Have any project proposals for scientific research been submitted to the Secretariat under Resolution Conf. 12.2?	Yes No No information					<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	
11	<p>Please provide details of any additional measures taken: - 22 CITES plant species are included in the National Red Book of the Republic of Belarus. Official legal documents are drawn up for their locations: passports and conservation obligations adopted by the resolutions of local authorities and handed over to the owner/leaseholder of the land plot for the implementation of conservation obligations. In addition, 10 CITES plant species are included in the Red Book of the Republic of Belarus for observation and additional control. As of 1 January 2022, 1760 wildlife habitats and 2593 wild plant species included in the Red Book of the Republic of Belarus (some of which are also CITES specimens) were transferred for protection</p> <p>Scientific researches on the inventory of CITES species as part of the vegetation inventory are being carried out.</p> <p>In 2017-2018, the V. F. Kuprevich Institute of Experimental Botany prepared an analysis of the status and use of plant species, as well as a synthesis of CITES species. The V. F. Kuprevich Institute of Experimental Botany prepared analytical materials on the assessment of the status and use of plant species populations, as well as summarising information on of CITES specimens.</p> <p>In 2017, within the framework of the UNESCO international project "Capacity building and implementation of practical measures for the conservation of endangered plant species in nature reserves and national parks of Belarus based on international experience" a number of seminars and practical activities on the conservation of rare and endangered plant species subject to the CITES Convention, were conducted by the experts from the Netherlands from the Royal Society for the Conservation of Nature, the NAS of Belarus and national park administrations. Events and a workshop on the habitat optimisation and the restoration of the <i>Dactylorhiza majalis</i> were organised by the National Park "Narochansky". A methodological brochure was published.</p> <p>Within the framework of the project "Restoration of the disturbed bog ecological system "Dikoye" in the National Park "Belovezhskaya Pushcha" scientists from the V. F. Kuprevich Institute of Experimental Botany of the National Academy of Sciences of Belarus carried out a study of CITES plant specimens, and proposed recommendations on their protection and restoration.</p> <p>Studies on the assessment of the status of plant species included in CITES annexes are carried out annually as part of the National Environmental Monitoring System in the Republic of Belarus. In 2018, a summarising joint monograph "Monitoring of the flora in the Republic of Belarus: results and prospects" was published, which also reflects the results of the studies of CITES specimens.</p>							

In 2018, as part of the assignment to "Develop a draft concept for the development of biological resources potential of the Pripyat river and adjacent areas (flora)", studies on the spatial distribution of CITES specimens in Polesie and the assessment of the impact on their populations in this region during the implementation of the E-40 waterway project were carried out.

The Technical Code of Common Practice 17.07-01-2021 (33140) "Protection of the environment and the use of natural resources" was approved. Wildlife. Work code for the establishment of a special regime of the protection and use of habitats of wild animals included in the Red Book of the Republic of Belarus".

D3 Enforcement Authorities

1	Has the Secretariat been informed of any enforcement authorities that have been designated for the receipt of confidential enforcement information related to CITES ?	Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2	If No, please designate them here (with address, phone, fax and email). -		
3	Is there a specialised unit responsible for CITES-related enforcement (e.g. within the wildlife department, Customs, the police, public prosecutor's office)?	Yes No Under consideration No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4	If Yes, please state which is the lead agency for enforcement: Ministry of natural resources and environmental protection		
5	Please provide details of any additional measures taken: -		

D4 Communication, information management and exchange

1	To what extent is CITES information computerised? Tick if applicable	
	– Monitoring and reporting of data on legal trade	<input checked="" type="checkbox"/>
	– Monitoring and reporting of data on illegal trade -	<input checked="" type="checkbox"/>
	– Permit issuance -	<input type="checkbox"/>
	– Not at all	<input type="checkbox"/>
	– Other (specify)	<input type="checkbox"/>
2	Do the following authorities have access to the Internet? Tick if applicable	
	Authority	Yes, continuous and unrestricted
		Yes, but only through a dial-up connection
		Yes, but only through a different office
		Some offices only
		Not at all
		Please provide details where appropriate
	Management Authority	<input checked="" type="checkbox"/>
	Scientific Authority	<input checked="" type="checkbox"/>
	Enforcement Authority	<input checked="" type="checkbox"/>
3	Is there an electronic information system providing information on CITES species?	Yes No No information
		<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4	If Yes, does it provide information on:	Tick if applicable
	– Legislation (national, regional or international)?-	<input checked="" type="checkbox"/>
	– Conservation status (national, regional, international)? -	<input type="checkbox"/>
	– Other (please specify):	<input type="checkbox"/>
5	Is it available through the Internet:	Yes No Not applicable No information
		<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	Please provide URL: https://minpriroda.gov.by/ru	
6	Do the authorities indicated have access to the following publications? Tick if applicable	
	Publication	Management Authority
		Scientific Authority
		Enforcement Authority
	<i>2003 Checklist of CITES Species (book)</i>	<input checked="" type="checkbox"/>
	<i>2003 Checklist of CITES Species and Annotated Appendices (CD-ROM)</i>	<input checked="" type="checkbox"/>
	<i>Identification Manual</i>	<input checked="" type="checkbox"/>
	<i>CITES Handbook</i>	<input checked="" type="checkbox"/>
7	If not, what problems have been encountered to access this information? –	
8	Have Enforcement Authorities reported to the Management Authority on:	Tick if applicable
	– Mortality in transport?	<input type="checkbox"/>
	– Seizures and confiscations?	<input checked="" type="checkbox"/>
	– Discrepancies in number of items in permits and number of items actually traded? -	<input type="checkbox"/>
	Comments: - Reports of the seizure or confiscation of wild animals are received by the Management Authority.	
9	Is there a government website with information on CITES and its requirements?	Yes No No information
		<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	If Yes, please give the URL: https://minpriroda.gov.by/ru/new_url_1070651998-ru/	
10	Have CITES authorities been involved in any of the following activities to bring about better accessibility to and understanding of the Convention's requirements to the wider public? Tick if applicable	
	– Press releases/conferences	<input checked="" type="checkbox"/>
	– Newspaper articles, radio/television appearances	<input checked="" type="checkbox"/>
	– Brochures, leaflets	<input checked="" type="checkbox"/>

	- Presentations	<input checked="" type="checkbox"/>
	- Displays	<input type="checkbox"/>
	- Information at border crossing points	<input checked="" type="checkbox"/>
	- Telephone hotline	<input checked="" type="checkbox"/>
	- Other (specify)	<input type="checkbox"/>
	Please attach copies of any items	
11	Please provide details of any additional measures taken: -	

D5 Permitting and registration procedures

1	Have any changes in permit format or the designation and signatures of officials empowered to sign CITES permits/ certificates been reported previously to the Secretariat? If no, please provide details of any: Changes in permit format: - The Regulation on the procedure and conditions for the issuance of permits for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973, approved by Resolution of the Council of Ministers of the Republic of Belarus No. 610, establishes the CITES permit form. Changes in designation or signatures of relevant officials: - Deputy Minister of Natural Recourses and Environmental Protection of the Republic of Belarus Alexander Korbut	Yes No Not applicable No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
2	To date, has your country developed written permit procedures for any of the following? Permit issuance Registration of traders Registration of producers	Tick if applicable				
		Yes	No	No information		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
3	Please indicate how many CITES documents were issued and denied in the two-year period? (Note that actual trade is reported in the Annual Report by some Parties. This question refers to issued documents).					
		Year 1	Import or introduction from the sea	Export Reexport	Other	Comments
	How many documents were issued?	4		126	-	-
	How many applications were denied because of serious omissions or misinformation?	-		-	-	-
	Year 2					
	How many documents were issued?	8		320	-	-
	How many applications were denied because of serious omissions or misinformation?	-		-	-	-
4	Were any CITES documents that were issued later cancelled and replaced because of serious omissions or misinformation?	Yes No No information				
		<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>				
5	If Yes, please give the reasons for this. -					
6	Please give the reasons for rejection of CITES documents from other countries.	Tick if applicable				
		Reason	Yes	No	No information	
	Technical violations		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Suspected fraud		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Probability of damage to the population		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Insufficient basis for finding of non-detriment		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Other (specify):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7	Are harvest and (or) export quotas used as a management tool in the procedure for issuance of permits? Comments -	Yes No No information				
		<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>				
8	How many times has the Scientific Authority been requested to provide opinions? 1012					
9	Has the MA charged fees for permit issuance, registration or related CITES activities? - Issuance of CITES documents: - Licensing or registration of operations that produce CITES species: - Harvesting of CITES -listed species: - Use of CITES -listed species: - Assignment of quotas for CITES -listed species: - Importing of CITES -listed specimens: - Other (specify) free of charge	Tick if applicable				
10	If Yes, please provide the amounts of such fees: - free of charge					
11	Have revenues from fees been used for the implementation of CITES or wildlife conservation? - Completely: - Partly: - Not completely: - No: Comments: - no fees	Tick if applicable				
12	Please provide details of any additional measures taken: Today there is a need for the issuance of electronic permits for the movement of CITES specimens across the state border. The issuance of permits electronically is conditioned by the Government's instruction to convert all administrative procedures into electronic format.					

D6 Capacity building

1	Have any of the following activities been undertaken to enhance effectiveness of CITES implementation at the national level? Tick if applicable						
	Increased budget for activities	<input type="checkbox"/>		Improvement of national networks	<input type="checkbox"/>		
	Hiring of more staff	<input type="checkbox"/>		Purchase of technical equipment for monitoring/enforcement	<input type="checkbox"/>		
	Development of implementation tools	<input checked="" type="checkbox"/>		Computerisation	<input checked="" type="checkbox"/>		
	- Other (specify): -				<input type="checkbox"/>		
2	Have the CITES authorities received or benefited from any of the following capacitybuilding activities provided by external sources?						
	Please tick boxes to indicate which target group and which activity.						What were the external sources?
	Target group						
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3	Have the CITES authorities been the providers of any of the following capacity-building activities?						
	Please tick boxes to indicate which target group and which activity.						Details
	Target group						
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Holding of training seminars for stakeholders (customs authorities, state inspectorate for fauna and flora protection, forestry representatives, etc.)
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Through meetings and review of normative legal acts
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public organisations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other parties/International meetings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4	Please provide details of any additional measures taken:- In order to ensure effective cooperation between the concerned public management authorities regarding the implementation of the provisions of the CITES Convention, the Administrative Authority of the CITES Convention together with the representatives of the Scientific Authority hold annual training seminars.						

D7 Collaboration/cooperative initiatives

1	Is there an inter-agency or inter-sectoral committee on CITES?	Yes	<input checked="" type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>
2	If Yes, which agencies are represented and how often does it meet? – Interdepartmental Council for the Implementation of the Convention on Biological Diversity. The Council consists of representatives of scientific institutes of the National Academy of Sciences of Belarus, the Ministry of Agriculture of the Republic of Belarus, the Customs Committee of the Republic of Belarus, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, the Ministry of Forestry of the Republic of Belarus, public organisations, representatives of zoos and circuses. The Interdepartmental Council for the Implementation of the Convention on Biological Diversity meets as necessary for the prompt resolution of arising issues.		
3	If No, please indicate the frequency of meetings or consultancies used by the Management Authority to ensure coordination among CITES authorities (e.g. other SAs, Customs, police and others others):		
		Daily	Weekly
		Monthly	Annually
		None	No information
		Other (specify)	
	Meetings	<input type="checkbox"/>	<input type="checkbox"/>
	Consultations	<input type="checkbox"/>	<input type="checkbox"/>
		From 8 to 12 times in a year	
4	At the national level have there been any efforts to collaborate with:	Tick if applicable	
	Agencies for development and trade	<input checked="" type="checkbox"/>	
	Regional, state or territorial authorities	<input checked="" type="checkbox"/>	
	Local authorities or communities	<input checked="" type="checkbox"/>	
	Indigenous peoples	<input type="checkbox"/>	
	Trade or other private sector associations	<input checked="" type="checkbox"/>	
	NGOs	<input checked="" type="checkbox"/>	
	Other (specify) -	<input type="checkbox"/>	
		Details if available	
		-	
		-	
		-	

5	To date, have any Memoranda of Understanding or other formal arrangements for institutional cooperation related to CITES been agreed between the Management Authority and the following agencies? Scientific Authority Customs Police Other border authorities (specify): - Other government agencies Private sector authorities NGOs Other (specify): -	Tick if applicable
		<input checked="" type="checkbox"/>
		<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input checked="" type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
6	Have government staff participated in any regional activities related to CITES ? Workshops Meetings Other (specify): -	Tick if applicable
		<input type="checkbox"/>
		<input checked="" type="checkbox"/>
		<input type="checkbox"/>
7	Has there been any effort to encourage any non-Party to accede to the Convention? Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
8	If Yes, which one(s) and in what way?-	
9	Has technical or financial assistance been provided to another country in relation to CITES? Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
10	If Yes, which country(ies) and what kind of assistance was provided? -	
11	Has any data been provided for inclusion in the CITES Identification Manual? Yes No No information	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
12	If Yes, please give a brief description. – The "Identification manual" as well as the "Brief identifier of animals and plants included in the CITES Annex" training manual, Moscow, 2018, are available.	
13	Have measures been taken to achieve coordination and reduce duplication of activities between the national authorities for CITES and other multilateral environmental agreements (e.g. the biodiversity-related conventions)? Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>
14	If Yes, please give a brief description. -	
15	Please provide details of any additional measures taken:-	

D8 Areas for future work

1	Are any of the following activities needed to enhance effectiveness of CITES implementation at the national level and what is the respective level of priority? Activity	High	Medium	Low
	Increased budget for activities	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Hiring of more staff	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Improvement of national networks	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Purchase of new technical equipment for monitoring and enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Computerisation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other (specify): -	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	Were any difficulties encountered in implementing specific Resolutions or Decisions adopted by the Conference of the Parties? Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
3	If Yes, which one(s) and what is the main difficulty? -			
4	Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance? Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
5	If Yes, please describe the constraint and the type of attention or assistance that is required: – there is a ban on the import of glass eel larvae to the Republic of Belarus from European Union countries. The European eel is a native species in the Republic of Belarus. For reasons beyond the control of the government (flow regulation of the Kegum, Pļavīna and Rīga Hydroelectric Power Stations of the Daugava river in Latvia and the Kaunas Hydroelectric Power Station of the Nemunas river in Lithuania), natural migration of the species to Belarusian water bodies has ceased. The Regulation of the European Union (EU) of 18 September 2007 No. 1100/2007, which establishes a system for the protection and sustainable exploitation of the European eel (<i>Anguilla anguilla</i>) in waters of the Community (hereinafter – the Regulation), is currently in force. On the basis of the Regulation and taking into account annual recommendations of the Scientific Assessment Panel on Trade in Wild Fauna and Flora, established in accordance with EU Resolution No. 338/97, an annual ban on export by EU countries to third countries, including the Republic of Belarus, of juveniles of the specified species is introduced. Thus, the European eel cannot enter the territory of our country either by natural way, or by means of its acquisition in EU countries. The absence of decision to lift the prohibition for the Republic of Belarus to acquire juvenile eel from the EU countries will lead to the complete disappearance of the Belarusian micropopulation within ten years and to further reduction of the world population of the species, since river basins of Belarus are key and historically established feeding grounds. Based on a letter from the European Commissioner for Environment, Oceans and Fisheries of Mr Virginius Sinkevičius, the Republic of Belarus was recommended to work within the CITES Convention. In March 2020 we applied to the Secretariat of the CITES Convention with a request for assistance in the acquisition of European eel juveniles in the European Union, establishing contact with the Republic of Lithuania on this issue, etc. (letter No. 10-2-35/118-ino of 27 March 2020, attached). However, we have not received a response so far. We would be grateful for a response to the questions posed in the letter, which will enable us to plan further work to remove the restriction for our country on the supply of European eel juveniles.			<input checked="" type="checkbox"/>
6	Have any measures, procedures or mechanisms been identified within the Convention that would benefit from review and (or) simplification? Yes No No information	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		
7	If Yes, please give a brief description			
8	Please provide details of any additional measures taken: -			

E. General feedback

Please provide any additional comments you would like to make, including comments on this format.

Thank you for completing the form. Please remember to include relevant attachments referred to in the report.
For convenience, these are listed again below:

Question	Item
	Enclosed <input type="checkbox"/> Not available <input type="checkbox"/> Not relevant <input type="checkbox"/>
D 5 (2)	

APPROVED
Resolution
Council of Ministers
of the Republic of Belarus
18.05.2009 N 638
(as amended by
Council of Ministers
The Republic of Belarus
07/12/2013 N 622)

REGULATIONS

ABOUT THE PROCEDURE FOR THE TRANSFER OF THE HABITATS OF WILD ANIMALS AND (OR) PLANTS THAT BELONG TO THE SPECIES INCLUDED IN THE RED BOOK OF THE REPUBLIC OF BELARUS UNDER THE PROTECTION OF USERS OF LAND PLOTS AND (OR) WATER BODIES

1. These Regulations determine the order of transfer of wild animal and (or) plant habitats belonging to species included in the Red Book of the Republic of Belarus (hereinafter - wild animals and plants), under the protection of users of land plots and (or) water bodies, the form of the certificate for the habitat of wild animals and plants belonging to the species included in the Red Book of the Republic of Belarus, and protection obligations, as well as the procedure and conditions for their issuance.

2. Identification of wild animal and (or) plant habitats is carried out by legal entities, with specialists of the appropriate profile present, when they conduct scientific and other research, the monitoring of animals and plants, the surveying of the territory (land) within the framework of maintaining state cadastres of wildlife and other activities in the field of environmental protection (hereinafter - legal entities).

The act of identifying wild animal and (or) plant habitats is recorded by legal entities using the certificate for the habitats of wild animals belonging to species included in the Red Book of the Republic of Belarus, which is issued in accordance with Appendix 1, or a certificate of a habitat of wild plants, belonging to the species included in the Red Book of the Republic of Belarus, which is issued in accordance with the form in Appendix 2 (hereinafter – the certificate). Simultaneously with the certificate a preservation order is issued by legal entities in accordance with Appendix 3.

3. Legal entities that have identified habitats of wild animals and (or) plants, within a month from the date of issuance of a certificate and preservation order, shall send them to the appropriate region, city, or town, the Regional Inspectorate of Natural Resources and Environmental Protection and the Committee of Natural Resources and Environmental Protection of Minsk (hereinafter - the Regional Inspectorate, Minsk City Committee).

4. The Regional Inspectorate, Minsk City Committee, within a month from the day of receiving a certificate and a preservation order, prepares a submission of transfer of wild animal and (or) plant habitats under the protection of users of land plots and (or) water bodies (hereafter – the submission) and sends it with the application of a certificate and preservation order for approval to the National Academy of Sciences of Belarus (hereinafter - the NAS of Belarus).

5. The National Academy of Sciences of Belarus, within ten days from the date of receipt of the documents specified in paragraph 4 of these Regulations, considers them and approves or rejects them, providing written justification for the refusal. Coordination of the National Academy of Sciences of Belarus is not required if the habitats of wild animals and (or) plants are identified as a result of research conducted by the National Academy of Sciences of Belarus.

6. After obtaining the approval of the National Academy of Sciences of Belarus, the Regional Inspectorate, the Minsk City Committee register a certificate and a preservation order in the register of the habitats of wild animals and plants belonging to species included in the Red Book of the Republic of

Belarus, transferred under the protection of users of land plots and water bodies (hereinafter referred to as the register), which is kept in paper and electronic forms in accordance with Appendix 4, and within a period of ten days shall propose a submission into the local executive and administrative body with the application of the draft decision of the local executive authority to transfer wild animal and (or) plant habitats under the protection of users of land plots and water bodies.

7. The local executive and administrative body, within one month from the date of receipt of the submission made by the Regional Inspectorate, the Minsk City Committee, in accordance with clause 6 of these Regulations, decides on the transfer of the habitats of wild animals and (or) plants.

The decision of the local executive and administrative body on the transfer of the habitats of wild animals and (or) plants to users of land plots and (or) water bodies indicates the name of the wild animal and (or) plant species being transferred under protection, the name of the legal persons, surname, first name, patronymic (if any) of the individual, or individual entrepreneur, to whom the habitat of the wild animal and (or) plant is transferred, the boundaries and the area of the wild animal and (or) plant habitat being transferred under protection, a special regime of protection and use of the wild animal and (or) plant habitat, which is defined in accordance with technical regulatory legal acts approved by the Ministry of Natural Resources and Environmental Protection (hereinafter - the Ministry of Environment), and that a certificate and preservation order have been approved.

Copies of the decision of the local executive and administrative body on the transfer of habitats of wild animals and (or) plants to users of land plots and/or water bodies are sent by the local executive and administrative body to users of land plots and/or water bodies to whom identified habitats of wild animals and/or plants are transferred for protection, as well as to the Regional Inspectorate, the Minsk City Committee, which made the submission.

8. Decisions made by the local executive and administrative body on transferring wild animals and (or) plant habitats to the users of land plots and (or) water bodies should be taken into account when developing and implementing the documents specified in part two of Article 63 of the Law Of the Republic of Belarus of 26th November, 1992 "On Environmental Protection" (Bulletin of the Supreme Council of the Republic of Belarus, 1993, N 1, Art. 1).

9. The users of land plots and (or) water bodies that assume the protection of wild animal and (or) plants habitats, are obliged to ensure compliance with a special regime of protection and use of these sites.

10. The Ministry of Environment and its territorial bodies organize the conduction of a survey of wild animal and (or) the plant habitats transferred under the protection of users of land plots and (or) water bodies in accordance with technical regulations, approved by the Ministry of Environment.

The examination of wild animal and (or) plant habitats transferred under protection is carried out with the involvement of the users of land plots and (or) water bodies which have assumed protection of said wild animal and (or) plant habitats. The results of these examinations are used to draw up an act in the form according to Appendix 5.

To conduct the examination, territorial bodies of the Ministry of Environment may involve specialists of NAS of Belarus and other organizations that have specialists in this field.

11. If the user shifts the land plot and (or) water body, or changes its details, then examination of wild animal or plant habitats is conducted, with the submission of the Regional Inspectorate, Minsk City Committee to the local and administrative authorities to make appropriate changes in the decision concerning the transfer of wild animal and (or) the plant habitats under protection.

12. In the case of detecting the disappearance of a wild animal and (or) plant habitat, previously transferred under the protection of a user of land plots and (or) water bodies, or the exclusion of the wild animal species (wild plants) from the Red Book of Belarus, a decision to discontinue the special regime of

protection and use of habitats of wild animals and (or) plants is made by local executive and administrative bodies by the submission of the Regional Inspectorate, Minsk City Committee.

13. The confirmation of the fact and the reasons for the disappearance of wild animal and (or) plant habitats is carried out by the Commission created by the Regional Inspectorate, Minsk City Committee, with the involvement of the users of land plots and (or) water bodies that have assumed the protection of wild animals and (or) plant habitats, as well as the representatives of the National Academy of Sciences or other organizations with appropriate expertise, by carrying out the examination of mentioned sites resulting in the drawing up of an act, which is signed by members of the committee and approved by the Regional Inspectorate, Minsk City Committee. The act is stored in the Regional Inspectorate, Minsk City Committee.

14. Legal entities and (or) physical persons, including individual entrepreneurs, guilty of violation of a special regime of protection and use of, or the disappearance of wild animal and (or) plant habitats, shall bear responsibility in accordance with legislative acts.

Appendix 1
to the Regulations
about the procedure for the transfer
of the habitats of wild animals and (or)
plants that belong to the species included
in the Red Book of the Republic of Belarus
under the protection of users of land plots
and (or) water bodies

Form

APPROVED
Decision

(the name of the local executive
and regulatory body)

_____ 20__ N _____

CERTIFICATE
for the habitat of the wild animal belonging to the species included
in the Red Book of the Republic of Belarus

_____ 20__ N _____
(date of registration)

Name of the wild animal species _____
(in Russian or Belarusian
and Latin)

The state of wild animal population _____
(numbers

(About the number of individuals, couples, or other parameters)
condition - good, satisfactory, unsatisfactory)

Location of wild animal habitat _____ (region, district,
the direction and distance from the nearest settlement, name of the
forestry farm, forestry, number of quarter and isolated land loop number

_____ or other information)
Geographical coordinates of a wild animal habitat _____
_____ (in the WGS

_____ coordinates system 1984 in the format 0000,0 ° 00 '')
Area space of wild animal habitat _____

_____ (hectares, square meters)
Description of the borders of wild animal habitat _____

_____ Description of wild animal habitat _____

_____ (name, initials and position of the person, _____ (signature)
_____ who drawn up the certificate of
_____ wild animal habitat)

_____ (Registration date of the certificate
_____ of wild animal habitat)

Sheet 2

**General view (photo)
of the wild animal habitat
to the certificate of wild animal habitat
from _____ 20__ N _____**

_____ (name of the wild animal species included in the Red Book of the Republic of
_____ Belarus)

Sheet 3

**Schematic map
of the wild animal habitat
to the certificate of wild animal habitat
from _____ 20__ N _____**

_____ name of the wild animal species included in the Red Book of the Republic of
_____ Belarus)

Appendix 2
to the Regulations
about the procedure for the transfer
of the habitats of wild animals and (or)
plants that belong to the species included
in the Red Book of the Republic of Belarus
under the protection of users of land plots
and (or) water bodies

Form

APPROVED
Decision

(the name of the local executive
and regulatory body)

_____ 20__ N _____

CERTIFICATE
for the habitat of the wild plant belonging to the species included
in the Red Book of the Republic of Belarus

_____ 20__ г. N _____
(дата регистрации)

Name of the wild plants species _____
(in Russian or Belarusian

and Latin)

The state of wild plant population _____
(numbers

_____ specifying the unit of account; the area occupied by a population of (m², n),
occurrence - isolated, group,

_____ throughout the site; condition - good, satisfactory,
unsatisfactory)

Location of wild plant habitat _____
(region,

_____ district, the direction and distance from the nearest settlement,

_____ name of the forestry farm, forestry, number of quarter and isolated land loop
number,

_____ other information)

Geographical coordinates of a wild plant habitat _____
(in the WGS

_____ coordinates system 1984 in the format 0000,0 ° 00 '')

Area space of wild plant habitat _____
(hectares, square meters)

Description of the borders of wild plant habitat _____

Description of wild plant habitat _____

(name, initials and position of the person,
who drew up the certificate of
wild plant habitat)

(signature)

(Registration date of the certificate
of wild plant habitat)

Sheet 2

**General view (photo)
of the wild plant habitat
to the certificate of wild plant habitat**
from _____ 20__ N _____

(name of the wild plant species included in the Red Book of the Republic of
Belarus)

Sheet 3

**Schematic map
of the wild plant habitat
to the certificate of wild plant habitat**
from _____ 20__ N _____

name of the wild plant species included in the Red Book of the Republic of
Belarus)

Appendix 3
to the Regulations
about the procedure for the transfer
of the habitats of wild animals and (or)
plants that belong to the species included
in the Red Book of the Republic of Belarus
under the protection of users of land plots
and (or) water bodies

Form

APPROVED
Decision

(the name of the local executive
and regulatory body)
_____ 20__ N _____

PRESERVATION ORDER

_____ 20__ N _____
(registration date)

(name of the legal entity or the name and initials of the individual,
or individual entrepreneurs, who assumed the protection of the habitat
of the wild animal, plant

Location of the legal entity
and place of residence of the natural person, including individual
entrepreneurs) which
provides protection of the wild animal habitat (wild plants habitat)

(name of the species of wild animal or wild
plants in the Russian or Belarusian and Latin)
as specified in the certificate of the wild animal habitat (wild plant habitat)
on _____ 20__ N _____.
(Registration date of the passport)

For these purpose _____
(name of the legal entity or the name and initials of the individual)

IS OBLIGED TO:

1. Participate in examinations of the wild animal habitat (wild plant
habitat) <*> _____
(frequency of examinations)

2. Timely inform about all the circumstances, the occurrence of which is
related to ensuring the protection of the wild animal habitat (wild plant
habitat) _____
(name of the territorial authority of the Ministry of Environment.

3. Ensure compliance with the special regime of protection and use
of wild animal habitats, wild plant habitats <*>.
Within the boundaries of habitat is:
prohibited _____

required _____;

4. Carry out measures to restore wild animal habitats (wild plant habitats) in the case of their deterioration.

<*> In accordance with the technical regulatory acts of the Ministry of Environment.

Appendix 5
to the Regulations
about the procedure for the transfer
of the habitats of wild animals and (or)
plants that belong to the species included
in the Red Book of the Republic of Belarus
under the protection of users of land plots
and (or) water bodies

Form

APPROVED BY

(surname, initials, position of the head of the
territorial body of the Ministry of Environment)

(survey date)
/stamp/

ACT OF THE EXAMINATION
of the wild animal and (or) wild plant habitat, transferred under the
protection of the user of a land plot and (or) water body, attached to the
certificate of wild animal and (or) wild plant habitat

from _____ 20__ N _____

Commission composed of:

(position)	(initials, surname)

conducted an examination of a wild animal (wild plant)
habitat _____

(name of the species of wild animal, wild

plants in Russian and Latin)

located at _____
(the location of the habitat of the wild animal,

habitat of wild plant)

transferred under the protection of

(legal entity name or surname,

the name and patronymic of the individual, including the individual
entrepreneur)

according to the decision _____
(name of local executive and
administrative body)

from _____ 20__ N _____
(preservation order from _____ 20__ N _____),
(registration date)

and established the following: _____
(the presence and condition of wild animal,
wild plant;

condition of habitat of wild animal, wild plant

good, satisfactory, unsatisfactory; compliance (non-compliance) of special

protection regime of the habitat of the wild animal, wild plant)

Proposals for changes to the special regime of protection and use of
wild animal habitats, wild plant
habitats _____

(if necessary)

In the case of disappearance of a wild animal habitat, wild plant habitat
the alleged causes of extinction are indicated _____

According to the results of the examination, the commission decided:

(position)

(signature)

(initials, surname)

(date of the act)

APPROVED
Resolution
Council of Ministers
of the Republic of
Belarus
18.05.2009 N 638

REGULATIONS
ABOUT THE PROCEDURE AND CONDITIONS OF ISSUING THE PERMISSION FOR THE REMOVAL OF
WILD ANIMALS AND PLANTS BELONGING TO SPECIES INCLUDED IN THE RED BOOK OF THE
REPUBLIC OF BELARUS FROM THEIR HABITATS

1. These Regulations determine the procedure and conditions for issuing a permit for the removal of wild animals and wild plants belonging to the species included in the Red Book of the Republic of Belarus from their habitats (hereinafter - the permit).

2. The removal of wild animals belonging to the species included in the Red Book of the Republic of Belarus, their clutches, eggs or caviar (hereinafter - wild animals), wild plants belonging to the species included in the Red Book of the Republic of Belarus, or their parts (hereinafter - wild plants) from their habitats is allowed for scientific purposes, for the purposes of introduction (including settlement), reintroduction, acclimatization, crossing, keeping and (or) breeding in captivity, including outside the Republic of Belarus within the boundaries of protected natural areas, state zoological and botanical parks and gardens, other territories defined in international treaties of the Republic of Belarus or international technical assistance projects. Wild animals belonging to the species included in the Red Book of the Republic of Belarus can also be removed from their habitats in cases where they have diseases that are dangerous to their lives, the lives or health of citizens, as well as in cases when it is necessary to help wild animals with diseases, wounds, injuries or threats to their lives.

3. Removal of wild animals or plants from their habitats for scientific purposes, for the purposes of introduction (including settlement), reintroduction, acclimatization, crossing, keeping and (or) breeding in captivity is carried out on the basis of a permit issued by the Ministry of Natural Resources and Environmental Protection (hereinafter - the Ministry of Environment).

Removal of wild animals from their habitats can be carried out without permission in cases where there is a need to assist them with diseases, wounds, injury or the threat of death in natural disasters. The person who discovered the sick, injured or wounded wild animal reports this to the user of the hunting grounds where the animal was found, either to the operative-duty service of the territorial internal affairs agency, or to the duty service of the district emergency department who are obliged to transfer this message to the official of the user of the hunting grounds or a local executive and administrative body. Upon receipt of this message, the local executive and administrative body or the user of the hunting lands must notify the relevant territorial body of the Ministry of Environment and the district, city veterinary station of the discovery of a sick or injured wild animal. Representatives of the territorial body of the Ministry of Environment, local executive and administrative bodies or users of hunting grounds, state veterinary services of the region or city (hereinafter - representatives) go to the place of detection of the sick, injured or wounded wild animal and, taking into account the existing situation, decide on the further fate of the wild animal and if necessary, its seizure. The removal of a wild animal is organized by representatives with the involvement of other services if necessary. A captured wild animal may be transferred to the maintenance by a citizen, individual entrepreneur or legal entity with its consent by decision of the representatives. The fact of seizure of a wild animal, as well as the decision to transfer the captured wild animal to the maintenance of a citizen, individual entrepreneur or legal entity (in the case of catching a wild animal) is drawn up as an act in any format and signed by all representatives indicating their last name, first name and patronymic (if available) and position. The act is the basis for the movement (transportation) of the captured wild animal, as well as the movement, transportation and (or) the cutting of the harvested

wild animal and/or its parts.

4. To obtain permission, the applicant shall submit an application in the form in accordance with Appendix 1 to the Ministry of Environment:

a legal entity or an individual entrepreneur in accordance with clause 6.7 of the single list of administrative procedures carried out by state bodies and other organizations with respect to legal entities and individual entrepreneurs, approved by Resolution of the Council of Ministers of the Republic of Belarus of 17th February, 2012 N 156 "On Approving a Single List of Administrative procedures carried out by government bodies and other organizations in relation to legal entities and individual entrepreneurs, making additions to the Resolution of the Council of Ministers of the Republic of Belarus of 14th February, 2009 N 193 and the recognition of certain resolutions of the Council of Ministers of the Republic of Belarus "(National Register of Legal Acts of the Republic of Belarus, 2012, N 35, 5/35330);

an individual - in accordance with clause 16.5 of the list of administrative procedures carried out by state bodies and other organizations on applications of citizens, approved by Decree of the President of the Republic of Belarus of 26th April, 2010 N 200 "On administrative procedures carried out by state bodies and other organizations on applications of citizens" (National Register of Legal Acts of the Republic of Belarus, 2010, N 119, 1/11590).

In the case of issuing a permit for the removal of wild animals for the purpose of keeping and (or) breeding in captivity, compliance of the conditions of keeping of wild animals with the requirements for keeping wild animals established by the Ministry of Environment should be confirmed by an act on the conditions of keeping of wild animals, which is issued for legal entities, individual entrepreneurs and individuals planning to catch wild animals for keeping and breeding in captivity, in the presence of representatives of the territorial body of the Ministry of Environment and a specialist in statehood veterinary service of the corresponding area of the city and signed by all present. When a wild animal is seized for keeping and breeding in captivity outside the Republic of Belarus by legal entities, individual entrepreneurs and individuals planning to capture wild animals, an act on the conditions of wild animals outside the Republic of Belarus is submitted to the Ministry of Environment.

(the second part of paragraph 4 was introduced by the resolution of the Council of Ministers of 12.07.2014 N 674)

(paragraph 4 as amended by the Resolution of the Council of Ministers of 28th July, 2010 N 1119)

5. The Ministry of Environment, within 15 days from the date of receipt of the application, considers it and decides to issue a permit in the form in accordance with Appendix 2 or to refuse it.

If necessary, the Ministry of Environment may request the conclusion of the National Academy of Sciences of Belarus that the removal of wild animals and wild plants does not threaten their survival (hereinafter - the conclusion). In this case, the decision to issue a permit or to refuse to issue it is taken by the Ministry of Environment within one month from the date of receipt of the application.

6. The permit is issued for a period of one month to one year, depending on the period required for the removal of wild animals and wild plants.

7. The issuance of a permit may be denied upon receipt of a negative conclusion of the National Academy of Sciences of Belarus, as well as in cases provided for by legislative acts.

8. Forms of permission are forms of documents with a certain degree of protection and are made in the manner prescribed by law by order of the Ministry of Environment.

9. The permit is signed by the Minister of Natural Resources and Environmental Protection responsible for the relevant activity of the specified Ministry, or his deputy, and is issued upon presentation of an identity document.

10. The Ministry of Environment registers the issued permit in the register of permits in the form according to Appendix 3 and within three days from the date of registration of the specified permit the Ministry of Environment sends a copy to the State Inspectorate for the Protection of Fauna and Flora under the President of the Republic of Belarus.

11. Persons who have received permits are required to submit the original permits for registration to the appropriate Regional Inspectorate of Natural Resources and Environmental Protection prior to the commencement of the removal of wild animals and wild plants.

12. Regional Inspectorate of Natural Resources and Environmental Protection shall register the submitted permits in the register of permissions in the form in accordance with Appendix 4 and make a note of registration on the permit form.

13. Removal of wild animals and wild plants is carried out in the presence of a representative of the Regional Inspectorate of Natural Resources and Environmental Protection.

Seizure of wild animals using methods and (or) instruments of hunting should be carried out only by persons who are hunters and have hunting weapons registered in accordance with the legislation (when wild animals are seized with their use), in compliance with the requirements of Safety Rules of Game Management and Hunting, approved by Decree of the President of the Republic of Belarus of 21st March, 2018 N 112 "On game management and hunting" (National Legal Internet Portal of The Republics of Belarus, 03.24.2018, 1/17607).

(as amended by the Resolution of the Council of Ministers of 27th June, 2018 N 493)

Movement (transportation) of wild plants or wild animals and (or) their parts withdrawn on the basis of permits, and the butchering of wild animals and (or) their parts obtained on the basis of permits, is accompanied by the person responsible for their removal, if the person has a permit with information about the seizure of these plants or animals by recording all the details on the back of the permit. In the cases specified in part two of paragraph 3 of these Regulations, the movement (transportation) of captured wild animals, as well as the movement, transportation and (or) butchering of caught wild animals and (or) their parts shall be carried out if the person performing these actions is in keeping with the act itself, drawn up in the manner prescribed by these Regulations.

Moving (transporting) seized wild plants or wild animals and (or) their parts, butchering wild animals and (or) their parts without the documents specified in part three of this clause are prohibited.

14. The person responsible for the removal of wild animals and wild plants is required to submit a permit to officials of state bodies exercising control over the protection and use of objects of the animal world when they verify compliance with the requirements of regulatory legal acts governing the protection and use of wild animals and wild plants.

On the results of the inspection, officials of state bodies exercising control over the protection and use of objects of the animal and plant world make a note in the permit.

15. If a violation of the conditions specified in the permit is detected, the permit may be withdrawn by officials of state bodies exercising control over the protection and use of objects of the animal and plant world.

The withdrawn permission is sent to the Ministry of Environment within three days from the date of its withdrawal to decide on its cancellation. If a decision is made to revoke a permit, the Ministry of Environment must, within 10 days from the date of such a decision, notify in writing the legal entity or individual, including the individual entrepreneur to whom it was issued, and the relevant Regional Inspectorate of Natural Resources and Environmental Protection.

16. The permission is terminated:

upon expiration of the term for which it was issued;

in case of cancellation of the permit on the basis of the decision of the Ministry of Environment in the case of

liquidation, reorganization of a legal entity, termination of the activity of an individual entrepreneur;

the decision of a legal entity or individual, including an individual entrepreneur, to terminate the activity for which the permit was issued;

violations by a legal entity or individual, including an individual entrepreneur, of the conditions contained in the permit.

16-1. Information on the number of seized wild animals, wild plants is provided on the basis of a permit to the Ministry of Natural Resources within 15 days after the expiry of the permit by a legal entity or individual, including an individual entrepreneur who has received a permit.

17. In the cases specified in paragraphs four and five of clause 16 of these Regulations, a legal entity or an individual, including an individual entrepreneur, to whom permission was granted, is obliged to submit the original permit to the Ministry of Environment to put a note on termination of the permit within 10 days.

After marking the termination of the permit of the Ministry of Environment, the original of the permit is returned to the legal or natural person, or the individual entrepreneur, to whom it was issued. (clause 17 as amended by the Resolution of the Council of Ministers of 12.07.2013 N 622)

18. The transfer of permits to other legal entities or individuals, including individual entrepreneurs, for the seizure of wild animals and wild plants is prohibited.

Appendix 1
to the Regulations about the procedure
and conditions of issuing the permission
for the removal of wild animals
and plants belonging to species
included in the Red Book
of the Republic of Belarus
from their habitats

Form

Ministry of Natural Resources
and Environmental Protection of
the Republic of Belarus

STATEMENT
on the removal of wild animals and wild plants belonging to the species
included in the Red Book of the Republic of Belarus,
from their habitats

(full name of legal entity, legal address, phone and fax numbers

or surname, first name, patronymic, passport details and address of an

individual, including individual entrepreneur)

I request the following to be issued a permit for the removal of wild animals
and wild plants, belonging to the species included in the Red Book of the
Republic _____ of _____ Belarus

(full Russian and Latin names of species, subspecies)
The number of necessary wild animals, age and sex (if available), eggs,
clutch, caviar or specimens of wild plants (their parts)

Name, initials and position of the person responsible for the removal of wild
animals, wild plants, and individuals involved in the removal of wild animals,
wild plants _____

The purpose of the removal of wild animals, wild plants _____

Place (region, district, land) and dates (year, season, quarter or month) of
the planned removal of wild animals, wild plants _____

Planned removal methods (for wild animals) _____

Seizure means (for wild animals) _____

Rationale for the removal of wild animals and wild plants _____

(position _____ (signature) _____ (initials, surname)
legal entity, last name, initials
of individual, including
individual entrepreneur)

(date)

and conditions of issuing the permission
for the removal of wild animals
and plants belonging to species
included in the Red Book
of the Republic of Belarus
from their habitats

Form

Front side

MINISTRY OF NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
OF THE REPUBLIC OF BELARUS

PERMIT
for the removal of wild animals and wild plants,
belonging to the species included in the Red Book
of the Republic of Belarus, from their habitats

_____ N _____
(date of issue)

Is hereby permitted for _____
(name and location of the legal entity,

surname, name, patronymic, address of the individual, including
individual entrepreneur)

Name, initials and position of the person responsible for the removal of wild
animals and wild plants, and individuals involved in the removal of wild
animals, wild plants _____

to remove _____
(Russian and Latin names of species of wild animals or

plants, for animals - age and sex if possible, eggs, clutch, caviar) in the
number of _____
(in numbers and words)

in the following ways (for wild animals): _____

using the following removal tools (for wild animals): _____

in the territory of _____
region, district, land, including quarter, division, reservoir,

part of it, waterway section)

in order to _____.

Special withdrawal conditions _____.

Date of issue _____

The permit is valid from _____ until _____

(position)

(signature)

(initials, surname)

Registered at the Regional
Inspectorate of Natural Resource
and Environmental Protection

(date)

N _____

(position)

(signature)

(initials, surname)

Reverse side

Date of removal of wild animals, wild plants	Region, district, land	Tools and methods for the removal of wild animals	Name of species and number of seized wild animals, wild plants, for wild animals - gender, age	The mark of the official of the state body exercising control over the protection and use of objects of the animal and plant world, on the executed examination
--	------------------------	---	--	---

1.

2.

3.

...

Total

Person responsible for the removal of wild animals, wild plants

_____ (signature)

_____ (initials, surname)

Appendix 3
to the Regulations about the procedure
and conditions of issuing the permission
for the removal of wild animals
and plants belonging to species
included in the Red Book
of the Republic of Belarus
from their habitats

Form

RECORD BOOK
of permits for the removal of wild animals and wild plants
belonging to the species included in the Red Book of the
Republic of Belarus, from their habitats

Permit number	Date of issue of the permit	Duration of the permit	Name of the legal entity, surname and initials of the individual, or the individual entrepreneur, to whom the permit is issued	The person responsible for the removal of wild animals, wild plants	Permission stamp	Permit termination mark

Appendix 4
to the Regulations about the procedure
and conditions of issuing the permission
for the removal of wild animals
and plants belonging to species
included in the Red Book
of the Republic of Belarus
from their habitats

Form

REGISTER
of issued permits for the removal of wild animals
and wild plants belonging to the species included
in the Red Book of the Republic of Belarus,
from their habitats

Date of permit registration	Permit registration number	Permit number	Duration of the permit	Name of the legal entity, surname and initials of the individual, or the individual entrepreneur, to whom the permit is issued	The person responsible for the removal of wild animals, wild plants

DECREE OF THE PRESIDENT OF THE REPUBLIC OF BELARUS

December 8, 2005 N 580

ON CERTAIN MEASURES TO IMPROVE THE EFFICIENCY OF THE RUNNING OF HUNTING MANAGEMENT AND FISHERY ACTIVITIES, AND TO ENHANCE PUBLIC MANAGEMENT THEREIN

In order of to implement a unified state policy, ensuring the economic interests of the state in the field of hunting management and fishery activities, improving their public management, as well as reproduction, protection and rational use of wildlife belonging to hunting and fishing objects:

1. To establish that:

1.1. The Ministry of Forestry conducts a unified state policy, including a scientific and technical one, in the field of hunting management and implements:

state administration in the territory of the Republic of Belarus;

preparation of draft normative legal acts on the regulation of hunting management;

coordination of the activities of the republican government bodies, other hunting management organizations;

elaboration of annual and long-term plans for the development of hunting management;

organization of the registration of wildlife belonging to the objects of hunting, participation in maintaining the state cadaster and monitoring of fauna;

paragraph is excluded. - Decree of the President of the Republic of Belarus of 21.06.2012 N 284;

approval of draft decisions of regional executive committees on leasing of hunting lands, as well as lease agreements for these lands;

organization of issuance of state certificates for the right to hunt;

interaction with republican state bodies on questions regarding the development of hunting-related tourist activities;

organization of work on the reproduction, protection and rational use of wildlife related to the objects of hunting, preservation and restoration of their habitat;

control over hunting management and hunting;

international cooperation in the field of hunting;

other functions in the field of hunting management in accordance with the legislation;

1.2. The Ministry of Agriculture and Food conducts a unified state policy, including a scientific and technical one, in the field of fishery activities <*> and implements:

state administration of fishery activities;

preparation of draft normative legal acts on the regulation of fishery activities;

coordination of the fishery activities of the republican government bodies, other organizations and individual entrepreneurs;

organization of work on the reproduction of fish and aquatic invertebrates and the preservation and restoration of their habitat;

ensuring the improvement of the productivity of fishing grounds, including the organization of selection and breeding work, fish farming and amelioration activities, work on the acclimatization of fish and aquatic invertebrates and the stocking of fishing grounds;

record-keeping of fishing grounds or their areas used for fishing;

approval of draft decisions of regional executive committees on leasing fishing grounds, as well as lease agreements for these grounds;

organization of the ichthyologic examinations in fishing grounds the collection and analysis of information obtained from such examinations;

organization and conduction of the record-keeping of fish resources, as well as participation in maintaining the state cadaster and monitoring of fauna;

control of fishery activities;

international cooperation in the field of fishery activities;

other functions in the field of fisheries in accordance with the law;

<*> Fishery activity - a type of economic activity that includes fish farming (breeding and growing fish in artificial reservoirs) and the management of fisheries.

1.3. legal entities conducting hunting management and (or) fishery activities submit state statistical reporting in accordance with forms and the procedure approved by the National Statistical Committee;

1.4. the amount of compensation for damage caused to the environment by individuals and legal entities as a result of unlawful removal or destruction of wildlife and harmful effects on their habitat is determined by the rates in accordance with the appendix to this Decree.

In the case of unlawful removal or destruction of:

wildlife animals, their parts and (or) derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington, DC on 3rd March, 1973 (hereinafter referred to as CITES specimen) the damage is compensated on the basis of rates in accordance with the appendix, calculated in double size for each wild animal removed or destroyed;

wild animals belonging to the species included in the Red Book of the Republic of Belarus, the damage is compensated on the basis of rates in accordance with the appendix, calculated in triple size for each wild animal removed or destroyed;

wild animals belonging simultaneously to the species included in the Red Book of the Republic of Belarus and being CITES specimen, the damage is compensated on the basis of rates in accordance with the appendix, calculated in triple size for each wild animal removed or destroyed;

wild animals living in areas from which their removal is prohibited, the damage is compensated on the basis of rates in accordance with the appendix, calculated in triple size for each wild animal removed;

wild animals with devices whose principles of operation are based on the use of an electromagnetic field, ultrasound, or with an explosion, the damage is compensated on the basis of the rates in accordance with the appendix, calculated in five times the rate for each wild animal removed or destroyed;

fish and aquatic invertebrates during periods when their removal is prohibited, the damage is reimbursed on the basis of rates in accordance with the appendix, calculated in triple size for each species of fish or aquatic invertebrate removed;

pregnant female mammals the damage is compensated on the basis of rates in accordance with the appendix for each wild animal and its embryo removed or destroyed;

eggs of birds, eggs, larvae and pupae of ants the damage is compensated on the basis of rates in accordance with the appendix for each bird and ant, eggs, larvae and pupae which are removed or destroyed.

For the destruction of the habitats of wild animals, the damage is compensated on the basis of the rates in accordance with the appendix for each wild animal living in these habitats.

2. To approve the attached:

President of the Republic of Belarus

A.Lukashenko

Appendix
to the Decree of the President
of the Republic of Belarus
08.12.2005 N 580
(as amended by the Decree of the President
of the Republic of Belarus
05.12.2013 N 551)

RATES

FOR DETERMINATION OF THE AMOUNT OF COMPENSATION FOR DAMAGE CAUSED TO THE ENVIRONMENT BY PHYSICAL AND LEGAL PERSONS AS A RESULT OF THE ILLEGAL REMOVAL OR DESTRUCTION OF WILD ANIMALS AND HARMFUL EFFECTS ON THEIR HABITAT

(as amended by the Decree of the President of the Republic of Belarus of 5th December, 2013 N 551)

	Name of categories of wild animals		Rate, base value
	in Latin	in Russian	
I.	Vertebrata	phylum vertebrates	
1.	Mammalia	class mammals	
1.1.	Artiodactyla	order of artiodactyls	
1.1.1.	Bison bonasus	bison <*>	400
1.1.2.	Alces alces	elk <*>	300
1.1.3.	Cervus elaphus	red deer <*>	300
1.1.4.		all other species of the order <*>	120
1.2.	Carnivora	order of carnivorans	
1.2.1.	Felis linx	lynx <*>	100
1.2.2.	Lutra lutra	river otter <*>	100
1.2.3.	Meles meles	badger <*>	100
1.2.4.	Ursus arctos	brown bear <*>	400
1.2.5.		all other species of the order <*>	35
1.3.	Lagomorfa	order of lagomorphs	
1.3.1.		all species of the order <*>	20
1.4.	Rodentia	order of rodents	
1.4.1.	Castor fiber	river beaver <*>	70
1.4.2.	Ondatra zibethica	muskrat <*>	30
1.4.3.		all other species of the order of	3
1.5.	Insectivora	order of insectivorous	
1.5.1.		all species of the order <*>	3
1.6.	Chiroptera	order of bats	
1.6.1.		all species of the order <*>	3
1.7.		all other species of the class <*>	35
2.	Aves	class birds	
2.1.	Gaviiformes	order of loons	
2.1.1.		all species of the order <*>	30
2.2.	Podicipediformes	order of grebes	

2.2.1.		all species of the order <*>	20
2.3.	Pelekaniformes	order of cormorants	
2.3.1.		all species of the order <*>	15
2.4.	Ciconiiformes	order of storks	
2.4.1.		all species of the order <*>	30
2.5.	Anseriformes	order of anseriformes	
2.5.1.		all species of the order <*>	30
2.6.	Falconiformes	order of falcons	
2.6.1.		all species of the order <*>	35
2.7.	Galliformes	order of galliforms	
2.7.1.	Tetrao urogallus	capercaillie <*>	200
2.7.2.	Tetrao tetrix	black grouse <*>	60
2.7.3.		all other species of the order <*>	30
2.8.	Gruiformes	order of crane	
2.8.1.	Grus grus	gray crane <*>	30
2.8.2.		all other species of the order <*>	12
2.9.	Charadriiformes	order of charadriiformes	
2.9.1.	Burhinus oedicephalus	stone-curlew <*>	30
2.9.2.		all other species of the order <*>	10
2.10.	Strigiformes	order of owls	
2.10.1.		all species of the order <*>	35
2.11.	Coraciiformes	order of coraciiformes	
2.11.1.		all species of the order <*>	10
2.12.	Cuculiformes	order of cuckoos	
2.12.1.		all species of the order <*>	10
2.13.	Caprimulgiformes	order of goatsuckers	
2.13.1.		all species of the order <*>	10
2.14.	Apodiformes	order of hummingbirds	
2.14.1.		all species of the order <*>	6
2.15.	Piciformes	order of woodpeckers	
2.15.1.		all species of the order <*>	6
2.16.	Passeriformes	order of perching birds	
2.16.1.		all species of the order <*>	6
2.17.		all other species of the class <*>	3
3.	Petromyzontes	class lamprey	
3.1.		all species of the class <*>	1
4.	Osteichthyes	class bony fish	
4.1.	Acipenseriformes	order of sturgeons	
4.1.1.		all species of the order <*>	10
4.2.	Salmoniformes	order of salmon	
4.2.1.	Parasalmo sp.	rainbow trout <*>	3
4.2.2.	Salmo trutta trutta morpha fario	brown trout <*>	6
4.2.3.	Thymallus thymallus	grayling European <*>	6
4.2.4.	Esox lucius	pike <*>	3
4.2.5.		all other species of the order <*>	3
4.3.	Anguilliformes	order of eels	
4.3.1.		all species of the order <*>	15
4.4.	Cypriniformes	order of cyprinids	
4.4.1.	Barbus barbus	common barbel <*>	12
4.4.2.	Barbus barbus boristhenicus Dybowski	Dnieper barbel <*>	12

4.4.3.	Aristichthys nobilis	bighead carp <*>	3
4.4.4.	Hypophthalmichthys molitrix	silver carp <*>	3
4.4.5.	Chondrostoma nasus	common nase <*>	9
4.4.6.	Ctenopharyngodon idella	grass carp <*>	3
4.4.7.	Cyprinus carpio	common carp <*>	6
4.4.8.	Vimba vimba vimba	vimba bream <*>	9
4.4.9.	Aspius aspius	asp <*>	12
4.4.10.	Abramis brama	bream<*>	3
4.4.11.	Pelecus cultratus	sabre carp <*>	6
4.4.12.	Tinca tinca	tench <*>	6
4.4.13.	Leuciscus cephalus	chub <*>	9
4.4.14.	Leuciscus idus	ide <*>	6
4.4.15.	Abramis ballerus	blue bream <*>	2
4.4.16.	Abramis sapa	white-eye bream <*>	2
4.4.17.	Blicca bjoerkna	silver bream <*>	1
4.4.18.	Scardinius erythrophthalmus	common rudd <*>	1
4.4.19.	Carassius carassius	crucian carp <*>	6
4.4.20.	Leuciscus leuciscus	common dace <*>	1
4.4.21.	Carassius auratus gibelio	Gibel capr <*>	1
4.4.22.	Rutilus rutilus	roach <*>	1
4.4.23.		all other species of the order <*>	0,3
4.5.	Siluriformes	order of catfishes	
4.5.1.	Silurus glanis	catfish <*>	4
4.5.2.	Ictalurus punctatus	channel catfish <*>	4
4.5.3.		all other species of the order <*>	0,5
4.6.	Gadiformes	order of ray-finned fishes	
4.6.1.	Lota lota lota	burbot <*>	9
4.6.2.		all other species of the order <*>	0,2
4.7.	Persiformes	order of perch-like fishes	
4.7.1.	Stizostedion lucioperca	zander<*>	6
4.7.2.	Perca fluviatilis	European perch <*>	1
4.7.3.		all other species of the order <*>	0,3
4.8.		all other species of the class <*>	0,3
5.	Amphibia	class amphibians	
5.1.		all species of the class <*>	3
6.	Reptilia	class reptiles	
6.1.		all species of the class <*>	3
li.	Molluska	phylum clams	
7.	Unionida	order of freshwater mussels	
7.1.		all species of the order <*>	1
8.		all other species of the phylum <***>	15
III.	Arthropoda	phylum arthropods	
9.	Decapoda	order of decapods	
9.1.		all species of the order <*>	1,5
10.		all other species of the phylum <***>	6
Iv.	Anneludes	phylum ringworms	
11.	Hirudo medicinalis	medicinal leech <*>	1.5
12.		all other species of the phylum <***>	10
V.	Nemathelminthes	phylum threadworms	
13.		all species of the phylum <***>	6
Vi.	Briozora	phylum moss animalcules	
14.		all species of the phylum <***>	3

VII.	Plathelminthes	phylum flat worms	
15.		all species of the phylum <*>	3
Viii.	Spongia	phylum sponges	
16.		all species of the phylum <*>	3

<*> For 1 specimen regardless of weight and size.

<*> For 1 kilogram regardless of the number and size.

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

July 12, 2016 N 541

**APPROVING THE LIST OF ORGANIZATIONS, TO WHOM LIVE
WILD ANIMALS, WILD PLANTS, INCLUDING THOSE THAT ARE
SPECIMENS OF CITES OR RELATED TO THE SPECIES INCLUDED
IN THE RED BOOK OF THE REPUBLIC OF BELARUS, THEIR
PARTS AND (OR) DERIVATIVES SHALL BE DEPOSITED,
AND AMENDMENTS AND CHANGES TO THE RESOLUTION OF
THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS
OF FEBRUARY 17, 2012 N 156**

In accordance with paragraph 4 of clause 6 of the Decree of the President of the Republic of Belarus of February 19, 2016 N 63 "On the improvement of work with property seized, arrested or turned into the state income" and clause 291 of the Regulation on accounting, storage, valuation and sale of property, seized, arrested or turned into the state income, approved by Decree of the President of the Republic of Belarus of February 19, 2016 N 63, the Council of Ministers of the Republic of Belarus HAS DECIDED:

1. To approve the attached list of organizations to which deposited live wild animals, wild plants, including those that are specimens of CITES or related to the species included in the Red Book of the Republic of Belarus, their parts and (or) derivatives are transferred for storage.

2. This resolution enters into force on August 27, 2016.

First Deputy Prime Minister
of the Republic of Belarus

V.Matyushevsky

APPROVED
Resolution of the Council of
Ministers
The Republic of Belarus
07/12/2016 № 541

LIST

of organizations, to whom live wild animals, wild plants, including those that are specimens of cites or related to the species included in the Red Book of the Republic of Belarus, their parts and (or) derivatives shall be deposited

1. State Cultural and Educational Institution "Minsk Zoo".
2. State Nature Protection Institution "Berezinsky Biosphere Reserve"
3. State Nature Protection Institution "National Park "Belovezhskaya Pushcha".
4. State Nature Protection Institution "National Park "Braslavkie Oзера".
5. State Nature Protection Institution "National Park "Narochansky".
6. State Institution of Culture "Grodno Zoological Park".
7. State Institution "Oktyabrskiy Zoo".
8. Cultural and Educational Communal Unitary Enterprise "Vitebsk Zoological Park".
9. Novopolotsk Limited Liability Company "Interservice".
10. Institution "Zhlobin Zoo".
11. Educational Establishment "Mogilev State Order of the Red Banner of Labor Professional College of KP Orlovsky".

APPROVED
Resolution
Council of Ministers
of the Republic of Belarus
30.01.2008 N 126
as amended by
Council of Ministers
The Republic of Belarus
29.03.2016 N 255)

REGULATIONS

ON THE PROCEDURE AND CONDITIONS FOR THE REGISTRATION OF WILD ANIMALS KEPT AND (OR) BRED IN CAPTIVITY (INCLUDING THEIR OFFSPRING WHO HAVE REACHED THE AGE OF THREE MONTHS), BELONGING TO THE SPECIES INCLUDED IN THE RED BOOK OF THE REPUBLIC OF BELARUS, OR WHICH ARE CITES SPECIMENS, AS WELL AS WILD ANIMALS, THE CAPTURE OF WHICH IS FOR THE PURPOSE OF KEEPING AND (OR) BREEDING IN CAPTIVITY, WHICH IS MADE ON THE BASIS OF A PERMISSION TO REMOVE WILD ANIMALS FROM THEIR HABITATS

1. These Regulations determine the procedure and conditions for the registration of wild animals kept and (or) divorced in captivity (including their offspring who have reached the age of three months), belonging to species included in the Red Book of the Republic of Belarus, or CITES, and wild animals kept and (or) bred in captivity (including their offspring who have reached the age of three months), which are captured for the purpose of keeping and (or) breeding in captivity on the basis of a permit for the removal of wild animals from their habitat issued by the Ministry of Natural Resources and Environmental Protection.

2. Registration of wild animals kept and (or) bred in captivity (including their offspring who have reached the age of three months), belonging to the species included in the Red Book of the Republic of Belarus, or are CITES specimens, is carried out by the Ministry of Natural Resources and Environmental Protection.

Registration of wild animals kept and (or) bred in captivity (including their offspring who have reached the age of three months), which for the purpose of keeping and (or) breeding in captivity, are captured on the basis of permission to remove wild animals from their habitat issued by the Ministry of Natural Resources and Environmental Protection (hereinafter - other wild animals), is carried out by the regional (Minsk City) Committees of Natural Resources and Environmental Protection at the place where such animals are kept.

3. To obtain a certificate of registration of wild animals kept and (or) bred in captivity (including their offspring who have reached the age of three months), belonging to species included in the Red Book of the Republic of Belarus, or CITES specimens, and other wild animals (hereinafter - the certificate) their owner (hereinafter referred to as the applicant) submits an application in the form in accordance with Appendix 1 and other documents provided for:

in paragraph 6.11 of the unified list of administrative procedures carried out by state bodies and other organizations with regard to legal entities and individual entrepreneurs, approved by Resolution of the Council of Ministers of the Republic of Belarus of 17th February, 2012 N 156 "On Approving a Unified List of Administrative Procedures Implemented by State Bodies and Other Organizations Regarding Legal Entities and Individual Entrepreneurs, Making Amendments to the Resolution of the Council of Ministers of the Republic of Belarus of 14th February, 2009 N 193 and declaring some resolutions of the Council of Ministers of the Republic of Belarus invalid" (National Register of Legal Acts of the Republic of Belarus, 2012, N 35, 5/35330), if the owners of wild animals are a legal entity or an individual entrepreneur;

in paragraph 16.4 of the list of administrative procedures carried out by state bodies and other organizations on applications of citizens, approved by Decree of the President of the Republic of Belarus of 26th April, 2010 N 200 "On Administrative Procedures Carried Out by Government Bodies and Other Organizations on Applications of Citizens" (the National Register of Legal Acts Republic of Belarus, 2010, N 119, 1/11590), if the owner of wild animals is an individual.

4. Before making a decision on issuing a certificate or refusing to issue a certificate, representatives of the relevant district, city, city and district Inspection of Natural Resources And Environmental Protection, the Minsk City Committee of Natural Resources and Environmental Protection, with the participation of representatives of the National Academy of Sciences of Belarus or other scientific organizations with staff containing zoological experts who compile the act:

on the compliance of the conditions of keeping wild animals with the requirements for their maintenance established by the Ministry of Natural Resources and Environmental Protection;

on the confirmation of the birth of wild animals in captivity (in the case of registration of wild animals bred in captivity).

The Ministry of Natural Resources and Environmental Protection or the relevant regional (Minsk City) Committee of Natural Resources and Environmental Protection (hereinafter referred to as the wild animal registration authority) shall issue or refuse to issue a certificate within 30 working days from the date of receipt of the application specified in paragraph 3 of these Regulations on the registration of wild animals kept and (or) bred in captivity, according to the form in Appendix 2.

5. The grounds for registration of wild animals kept and (or) bred in captivity (including their offspring who have reached the age of three months), belonging to the species included in the Red Book of the Republic of Belarus, or being CITES samples, and other wild animals and for issuing a certificate are:

compliance of the conditions of keeping wild animals with the requirements for their keeping established by the Ministry of Natural Resources and Environmental Protection;

confirmation of the birth of the offspring of wild animals in captivity (in the case of registration of wild animals bred in captivity).

6. The decision to refuse to issue a certificate is made in the manner and on the grounds provided for in Article 25 of the Law of the Republic of Belarus of 28th October, 2008 "On the Basics of Administrative Procedures" (National Register of Legal Acts of the Republic of Belarus, 2008, N 264, 2/1530).

A notification is sent to the applicant on the decision in accordance with Article 27 of the Law of the Republic of Belarus "On the Basics of Administrative Procedures".

7. Forms of certificates are forms of documents with a certain degree of protection and are made in accordance with the procedure established by the legislation on the order of the Ministry of Natural Resources and Environmental Protection and the regional (Minsk City) Committees of Natural Resources and Environmental Protection.

The registration number of the certificate form is in a format of a following numeric code

XX/XXXXXXX,

where XX is the two-digit digital code of the authority responsible for registering wild animals, equal to 01 for the Brest region, 02 for the Vitebsk region, 03 for the Gomel region, 04 for the Grodno region, 05 for the Minsk region, 06 for the Mogilev region and 07, for the city of Minsk, 08, for the Ministry of Natural Resources and Environmental Protection;

XXXXXXX is the seven-digit digital code of the certificate number.

8. The certificate is signed by the head of the body responsible for registration of wild animals, or his deputy, and is issued upon presentation of:

a document confirming the official position of the head of the legal entity, as well as a document certifying his identity for the head of the legal entity;

certificates of state registration - for an individual entrepreneur;

an identity document and power of attorney - for an authorized representative of a legal entity or an individual entrepreneur;

identity document - for an individual.

The body that registers wild animals notifies the State Inspectorate of Flora and Fauna Protection under the President of the Republic of Belarus about issuing a certificate for wild animals belonging to objects of hunting.

9. The certificate shall be registered by the body registering wild animals in the register of certificates of registration of wild animals kept and (or) bred in captivity, according to the form in

Appendix 3.

Appendix 1

to the Regulations on the procedure and conditions for
the registration of wild animals kept and (or) bred in captivity
(including their offspring who have reached the age of three months),
belonging to the species included in the Red Book
of the Republic of Belarus, or which are CITES specimens,
as well as wild animals, the capture of which is
for the purpose of keeping and (or) breeding
in captivity, which is made on the basis of a permission
to remove wild animals from their habitats

Form

STATEMENT

_____ (full name of the legal entity, last name, first name, patronymic
_____ (if any) of individual, including individual
_____ entrepreneur, legal address (residence of individual entrepreneur
_____ phone and fax number)

Please register wild animals kept and (or) bred in captivity (including their offspring that have reached the age of three months):

relating to the species included in the Red Book of the Republic of Belarus, or being CITES specimens;

the capture of which is for the purpose of keeping and (or) breeding in captivity carried out on the basis of permission to remove wild animals their habitats (underline the appropriate):

N	Name of specie (species) of wild animals		The number of individuals	Gender, age	Documents confirming the legality of ownership of wild animals
	in Russian	in Latin			

Attached to the application _____

Application: on _____ sheets.

Location of wild animals to be registered _____

(address)

(application date) 20__

(applicant's signature)
/stamp/

Appendix 2

to the Regulations on the procedure and conditions for
the registration of wild animals kept and (or) bred in captivity
(including their offspring who have reached the age of three months),
belonging to the species included in the Red Book
of the Republic of Belarus, or which are CITES specimens,
as well as wild animals, the capture of which is
for the purpose of keeping and (or) breeding
in captivity, which is made on the basis of a permission
to remove wild animals from their habitats

Form

_____ (name of wild animals the registration authority)

CERTIFICATE
on registration of wild animals kept and (or) bred in captivity

_____ (certificate issue date) N _____ (certificate number)
Issued to _____

_____ (full name of legal entity, last name, first
name, patronymic (if any) of the individual, including
individual entrepreneur, legal address (place of residence

_____ of individual entrepreneur), telephone and fax number)
in that _____ (name of the body exercising registration of wild animals

the following wild animals are registered _____ (Russian and Latin name

_____ of wild animal species,
_____ number of individuals, age and sex)

kept at the following address _____ (address of the location of wild animals)

_____ (position) _____ (signature) _____ last name, initials)
/stamp/

**DECREE OF THE PRESIDENT OF THE REPUBLIC OF BELARUS
March 21, 2018 N 112**

ON HUNTING AND MANAGEMENT OF THE HUNTING SECTOR

In order to conduct a unified state policy, ensure the economic interests of the state in the field of hunting management, improve the state management of, as well as reproduction, protection and rational use of wild animals classified as objects of hunting:

1. Establish that:

1.1. The Ministry of Forestry conducts a unified state, including scientific and technical, policy in the field of management of the hunting sector and implements:

state administration in the territory of the Republic of Belarus;

preparation of draft regulations on the regulation of hunting management;

coordination of the activities of the republican government bodies and other hunting management organizations;

the development of annual and long-term plans for the development of hunting sector;

the organization of the registration of wild animals classified as objects of hunting, participation in maintaining the state cadastre and monitoring of the animal world;

coordination of draft decisions of regional executive committees on the lease of hunting grounds, as well as lease agreements;

organization of issuance of state certificates for the right to hunt;

interaction with the republican bodies of state administration, the republican state-public association "Belarusian Society of Hunters and Fishermen" (hereinafter - the BSHF) and public associations on the development of tourism activities related to hunting;

organization of work on the reproduction, protection and rational use of wild animals related to the objects of hunting, preservation and restoration of their habitat;

international cooperation in the field of hunting;

other functions in the field of hunting management in accordance with the law;

1.2. legal entities engaged in hunting management, submit state statistical and departmental reporting in the prescribed manner;

1.3. creation of forest care enclosures and hunting enclosures is allowed on the basis of a decision of the district executive committee on forest land without seizing land, except for forest plot of the forest fund (environmental, recreational and protective forests), subject to approval by land users of creating such enclosures.

The use of the land plot of the forest fund for the creation of enclosures is not the unauthorized occupation of the land plot and (or) its inappropriate use.

The creation of enclosures, keeping, breeding and use of wild animals in them, including the hunting in enclosures, are carried out in the manner established by the Council of Ministers of the Republic of

Belarus.

Forest care enclosures are created for up to one and a half years in a total area of not more than 20 hectares and hunting enclosures, up to fifteen years in a total area of over 100 hectares. The specified time limits may be extended in accordance with the procedure established by the Council of Ministers of the Republic of Belarus;

1.4. the creation of biotechnical objects and hunting constructions is carried out without withdrawal of land from forest land subject to the approval by land users of the creation of these objects and structures.

The use of the land plot of the forest fund for the creation of such objects and structures is not the unauthorized occupation of the land plot and (or) its inappropriate use;

1.5. financing of management of hunting sector costs <*> is carried out at the expense of own funds of users of hunting grounds, proceeds from hunting management of organizations leading forestry, payments for forest use and from the sale of forest products, funds from the republican and (or) local budgets, and other sources not prohibited by law.

<*> Includes expenditures on financing activities of state programs, public administration and activities in the field of protection, reproduction and rational (sustainable) use of resources for game animals and the organization of hunting.

2. To conduct in 2018 - 2020 an experiment on assigning hunting grounds to the primary organizational structures of BSHF (hereinafter - the experiment) in its regional organizational structures in accordance with Appendix 1.

The regulations on the procedure of the experiment are approved by the Council of Ministers of the Republic of Belarus.

3. To determine that during the experiment:

3.1. the primary organizational structures of the BSHF on the hunting grounds assigned to them are carrying out biotechnical, hunting, security and other measures in order to ensure the safety and increase the number of game animals;

3.2. hunting management in the designated areas is carried out by the primary organizational structure of the BSHF, together with its regional organizational structure on the basis of an agreement to consolidate the territory of hunting grounds concluded between the regional organizational structure of the BSHF and members of its primary organizational structure participating in the experiment;

3.3. the minimum number of members of the primary organizational structure of the BOOR participating in the experiment is determined by the Board of the Republican Council of BOOR;

3.4. the implementation of hunting vouchers for a hunting animal and hunting voucher permits for members of the BOOR primary organizational structure that have entered into an agreement to consolidate the territory of hunting grounds and fulfill its conditions through personal participation in measures to increase the productivity of hunting grounds, and/or funding of such activities is free of charge;

3.5. the regional organizational structures of BOOR participating in the experiment are not subject to paragraph 25 of the Rules for the Management of Hunting and Hunting, approved by this Decree.

4. To approve the rules of management of hunting sector and hunting (attached).

5. To make changes to the Decrees of the President of the Republic of Belarus in accordance with Appendix 2.

6. The Council of Ministers of the Republic of Belarus:

6.1. within three months, establish a procedure for bidding for the lease of hunting grounds, determining the amount of payment for the right to conclude a lease agreement and rent for hunting grounds;

6.2. within six months:

approve the regulations on the procedure for conducting the experiment in 2018 - 2020;

to introduce in the established order to the House of Representatives of the National Assembly of the Republic of Belarus a draft law of the Republic of Belarus, providing for the specification of violations of the Rules of management of the hunting sector and hunting, entailing administrative responsibility, as well as an adjustment of the Law of the Republic of Belarus of 13th November, 2001 "On Arms" Appeals of individuals for obtaining permission to purchase, store and carry weapons in case of cancellation of such permission for violation of the decree these Rules, depending on the period of deprivation of the right to hunt;

ensure that legislation is brought in line with this Decree and take other measures for its implementation;

6.3. until 1st January, 2019, provide hunters with the opportunity to purchase hunting tours through the specialized information system of the Ministry of Forestry on the global computer network Internet;

6.4. until 1st January, 2020, to provide the possibility of obtaining information on the documents stipulated in paragraphs 108 and 109 of the Rules for the Conduct of management of hunting sector and hunting, authorized by officials of the State Inspectorate for Flora and Flora Protection under the President of the Republic of Belarus, the Ministry of Forestry, in his subordination, as well as users of hunting grounds, which protect hunting animals in hunting grounds, through remote access to existing information systems through electronic channels taking into account the requirements of legislation on information, informatization and protection of information;

6.5. until 1st March, 2021 to analyze the results of the experiment and make proposals on the desirability of improving the order of hunting management, organization and implementation of hunting in the territory of the Republic of Belarus.

7. Hunting vouchers, permits for the hunting of game animals and hunting vouchers for them issued prior to the entry into force of this Decree are valid until the end of their validity period.

8. A lease agreement for hunting lands, concluded by the regional executive committee or district executive committee with a legal entity prior to the entry into force of this Decree, is valid until the expiration of the term for which it is concluded.

9. To grant the Council of Ministers of the Republic of Belarus the right, in coordination with the State Inspectorate for the Protection of the Animal and Plant World under the President of the Republic of Belarus, to explain the application of this Decree.

10. This Decree shall enter into force in the following order:

paragraph 6 and this paragraph of this Decree, subparagraph 1.8 of paragraph 1 of Appendix 2 to this Decree, after its official publication;

other provisions of this Decree, six months after its official publication.

President of the Republic of Belarus A.Lukashenko

In case of unlawful seizure or destruction:

wild animals, their parts and/or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington on 3rd March, 1973 (hereinafter referred to as CITES specimens) established in Annex 12, calculated in double size for each wild animal removed or destroyed;

Appendix 12
to the Decree of the President
of the Republic of Belarus
24.06.2008 N 348
(as amended by the Decree of the
President of the Republic of Belarus
03/21/2018 N 112)

FIXED CHARGES FOR THE DETERMINATION OF THE AMOUNT OF THE COMPENSATION FOR HARM DONE TO THE ENVIRONMENT AS A RESULT OF ILLEGAL REMOVAL OR DESTRUCTION OF WILD ANIMALS AND DAMAGE TO THEIR HABITAT

Name of categories of wild animals		Fixed charge, basic value
in Russian	in Latin	
I. Phylum Vertebrates	Vertebrata	
1. Class Mammalia	Mammalia	
1.1. order Artiodactyla	Artiodactyla	
1.1.1. European bison <*>	Bison bonasus	400
1.1.2. elc <*>	Alces alces	300
1.1.3. red deer <*>	Cervus elaphus	300
1.1.4. all other species of order<*>		120
1.2. order Carnivora	Carnivora	
1.2.1. lynx <*>	Lynx lynx	100
1.2.2. otter <*>	Lutra lutra	100
1.2.3. badger <*>	Meles meles	100
1.2.4. brown bear <*>	Ursus arctos	400
1.2.5. all other species of order <*>		35
1.3. order Lagomorpha – all species of order <*>	Lagomorpha	20
1.4. order Rodentia	Rodentia	
1.4.1. beaver <*>	Castor fiber	70

1.4.2. muskrat <*>	Ondatra zibethicus	30
1.4.3. all other species of order <*>		3
1.5. order Eulipotyphla - all species of order <*>	Eulipotyphla	3
1.6. order Chiroptera - all species of order <*>	Chiroptera	3
1.7. all other species of a class <*>		35
2. Class Aves (Birds)	Aves	
2.1. order Gaviiformes - all species of order <*>	Gaviiformes	30
2.2. order Podicipediformes - all species of order <*>	Podicipediformes	20
2.3. order Pelecaniformes - <*>	Pelecaniformes	15
2.4. order Ciconiiformes- all species of order <*>	Ciconiiformes	30
2.5. order Anseriformes - all species of order <*>	Anseriformes	30
2.6. order Falconiformes - all species of order <*>	Falconiformes	35
2.7. order Galliformes	Galliformes	
2.7.1. western capercaillie <*>	Tetrao urogallus	200
2.7.2. black grouse <*>	Tetrao tetrix	60
2.7.3. all other species of the order <*>		30
2.8. order Gruiformes	Gruiformes	
2.8.1. common crane <*>	Grus grus	30
2.8.2. all other species of the order <*>		12
2.9. order Charadriiformes	Charadriiformes	
2.9.1. stone-curlew <*>	Burhinus oedicephalus	30
2.9.2. all other species of the order <*>		10
2.10. order Strigiformes - all species of order <*>	Strigiformes	35
2.11. order Coraciiformes - all species of order <*>	Coraciiformes	10
2.12. order Cuculiformes - all species of order <*>	Cuculiformes	10
2.13. order Caprimulgiformes - all species of order <*>	Caprimulgiformes	10

2.14. order Apodiformes - all species of order <*>	Apodiformes	6
2.15. order Piciformes - all species of order <*>	Piciformes	6
2.16. order Passeriformes - all species of order <*>	Passeriformes	6
2.17. all other species of the class <*>		3
3. Class Hyperoartia - all species of the class <*>	Petromyzontes	1
4. Class Osteichthyes	Osteichthyes	
4.1. order Acipenseriformes - all species of order <*>	Acipenseriformes	10
4.2. order Salmoniformes	Salmoniformes	
4.2.1. rainbow trout <*>	Oncorhynchus mykiss	3
4.2.2. brown trout<*>	Salmo trutta	6
4.2.3. grayling <*>	Thymallus thymallus	6
4.2.4. northern pike <*>	Esox lucius	3
4.2.5. all other species of the order <*>		3
4.3. order Anguilliformes - all species of order <*>	Anguilliformes	15
4.4. order Cypriniformes	Cypriniformes	
4.4.1. common barbel <*>	Barbus barbus	12
4.4.2. Dnieper barbel <*>	Barbus barbus boristhenicus	12
4.4.3. bighead carp<*>	Hypophthalmichthys nobilis	3
4.4.4. silver carp <*>	Hypophthalmichthys molitrix	3
4.4.5. common nase <*>	Chondrostoma nasus	9
4.4.6. grass carp <*>	Ctenopharyngodon idella	3
4.4.7. common carp <*>	Cyprinus carpio	6
4.4.8 vimba <*>	Vimba vimba	9
4.4.9. asp <*>	Aspius aspius	12
4.4.10. bream<*>	Abramis brama	3
4.4.11. sichel<*>	Pelecus cultratus	6
4.4.12. tench <*>	Tinca tinca	6
4.4.13. chub <*>	Squalius cephalus	9

4.4.14. ide <*>	Leuciscus idus	6
4.4.15. blue bream <*>	Ballerus ballerus	2
4.4.16. white-eye bream <*>	Ballerus sapa	2
4.4.17. white bream <*>	Blicca bjoerkna	1
4.4.18. common rudd <*>	Scardinius erythrophthalmus	1
4.4.19. crucian carp <*>	Carassius carassius	6
4.4.20. common dace <*>	Leuciscus leuciscus	1
4.4.21. silver Prussian carp <*>	Carassius gibelio	1
4.4.22. roach <*>	Rutilus rutilus	1
4.4.23. all other species of the order <*>		0,3
4.5. order Siluriformes	Siluriformes	
4.5.1. wels catfish <*>	Silurus glanis	4
4.5.2. channel catfish <*>	Ictalurus punctatus	4
4.5.3. all other species of the order <*>		0,5
4.6. order Gadiformes	Gadiformes	
4.6.1. burbot <*>	Lota lota	9
4.6.2. all other species of the order <*>		0,2
4.7. order Perciformes	Perciformes	
4.7.1. zander <*>	Sander lucioperca	6
4.7.2. perch <*>	Perca fluviatilis	1
4.7.3. all other species of the order <*>		0,3
4.8. all other species of the class<*>		0,3
5. Class Amphibia - all other species of the class <*>	Amphibia	3
6. Class Reptilia - all other species of the class <*>	Reptilia	3
II. Phylum Mollusca	Mollusca	
7. Order Unionida - all species of order <*>	Unionida	1
8. All other species of the phylum <***>		15
III. Phylum Arthropoda	Arthropoda	
9. Order Decapoda - all species of order <*>	Decapoda	1,5

10. All other species of the phylum <*>		6
IV. Phylum Annelida	Annelida	
11. medicinal leech <*>	Hirudo medicinalis	1,5
12. All other species of the phylum <*>		10
V. Phylum Nematoda	Nemathelminthes	
13. All species of the phylum <*>		6
VI. Phylum Bryozoa	Bryozoa	
14. All species of the phylum <*>		3
VII. Phylum Platyhelminthes	Plathelminthes	
15. All species of the phylum <*>		3
VIII. Phylum Porifera	Porifera	
16. All species of the phylum <*>		3

 <*> For 1 specimen regardless of weight and size.

<*> For 1 kilogram, regardless of the number and size.

DECREE OF THE PRESIDENT OF THE REPUBLIC OF BELARUS
19th February, 2016 N 63

**ON IMPROVEMENT OF WORK WITH PROPERTY WHICH HAS
BEEN SEIZED, ARRESTED OR CONVERTED INTO STATE
INCOME**

In order to improve the work with property which has been seized, arrested or converted into state income, I DECREE:

1. To abolish the commissions on work with property converted into state income, and to transfer their functions to the Department for Humanitarian Activities of the Office of the President of the Republic of Belarus (hereinafter - the Department).

2. To approve the enclosed Regulations on the procedure for record keeping, storage, valuation and realization of property seized, arrested or converted into state income.

President of the Republic of Belarus

A. Lukashenko

REGULATIONS
ON THE PROCEDURE FOR RECORD KEEPING, STORAGE, VALUATION AND REALIZATION OF PROPERTY
SEIZED, ARRESTED OR CONVERTED INTO STATE INCOME.

SECTION I
BASIC PROVISIONS

CHAPTER 1
GENERAL PROVISIONS

1. This Regulation applies to property (with the exception of cash, securities, and shares in the statutory funds of legal entities), seized, arrested and confiscated by a court verdict (order) or otherwise converted into state income which is levied on account of the unfulfilled tax liability, unpaid penalties, and property released from arrest by the body conducting the criminal process (hereinafter, unless otherwise specified, property).

Record keeping, storage, valuation, realization or other use, destruction of goods detained by customs authorities and not demanded within the terms established by the Customs Code of the Customs Union (hereinafter - unclaimed detained goods), and goods placed under the customs procedure of refusal in favour of the state, as well as the reimbursement by customs authorities of the cost of storage, work on the inspection of goods for quality and safety, other types of work (examinations), evaluation, destruction of unclaimed detained goods is done in accordance with this Regulation with the specifications established by the Law of the Republic of Belarus of 10th January 2014 "On Customs Regulation in the Republic of Belarus" (National Legal Internet Portal of the Republic of Belarus, 22.01.2014, 2/2127).

2. For the purposes of these Regulations, the following terms and their definitions are used:

property safety - a set of properties and characteristics the property must conform to, to ensure it does not pose a danger to human life, health, human property and the environment under normal conditions of its use, storage and disposal;

reimbursement of expenses - the use of funds provided in accordance with the budget legislation for the payment of services for the storage, destruction, evaluation and execution of work on checking property for safety, other types of work (examinations), organizing and conducting auctions for the sale of real estate, as well as implementation of translation of information about the property into official languages;

loss of property - is the loss by the property of its consumer properties that meet the basic purpose of the property, when the restoration of these properties requires costs that are equal to or exceed the value of this property, or is impossible;

property identification - establishment of identity between existing property and available information about it (including its functional purpose, type, sizes, models and articles);

debtor's property - property that is levied on account of an unfulfilled tax liability or unpaid penalties;

property converted into state income - property confiscated by a court verdict (order) or otherwise converted into state income;

property released from arrest - property released from arrest by the body conducting the criminal process, for its implementation at the preliminary investigation stage in order to compensate for damage (harm) caused by the crime, the paying of criminal income, or other property penalties under the control of the body in the production of which is a criminal case;

property, the realization of which is impossible - property, the realization of which in accordance with the law is prohibited or which, by its quality indicators or consumer properties cannot be sold;

property, the realization of which is economically inexpedient - property, the preliminary cost or value of which does not exceed the possible (estimated) costs associated with the payment of services for the storage, evaluation, work on checking the property for safety, the translation of information about the property into the state languages, and the expenses of the realizing organization (for the delivery of property and its realization);

property that requires special storage conditions — property, including animals, for which, when stored and transported in accordance with technical regulatory legal acts, measures are required to protect it from high or low temperatures or to ensure a constant optimum temperature (cooling, freezing, heating) and/or maintenance, care or servicing (humidification, watering, ventilation, rotation, canting, etc.);

property quality - a set of properties and characteristics of a property related to its ability to meet established and/or prospective needs of a customer (safety, functional suitability, performance, reliability, economic, informational and aesthetic requirements, etc.);

competent authorities - courts, republican state administration bodies, as well as bodies (territorial bodies) included into their system, other state bodies endowed with the authority to make decisions on converting property into state income (levy on property);

the initial sale price - is the price from which the sale of property at an auction begins;

real estate - land plots, capital structures (building, structure), unfinished suspended and unsuspended capital structures, isolated premises, including residential, shares in the ownership of this property, parking spaces, enterprises as a property complex, aircraft and ships, inland navigation vessels, river-sea navigation vessels, other types of immovable property in cases established by legislative acts of the Republic of Belarus;

non-residents of the Republic of Belarus:

individuals who are not permanently residing in the Republic of Belarus;

legal entities established in accordance with the legislation of foreign states, including legal entities with investments of residents of the Republic of Belarus;

organizations that are not legal entities with a location outside the Republic of Belarus, established in accordance with the legislation of foreign states;

diplomatic and other official representative offices of foreign states located in the Republic of Belarus;

representative offices and bodies of international organizations and interstate formations operating in the territory of the Republic of Belarus;

representative offices of foreign organizations located in the territory of the Republic of Belarus;

auction organizer - an organization that organizes and conducts an auction for the sale of real estate in accordance with these Regulations;

property valuation - determining the market value of the property;

subsequent property accounting - a system of continuous collection of information on property (in quantitative and monetary terms) through the implementation by departments by regions, in Minsk and Minsk regions of the Department for Humanitarian Activities of the Office of the President of the Republic of Belarus (hereinafter referred to as the Department) to document, evaluate and summarize the relevant reporting information;

preliminary property evaluation - determination of the preliminary value of the property;

preliminary property value - property value determined by the authorized body;

industrial processing of property - the process of impact on property, as a result of which its organoleptic and physico-chemical indicators are finally changed;

Implementing organization - a state legal entity, non-governmental organization, one of the founders of which is a state body or state legal entity, consumer cooperation organization included in the list of legal entities to whom property is transferred for realization, approved by the Director of the Department in coordination with the Regional Executive Committee and the Minsk city executive committee (hereinafter - list of realizing organizations);

residents of the Republic of Belarus:

individuals permanently residing in the Republic of Belarus;

legal entities located in the Republic of Belarus, established in accordance with the legislation of the Republic of Belarus, including legal entities with investments by non-residents of the Republic of Belarus;

diplomatic missions and consular offices of the Republic of Belarus;

representative offices of organizations established in accordance with the legislation of the Republic of Belarus located outside the Republic of Belarus;

risk of accidental loss of property - the risk of possible losses in connection with the destruction or damage to property, the loss of its consumer properties;

the market value of the property - the value of the property, calculated by market valuation methods;

seasonal goods - goods that are either not on the market during a certain season (period during the year), or whose quantity and price are characterized by periodic fluctuations associated with the season (season) (clothing, footwear, fur products, etc.);

perishable property - property requiring special storage conditions, or property with a shelf life and/or storage of less than 30 days;

special means - mechanical sprays, aerosol and other devices filled with tearing or irritating substances, electroshock devices and spark gaps, rubber sticks, handcuffs or means for forcibly stopping vehicles;

specific property - property, the analogues of which are absent in the Republic of Belarus or the sales market of which is limited;

technically sophisticated products - household goods, which are inherent in the consumption, production or conversion of various types of energy, including muscle strength (televisions, computer equipment, video cameras, cameras, refrigerators, washing machines, kitchen machines for cooking, etc.);

warehouse goods - a specially allocated and equipped structure used by the implementing organization for storage of property, including a store-warehouse;

merchandising expertise of the property - the study of consumer properties of the property, produced by its visual inspection and organoleptic properties;

vehicle - bus, car, road-train, wheeled tractor, moped, motorcycle, trailer or self-propelled car;

destruction of property - the process of impact on property, in which there is a complete destruction of property or bringing it into a state that excludes the possibility of its further recovery and use;

authorized bodies - bodies that seize, arrest property in accordance with legislative acts and/or keep records of property in accordance with these Regulations;

disposal of property - is a type of industrial processing of property, according to the results of which secondary material resources are returned to further circulation;

warehouse agent - is an organization whose storage premises (territory) ensure the safety of property, as evidenced by an inspection report that has authorization documents, if such documents are provided for by the legislation, and included in the list of legal entities to whom the property is transferred for storage, approved by the Department Director (hereinafter list of warehouse agents);

selling price - the price at which the property is realized;
expert conclusion - a document drawn up by an expert appraiser on the results of the assessment;
appraiser - an appraiser of a state organization, organization, the share of state ownership in the authorized capital of which is more than 50 percent, carrying out valuation activities, as well as the Belarusian Chamber of Commerce and Industry, its subdivisions, the unitary service enterprise created by it, included by the Department in the list of appraisers.

SECTION II FEATURES OF WORK WITH SEPARATE TYPES OF PROPERTY

CHAPTER 23 FEATURES OF WORK WITH WILD ANIMALS, WILD PLANTS, THEIR PARTS AND/OR DERIVATIVES

284. Records are maintained for wild animals, wild plants, including those that are CITES specimens or are included in the Red Book of the Republic of Belarus, their parts and/or derivatives, tree sap, except as provided in part two of this paragraph.

The authorized body does not keep, in accordance with this Regulation, records of prohibited fishing gear, equipment for catching wild animals, wild plants, fishing gear from web materials that cannot be used for commercial fishing, as well as wild animals and wild plants in the following cases:

their death before registration or damage to the degree of cessation of growth as a result of withdrawal;

if the cost of delivery, realization or other use exceeds their cost on the day of withdrawal;

their damage due to temperature and other conditions.

285. In the event of the death of wild animals and/or wild plants before their input on the subsequent record, the specified animals and/or plants can be transferred by the authorized body to research institutions defined by the National Academy of Sciences of Belarus at the request of the authorized body of interest in further use of dead wild animals and/or wild plants.

If there is no interest in further use, dead animals and/or wild plants are destroyed in accordance with environmental, sanitary, fire-prevention and other requirements in the manner prescribed by law, the act of destruction is issued by the authorized body or transferred to organizations in the manner provided for in paragraph 293 of this Regulation.

286. In the case of customs authorities removing wild animals, wild plants, their parts and (or) derivatives, this body, within 1 working day following the seizure day, sends an electronic request to the official of the organization authorized by the National Academy of Sciences of Belarus affiliation of seized wild animals, wild plants, their parts and (or) derivatives and the interest in their use for scientific purposes.

The request of the customs authority containing a description of wild animals, wild plants, their parts and (or) derivatives, with the attachment of their photos, is considered by the person indicated in the first part of this paragraph, within 2 working days from the date the request was received, and an expert conclusion on the species of living wild animals, wild plants, their parts and (or) derivatives and the interest in their use for scientific purposes.

287. A preliminary assessment of living wild animals and plants not damaged to a degree of cessation of growth, including those that are samples of CITES or belonging to the species included in the Red Book of the Republic of Belarus, their parts and/or derivatives is made by the authorized body in accordance with taxonomic (systematic) categories of wild animals and wild plants according to taxes to determine the amount of compensation for harm caused to the environment by natural and legal persons as a result of removal or destruction of wild animals and the harmful effects on their habitat, established by Decree of the President of the Republic of Belarus of 8th December, 2005 N 580 "On Some Measures to Improve the Efficiency of Hunting and Fisheries, Improve the State Management of Them" (National Register of Acts of the Republic of Belarus, 2005, N 196, 1/6996; National Legal Internet Portal of the Republic of Belarus, 25th December, 2013, 1/14679), taxes for determining the amount of compensation for harm caused to the general environment, established by Decree of the President of the Republic of Belarus of June 24, 2008 N 348 "On Taxes for Determining the Amount of Compensation of Harm Caused

to the Environment" (National Register of Legal Acts of the Republic of Belarus, 2008, N 157, 1/9824; 2010, N 292, 1/12148). In the absence of taxes on certain categories of wild animals and wild plants, a preliminary evaluation is carried out in accordance with the recommendations of the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, signed in Washington on 3rd March, 1973 (CITES), or based on current free (market) prices.

288. When recording live wild animals, wild plants, including those that are specimens of CITES or belonging to the species included in the Red Book of the Republic of Belarus, their parts and (or) derivatives, the authorized body shall not draw up a conclusion about the impossibility (inexpediency) of their implementation.

289. After the introduction of live wild animals, wild plants, including those that are specimens of CITES or belonging to the species included in the Red Book of the Republic of Belarus, their parts and/or derivatives are registered, the authorized bodies ensure the submission of the application to the bodies exercising state control in areas of plant protection, or authorities that carry out state veterinary supervision, to conduct appropriate expertise.

290. In the event that wild animals, wild plants are specimens of CITES or belonging to the species included in the Red Book of the Republic of Belarus, the authorized body notifies the Ministry of Natural Resources and Environmental Protection of the registration no later than 1 working day after registration.

The notification shall include the following information:

the name of the biological species of the sample, as well as taxonomic (systematic) characteristics (class, squad, family);

number of samples;

description of the sample, including size, color, distinguishing features, for live wild animals, if possible - age, gender, color, identification marks or numbers (if any);

information on the person from whom the samples were seized (arrested): for legal entities, the full name, location; for individuals, last name, first name, patronymic (if any), series (if any) and number of identity document, or valid passport or other document replacing it, intended for traveling abroad and issued by the relevant body of the state of citizenship or the usual place of residence of a foreign citizen or stateless person, or an international organization, place of residence.

291. Within one day from the moment of seizure of live wild animals, wild plants, including those that are samples of CITES or belonging to the species included in the Red Book of the Republic of Belarus, their parts and (or) derivatives, the authorized body transfers them to storage for organizations from the list established by the Council of Ministers of the Republic of Belarus. These organizations are obliged to immediately accept the storage of property from the authorized body.

292. The decision on the use of living wild animals and plants, including those that are specimens of CITES or belonging to the species included in the Red Book of the Republic of Belarus, their parts and (or) derivatives, are taken by the department in coordination with the Ministry of Natural Resources and Environmental Protection.

At the same time, the utilization or industrial processing of living specimens of CITES and wild animals and wild plants included in the Red Book of the Republic of Belarus are not allowed.

The realization or free transfer of live wild animals is carried out to organizations in the case where they have conditions for keeping and (or) breeding wild animals in captivity that meet the requirements for keeping wild animals established by the Ministry of Natural Resources and Environmental Protection, confirmed in the procedure established by the legislation on the conditions for keeping wild animals.

293. Living wild animals and wild plants, for which it is impossible or economically inexpedient to carry out the examinations provided for in paragraph 289 of this Regulation, as well as dead wild animals and wild plants are transferred according to the act of transfer to a state organization or organization with state ownership that maintains fishing, hunting or forestry, breeding or keeping of animals, not related to the keeping and (or) breeding of wild animals in captivity.

In this case, if necessary, sampling and laboratory tests to confirm the quality and safety of transmitted live wild animals and (or) wild plants are carried out by the organization to which they are transferred.

294. Realization of live wild animals and wild plants (with the exception of CITES specimens and wild animals, wild plants belonging to species included in the Red Book of the Republic of Belarus), which were the subject of an administrative offense, to the person from whom they were withdrawn for the keeping

and (or) breeding in captivity of wild animals specified in part three of paragraph 292 of these Regulations, is made by the authorized body before putting the property on record or transferring materials on it to the competent body, upon receipt from the person of a written application for the purchase of seized live wild animals or wild plants, at the cost of illegally obtained products of wild animals, wood and other forest products, established by the Council of Ministers of the Republic of Belarus.

295. Recovery of the cost of wild animals and plants (except for CITES specimens and wild animals or plants belonging to species included in the Red Book of the Republic of Belarus), which are the subject of an administrative offense or a crime, is made by a court or authorized body on the cost of illegally obtained products of wild animals, wood and other forest products established by the Council of Ministers of the Republic of Belarus.

**DECISION OF THE COMMISSION OF THE CUSTOMS UNION
from June 18, 2010 of No. 317**

CONCERNING APPLICATION OF VETERINARY AND SANITARY MEASURES IN THE CUSTOMS UNION

Entered into force on 1st July, 2010

3. Without violating the provisions of the CITES Convention, hunting trophies of all kinds that have not undergone taxidermal processing imported into the customs territory of the Eurasian Economic Union and (or) transferred between Member States must meet the following conditions:

a) shall be obtained from animals (birds) originating from territories officially free from infectious animal diseases:

for all types of animals:

- foot-and-mouth disease - within the last 12 months in the territory of the country or administrative territory in accordance with regionalization;

- rabies - within the last 6 months on the territory of hunting areas or other habitats;

- anthrax - within the last 20 days on the territory of hunting areas, farms or other habitats;

for large ruminant artiodactyls:

- contagious nodular dermatitis (tuberculosis) of cattle – within the last 36 months in the territory of the country or administrative territory in accordance with regionalization;

- plague of small ruminants - within 36 months in the territory of the country or administrative territory in accordance with regionalization;

- vesicular stomatitis, contagious pleuropneumonia – within the last 24 months in the territory of the country or administrative territory in accordance with regionalization;

-for small ruminant artiodactyls:

- rinderpest - 24 months in the country or administrative territory in accordance with regionalization;

paragraph excluded from 1st February, 2013. - Decision of the Board of the EEC dated 25th December, 2012 N 307;

- plague of small ruminants, maedi-visna, adenomatosis, arthritis-encephalitis, borderline disease - during the last 36 months in the territory of the country or administrative territory in accordance with regionalization;

- tuberculosis, brucellosis - during the last 6 months on the territory of hunting areas, farms or other habitats;

- sheep and goats pox - during the last 12 months in the territory of the country or administrative territory in accordance with regionalization;

-for small non-ruminant animals (for susceptible animals):

- African swine fever - 36 months in the territory of the country or administrative territory in accordance with regionalization;

paragraph excluded from 1st February, 2013. - Decision of the Board of the EEC dated 25th

December, 2012 N 307;

- classical swine fever - during the last 12 months on the territory of hunting areas, farms or other habitats;

paragraph excluded from 1st February, 2013. - Decision of the Board of the EEC dated 25th December, 2012 N 307;

for odd-toed ungulates:

- glanders - during the last 36 months in the territory of the country or administrative territory in accordance with regionalization;

- infectious anaemia, equine disease, infectious metritis of horses - for 12 months on the territory of hunting areas, farms or other habitats;

for game birds (birds):

- Avian influenza, subject to a mandatory declaration, during the last 12 months in the country or administrative territory, or within 3 months of the "stamping out" of the disease and negative results of epidemiological surveillance;

- smallpox - for 6 months on the territory of hunting areas, farm or other habitats;

- Newcastle disease - during the last 12 months in the territory of the country or administrative territory in accordance with regionalization or within 3 months during the "stamping out" of the disease and the negative results of epizootic control;

b) should be subjected to disinfection, if they are obtained from animals originating from areas unfavourable for the above animal diseases.

4. Importation into the customs territory of the Eurasian Economic Union and movement between member states of hunting trophies from regions where the diseases indicated in paragraph 3 are known to exist, as well as from regions unfavourable for these diseases, but treated (disinfected) in accordance with the rules adopted concerning the origin of hunting trophies, which is confirmed by a veterinary certificate, is carried out without the permit of the authorized body of the Member State.

**AGREEMENT ON THE APPLICATION OF TECHNICAL, MEDICAL,
PHARMACEUTICAL, SANITARY, VETERINARY AND PHYTOSANITARY
NORMS, REGULATIONS AND REQUIREMENTS FOR THE GOODS IMPORTED
TO THE MEMBER STATES OF THE COMMONWEALTH OF INDEPENDENT STATES<*>**

Entered into force for the Republic of Belarus on December 18, 2002

<*> Approved by the Resolution of the Council of Ministers of the Republic of Belarus of December 4, 2002 № 1690 "On Approval of the Agreement on the Application of Technical, Medical, Pharmaceutical, Sanitary, Veterinary and Phytosanitary Norms, Rules and Requirements for Goods Imported into the Member States of the Commonwealth of Independent States "(National Register of Legal Acts of the Republic of Belarus, 2002, N 138, 5/11591).

The Governments of the Member States of the Commonwealth of Independent States, hereinafter referred to as the Parties,

guided by the provisions of the Agreement on the Establishment of the Free Trade Zone of 15th April, 1994, the Protocol on Amendments to the Agreement of 2nd April 2, 1999, and the Decision of the Council of the CIS Heads of Government of 4th June, 1999, on the main areas of work to implement the Decision of the Council of the Heads of State of the CIS 2nd April, 1999, on the formation of a free trade zone, the Agreement on Technical Barriers in the Free Trade Zone of 20th June, 2000, as well as other relevant international treaties concluded within the Commonwealth of Independent States,

for the development of the Agreement on the common agrarian market of the State Parties to the Commonwealth of Independent States from March 6, 1998,

based on the generally accepted norms of international law and the national legislations of the Parties,

seeking to further expand mutually beneficial trade and economic relations,

recognizing the relevance of the measures taken which will contribute to the protection of human life and health, the improvement of the phytosanitary situation and the preservation of the environment in the CIS member states,

agreed as follows:

Article 8

The Parties are guided by the provisions of the Convention on International Trade in Endangered Species of Wild Fauna and Flora of March 3, 1973 (CITES) and the resolutions of CITES conferences, if the objects of trade are subject to it.

DECISION OF THE BOARD OF THE EURASIAN ECONOMIC COMMISSION

21 April 2015 No. 30

ON THE MEASURES OF NON-TARIFF REGULATION

Entered into force 22 May 2015

In accordance with [Article 46](#) of the Treaty on the Eurasian Economic Union of 29 May 2014 and [paragraphs 4](#) and [37](#) of the Protocol on the measures of non-tariff regulation in relation to third countries (Annex 7 to the Treaty on the Eurasian Economic Union of 29 May 2014), the Board of the Eurasian Economic Commission DECIDED:

1. To introduce the following consolidated measures of non-tariff regulation in the customs territory of the Eurasian Economic Union:

prohibition of import to the customs territory of the Eurasian Economic Union and (or) export from the customs territory of the Eurasian Economic Union of goods in accordance with the [List](#) provided in Annex 1;

permit procedure for the import to the customs territory of the Eurasian Economic Union and (or) export from the customs territory of the Eurasian Economic Union of goods in accordance with the [List](#) provided in Annex 2;

quantitative limitations on the export and import of goods in accordance with the List provided in [Annex 2-1](#).

Annex 2
to the Decision of the Board
of the Eurasian Economic Commission
of 21 April 2015 No. 30

LIST

**OF GOODS FOR WHICH THE PERMIT PROCEDURE IS ESTABLISHED FOR IMPORT TO THE
CUSTOMS TERRITORY OF THE EURASIAN ECONOMIC UNION AND (OR) EXPORT FROM THE
CUSTOMS TERRITORY OF THE EURASIAN ECONOMIC UNION**

2.7. Species of wild fauna and flora subject to the [Convention](#) on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (CITES)

**THE CODE OF THE REPUBLIC OF BELARUS OF
ADMINISTRATIVE OFFENCES
6 January 2021 No. 91–Z**

*Accepted by the House of Representatives on 18 December 2020
Approved by Council of the Republic on 18 December 2020*

Article 15.1: Movement of goods across the customs border of the Eurasian Economic Union outside places or at unspecified times determined by the legislation

1. Movement of goods across the customs border of the Eurasian Economic Union outside places determined by the legislation or at unspecified **hours** of work of customs authorities in such places, as well as an attempt of such movement –

shall entail the imposition of a fine in the amount of ten to thirty base **values** with or without the confiscation of goods, regardless of who owns them, with or without the confiscation of vehicles used for the movement of goods, regardless of who owns them, for an individual entrepreneur – from one hundred to one hundred and fifty base values with or without the confiscation of goods, regardless of who owns them, as well as with or without the confiscation of the vehicles used for the movement of goods, regardless of who owns them, and for a legal entity – from five hundred to eight hundred base values with or without the confiscation of goods, regardless of who owns them, as well as with or without the confiscation of vehicles used for the movement of goods, regardless of who owns them.

2. Movement of goods subject to customs declaration across the customs border of the Eurasian Economic Union with concealment from customs control, that is, using caches or other methods that make it difficult to detect them, or with giving some goods the appearance of other goods, as well as an attempt of such movement –

shall entail the imposition of a fine in the amount of up to thirty base values with or without the confiscation of concealed goods subject to customs declaration, regardless of who owns them, as well as with or without the confiscation of vehicles (except for aircraft, railway and inland water transport of general use) and (or) other items with caches used for the movement of concealed goods subject to customs declaration, regardless of who owns them, to an individual entrepreneur – up to one hundred base values with or without the confiscation of concealed goods subject to customs declaration, regardless of who owns them, as well as with or without the confiscation of vehicles (except for aircraft, railway and inland water transport of general use) and (or) other items with caches used for the movement of concealed goods subject to customs declaration, regardless of who owns them, and for a legal entity – up to five hundred base values with or without the confiscation of concealed goods subject to customs declaration, regardless of who owns them, as well as with or without the confiscation of vehicles (except for aircraft, rail and inland water transport of general use) and (or) other items with caches used for the movement of concealed goods subject to customs declaration, regardless of who owns them.

Note. Caches referred to in this article shall be considered as any storage (places) made (equipped, adapted) for the concealment of goods, including structural cavities, containers and objects on vehicles that have previously been dismantled, installed, etc. for the same purpose, regardless of their other functional purpose.

Article 15.5. Failure to declare or the submission of inaccurate information on goods

1. Failure to declare goods subject to customs declaration, except for the cases specified by **articles 15.1, 15.3** of the Code and **part 2** of this article, if it served or could serve as a basis for exemption from payments charged by customs authorities, or the understatement of their amount, or failure to apply prohibitions and (or) limitations established by the legislation of the Republic of Belarus or international legal acts constituting the law of the Eurasian Economic Union –

shall entail the imposition of a fine of five to thirty base values, and for an individual entrepreneur or a legal entity – up to thirty percent of the cost of the subject of an administrative offence.

3. Submission to the customs authority during the customs declaration of goods or during the submission of an application for the release of goods prior to the submission of a declaration for goods of false information about the goods (with the exception of information about the classification code in accordance with the unified Commodity nomenclature for foreign economic activity of the Eurasian Economic Union), or submission for the purpose of placing goods under customs procedure or during the submission of an application for the release of goods prior to the submission of a declaration for goods of invalid documents, or the use for this purpose of a fake means of identification or genuine means of identification related to other goods and (or) vehicles, if these actions served or could serve as the basis for exemption from payment charged by customs authorities, or the understatement of their amount, or failure to apply prohibitions and (or) limitations established by the legislation of the Republic of Belarus or international legal acts constituting the law of the Eurasian Economic Union, –

shall entail the imposition of a fine of five to thirty base values, and for an individual entrepreneur or legal entity – up to thirty percent of the cost of the subject of an administrative offence.

Note 1. Invalid documents referred to in this article shall be considered as forged documents, documents obtained illegally, documents related to other goods and (or) means of transport and other invalid documents.

2. An individual who has committed an act stipulated in paragraphs 1 or 3 of this Article shall be exempt from administrative liability in the case of a voluntary written application of the declarant or the customs representative to the customs authority about the violation committed simultaneously with the submission of the customs declaration and the documents on the basis of which it was filled in, or the document for the introduction of amendments and (or) additions to the customs declaration with the attachment of necessary documents, if on the date preceding the date of the submission and registration of the application the following conditions are met:

Article 16.23. Violation of the requirements of the legislation on the protection and use of wildlife

2. Violation of requirements for keeping and (or) breeding of wild animals in captivity, their movement –

shall entail the imposition of a fine of up to twenty base values, for an individual entrepreneur – up to fifty base values, and for a legal entity – up to two hundred base values.

4. Violation of regulations for the spread and number of wild animals –

shall entail the imposition of a fine of up to twenty base values, for an individual entrepreneur – up to fifty base values, and for a legal entity – up to two hundred base values.

Article 16.24. Illegal export or import of wild animals and wild-growing plants from or to the Republic of Belarus

Illegal export or import from or to the Republic of Belarus of wild animals, wild-growing and other plants, their parts or derivatives, trade in which is regulated by the international treaties of the Republic of Belarus, or illegal export from the Republic of Belarus of wild animals, wild-growing and other plants related to species included in the Red Book of the Republic of Belarus, –

shall entail the imposition of a fine of twenty to thirty base values with or without the confiscation of the object of an administrative offence, for an individual entrepreneur – from twenty to two hundred base values with or without the confiscation of the object of an administrative offence, and for a legal entity – from twenty to one thousand base values with or without the confiscation of the object of an administrative offence.

THE RESOLUTION OF THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS

27 October 2020 No. 610

ON THE ISSUANCE OF PERMITS IN THE FIELD OF ENVIRONMENTAL PROTECTION FOR THE MOVEMENT OF CERTAIN TYPES OF GOODS ACROSS THE STATE BORDER OF THE REPUBLIC OF BELARUS

In accordance with [paragraph 5, Article 6](#) of the Law of the Republic of Belarus of 12 November 2001 No. 56-Z "On the protection of the ozone layer", and for the purpose of implementing the [Convention](#) on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (hereinafter, unless otherwise stated, the "CITES Convention") the Council of Ministers of the Republic of Belarus RESOLVES:

1. Approve:

[Regulation](#) on the procedure and conditions of the issuance of conclusions (permitting documents) for import to the customs area of the Eurasian Economic Union and (or) export from customs area of the Eurasian Economic Union or import to the Republic of Belarus from the territory of the state member of the Eurasian Economic Union and (or) export from the Republic of Belarus on the territory of the state member of the Eurasian Economic Union of ozone-depleting substances and products containing them (attached);

[Regulation](#) on the procedure and conditions of the issuance of permits for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (attached);

[Regulation](#) on the procedure and conditions for the issuance, termination and cancellation of permits for the import and (or) export of hazardous wastes (attached).

2. Determine:

The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus – management authority of the CITES [Convention](#) in the Republic of Belarus;

National Academy of Sciences of Belarus – scientific authority of the CITES [Convention](#) in the Republic of Belarus.

3. Make amendments to the following resolutions of Council of Ministers of the Republic of Belarus:

3.1. [sub-paragraphs 1.29 and 1.35 of paragraph 1](#) of the Resolution of the Council of Ministers of the Republic of Belarus of 23 September 2008 No. 1397 "On some issues of the procedure for the movement of certain types of goods across the state border of the Republic of Belarus" shall be excluded

3.2. as of 27 March 2022 the [Resolution](#) of the Council of Ministers of 25 March 2022 No. 175 is excluded

4. The [Resolution](#) of the Cabinet of Ministers of the Republic of Belarus of 3 July 1995 No. 350 "On measures to ensure the implementation of obligations of the Republic of Belarus deriving from the Convention on International Trade in Endangered Species of Wild Fauna and Flora" shall be considered null and void.

5. The present Resolution shall enter into force in the following order:

the [second subparagraph of paragraph 1](#) – three months after the official publication of the present Resolution;

other provisions of the present Resolution – after its official publication.

Prime Minister of the Republic of Belarus

Roman Golovchenko

APPROVED
The Resolution
of the Council of Ministers
of the Republic of Belarus
27 October 2020 No.610

RESOLUTION

on the procedure and conditions for the issuance of the permits for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973

1. The present Regulation establishes the procedure and conditions for the issuance of permits for the movement across the state border of the Republic of Belarus (export, import, re-export) of animal and plant species, their parts or derivatives subject to the CITES [Convention](#) (hereinafter – CITES permit).

2. The present Regulation applies to legal entities and individuals, including individual entrepreneurs, engaged in the import to the territory of the Republic of Belarus and (or) export from the territory of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the CITES [Convention](#) (hereinafter – CITES specimens).

3. To obtain a CITES permit legal entities and individual entrepreneurs engaged in the import to the territory of the Republic of Belarus and (or) the export of CITES specimens shall submit to the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (hereinafter, unless otherwise stated, MNREP):

an application for a permit for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the [Convention](#) on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 on the form in accordance with [Annex 1](#);

a copy of the agreement or other document between the exporter and importer stating the terms of the transaction, transportation of species, parts and (or) derivatives subject to the CITES [Convention](#) (hereinafter – CITES specimens);

copies of documents confirming the legality of the possession of CITES specimens, depending on the type of possession:

a copy of the [permit](#) for the removal of wild animals and plants included in the Red Book of the Republic of Belarus from their habitat – in case of the removal of the stated wild animals and plants from their habitat on the territory of the Republic of Belarus;

a copy of the [permit](#) for the removal of wild animals from their habitat – in case of the removal of a wild animal from its habitat on the territory of the Republic of Belarus;

a copy of the registration certificate of wild animals kept and (or) bred in captivity – in case of the acquisition of a wild animal on the territory of the Republic of Belarus;

a copy of the registration certificate of facilities for keeping and (or) breeding of wild animals – in case of the acquisition of a wild animal at the specified facility on the territory of the Republic of Belarus;

copy of the registration [certificate](#) of facilities where the production of sturgeon fish species and (or) products from them, including caviar, is carried out – in case of the acquisition of a wild animal at the specified facility on the territory of the Republic of Belarus;

a copy of the [certificate](#) of the right of inheritance;

copies of the agreements of sale, exchange, gift or other alienation;

copies of lease (gratuitous use) agreements;

permit for import of a management authority of the CITES [Convention](#) of the importing country – in case of the export of CITES specimens included in [Annex I](#) to the CITES [Convention](#) from the territory of the Republic of Belarus;

permit for the import of a competent authority of the importing country that complies with the requirements of the CITES [Convention](#) for permits and certificates – in case of the export of CITES specimens included in [Annex I](#) to the CITES [Convention](#) from the territory of Belarus, if the importing country is not a party to the CITES [Convention](#);

permit for export of a management authority of the CITES [Convention](#) of the exporting country – in case of the export of CITES specimens that were previously imported to the Republic of Belarus;

permit for export of the competent authority of the exporting country that complies with the requirements of the CITES [Convention](#) for permits and certificates – in case of the export of CITES specimens that were previously imported to the Republic of Belarus, if the exporting country is not a party to the CITES Convention;

copy of a genetic certificate, issued in accordance with the procedure established by the legislation – in case of the export of caviar from sturgeon fish species from the territory of the Republic of Belarus.

In order to obtain a CITES permit Individuals importing and (or) exporting CITES specimens to and (or) from the territory of the Republic of Belarus shall submit to the MNREP:

an application for the issuance of permits for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the [Convention](#) on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 on the form in accordance with [Annex 1](#);

documents stipulated in [paragraph 16.4-1](#) of the list of administrative procedures carried out by state bodies and other organisations upon the application of citizens, approved by Decree of the President of the Republic of Belarus of 26 April 2010 No. 200 (hereinafter – the list).

Legal entities, individuals, including individual entrepreneurs (hereinafter, unless otherwise stated, applicants) shall submit the original documents or notarised copies of the documents.

The decision to refuse an application for a CITES permit shall be taken in accordance with the procedure and on the grounds stipulated in [Article 17](#) of the Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures".

4. The MNREP within the period established in sub-paragraph [25.9.1 of paragraph 25.9](#) of the consolidated list of administrative procedures carried out in relation to legal entities and individual entrepreneurs, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548, and within the period established in [paragraph 16.4-1](#) of the list in relation to individuals, shall consider the documents submitted by the applicant for the issuance of a CITES permit and shall take a decision for the issuance or the refusal to issue a CITES permit.

The MNREP in relation to the CITES specimens included in the application in accordance with the procedure established in [Article 22](#) of the Law of the Republic of Belarus "On the basis of administrative procedures" shall request from the State Research and Production Association "The Scientific and Practical Centre of the National Academy of Sciences of Belarus for Bioresources" (in the case of the movement of wild animals) and State Scientific Institution "V. F. Kuprevich Institute of Experimental Botany of the National Academy of Sciences of Belarus" (in case of movement of wild plants) (hereinafter – competent authority) the conclusion on the possibility (impossibility) of the issuance of a CITES permit, taking into account potential threats to the survival of wild animals and plant species as a result of international trade of its specimens (hereinafter – the conclusion).

The decision on the issuance of a CITES permit shall be taken on the condition of a positive conclusion of a competent authority.

5. The form of a CITES permit is a form of a document with a certain degree of protection and is developed by the order of the MNREP.

A CITES permit is executed in four copies of the form in accordance with [Annex 2](#): an original and three copies, of which Copy No. 1 for the applicant, Copy No. 2 for the customs, Copy No. 3 for the MNREP – the management authority of the CITES [Convention](#) in the Republic of Belarus.

A CITES permit shall be signed by the Minister of Natural Resources and Environmental Protection of the Republic of Belarus or the Deputy Minister of Natural Resources and Environmental Protection of the Republic of Belarus authorised by the Minister, and shall be stamped with an official seal.

The original as well as copies No. 1 and No. 2 of a CITES permit shall be issued to the applicant or an authorised individual. At the same time, Copy No. 2 shall be submitted by the applicant to the customs authority.

Specimen seals and signatures of the authorised officials to sign CITES permits shall be submitted by the MNREP to the State Customs Committee of the Republic of Belarus.

6. A CITES permit number is a numerical and letter designation and contains the following details:

WW^axx^bZZZZZ^c,

where a – the last two digits of the year of the issuance;

b – two-letter ISO code of the country of origin of CITES specimens (for the Republic of Belarus – BY);

c – six-digit number of the series of the form.

7. A CITES permit shall be issued to:

the head of a legal entity – upon the submission of a document confirming the official position, as well as the [document of identification](#);

an individual entrepreneur – upon the submission of the document of identification;

an authorised representative of an individual referred to in paragraphs [two](#) and [three](#) of the present paragraph – upon the submission of the power of attorney for a CITES permit, as well as the document of identification;

an individual – upon the submission of the document of identification.

8. A CITES permit confirms the right of an applicant to carry out customs and other operations in respect to the included CITES specimens.

The period of validity of a CITES permit is from the date of the issuance to 6 months for export or reexport and 12 months for import.

9. The MNREP and the State Customs Committee organise information exchange through the national automated information system for the purpose of transferring information on CITES permits issued by the MNREP and on the termination of CITES permits.

10. The MNREP registers issued CITES permits in the CITES permit register.

11. Upon the arrival of CITES specimens on the customs territory of the Eurasian Economic Union or the departure from the territory, customs officials shall record in a CITES permit the name of the checkpoint, the date of crossing the customs border of the Eurasian Economic Union. The CITES permit shall be signed and stamped by a customs official.

A copy of the CITES permit with the records of the customs officials shall be kept by the customs authorities in accordance with the procedure established by the archival and records management legislation.

12. In case of the loss of a CITES permit by the applicant, no duplicate shall be issued, but a new CITES permit shall be executed in accordance with the procedure established in the present Regulation.

13. The decision to refuse a CITES permit shall be taken in the case of a negative conclusion of the National Academy of Sciences of Belarus, as well as in other cases stipulated in [Article 25](#) of the Law of the Republic of Belarus "On the basis of administrative procedures".

The decision to refuse a CITES permit shall be taken in accordance with the procedure stipulated in [Article 26](#) of the Law of the Republic of Belarus "On the basis of administrative procedures".

14. The notification of refusal to issue a CITES permit shall be submitted by the MNREP to the applicant in accordance with the procedure stipulated in [Article 27](#) of the Law of the Republic of Belarus "On the basis of administrative procedures".

15. The administrative decision taken by the MNREP in accordance with the present Regulation can be appealed against in accordance with the procedure stipulated in [Articles 30 - 34](#) of the Law of the Republic of Belarus "On the basis of administrative procedures".

16. Movement of CITES specimens shall be carried out in compliance with the requirements of the legislation for their transport.

17. The validity of a CITES permit shall be terminated:

17.1. after the actual import to or export from the territory of the Republic of Belarus of CITES specimens;

17.2. in connection with the expiry of its validity, stated in [part two of paragraph 8](#) of the present Regulation;

17.3. from the date of the decision on its cancellation:

in the case of the detection of false information in the documents submitted after the issuance of the CITES permit;

in the case of the applicant's failure to obtain a CITES permit within two months of the date of the decision on the issuance of the permit;

in the case of the submission by the applicant of a written request for the decision to terminate the export of the CITES specimens;

17.4. by the decision of a court.

18. Decision on the termination of a CITES permit shall be taken in the form of an order of the Minister of Natural Resources and Environmental Protection of the Republic of Belarus within three working days after the determination of the cases stated in [sub-paragraphs 17.3](#) and [17.4 of paragraph 17](#) of the present Regulation.

19. The MNREP shall notify the applicant in writing no later than seven working days from the date of the decision to terminate the CITES permit, and through the national automated information system – the customs authority on the adoption of such a decision with the indication of the grounds.

The MNREP shall record the termination of a CITES permit in the CITES permit register.

20. The applicant who has received a CITES permit shall return it to the MNREP within 15 days from the date of expiry of the permit, except for the cases stated in [sub-paragraph 17.1](#), [sub-paragraphs three and four of paragraph 17.3](#) and [sub-paragraph 17.4 of paragraph 17](#) of the present Regulation.

21. The decision on the termination of a CITES permit made by the MNREP may be appealed in court.

Annex 1
to the Regulation on the procedure and
conditions for the issuance of permits for
the movement across the state border of
the Republic of Belarus of animal and
plant species, their parts or derivatives
subject to the Convention on
International Trade in Endangered
Species of Wild Fauna and Flora of
3 March 1973

Form

APPLICATION

**for the issuance of permits for the movement across the state border of the Republic of Belarus of
animal and plant species, their parts or derivatives subject to the Convention on International Trade
in Endangered Species of Wild Fauna and Flora of 3 March 1973**

Applicant _____

(full name of the legal entity,

surname, given name, middle name (if any) of

the individual entrepreneur (individual),

location address - in Russian and English,

phone number and e-mail address)

requests the permit for the import (export) (*underline as appropriate*)
to (from)

(full name of the country)

of the following CITES specimens:

Name of CITES specimens (Russian and Latin name)	Lot size, number of units	Description of the CITES specimens <*>, number of the Annex to the CITES Convention (I, II, III)	CITES specimen identification marks (labels, chip number and other)	The source of CITES specimens, with the indication of the code <***>
1	2	3	4	5

1.

2.

Documents confirming the source of CITES specimens:

1. _____

2. _____

<*> Live wild animals or plants; sex and age of live wild animals; description of derivatives (derivative (recognisable) part of a wild animals or plants).

<***> When indicating the source of CITES specimens, the following letter designations shall be used:

W - specimens are taken from wild;

R - specimens come from specialised wildlife breeding nurseries;

D - Annex I animals bred in captivity for commercial purposes in operations included in the Secretariat's Register, in accordance with Resolution 12.10 of the Conference of the Parties to the CITES Convention, and Annex I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported in accordance with paragraph 4 of Article VII of the CITES Convention;

A - plants artificially propagated in accordance with the provisions of Resolution 11.11 of the Conference of the Parties to the CITES Convention, as well as parts and derivatives thereof, exported in accordance with paragraph 5 of Article VII of the CITES Convention (specimens of species included in Annex I artificially propagated for non-commercial purposes, and specimens of species included in Annexes II and III);

C - animals bred in captivity in accordance with Resolution 10.16 of the Conference of the Parties to the CITES Convention, as well as parts and derivatives thereof, exported in accordance with paragraph 5 of Article VII of the CITES Convention;

F - animals born in captivity (F1 or subsequent generations) that do not fulfill the definition of "bred in captivity" provided for in Resolution 10.16 of the Conference of the Parties to the CITES Convention, as well as parts and derivatives thereof;

U - source is unknown (must be justified);

I - confiscated or seized specimens;

O - pre-convention specimens (can be used with other source codes).

Exporter (importer) _____
(full name of the legal entity, surname,

_____ given name, patronymic (if any) of the individual

_____ entrepreneur (individual), exporting (importing) CITES specimens,

_____ address in Russian and English)

Purpose of the import (export) of CITES specimens
<*> _____

Expected date of the import (export) of CITES specimens _____

Import (export) of live CITES specimens will be carried out in accordance with the recommendations of the CITES Convention for Transport of Live Animals, or in the case of air transport with the International Air Transport Association (IATA) Live Animals Regulations.

(application date)

(applicant's signature)

<*> When indicating the purpose of movement, the following letter designations shall be used:

T – for commerce;

Z – for zoos;

G – for botanical gardens;

Q – for circuses and travelling exhibitions;

S – for scientific purposes;

H – for hunting trophies;

P – for personal use;

M – for medical purposes (including biomedical research);

E – for educational purposes;

N – for introduction or reintroduction into the wild;

B – for breeding in captivity or artificial propagation.

Annex 2
to the Regulation on the procedure and
conditions for the issuance of permits for
the movement across the state border of
the Republic of Belarus of animal and
plant species, their parts or derivatives
subject to the Convention on
International Trade in Endangered
Species of Wild Fauna and Flora of
3 March 1973

Form

15. Настоящее разрешение выдано: / This permit is issued by: Республика Беларусь, г. Минск / Republic of Belarus, Minsk <div style="display: flex; justify-content: space-between; margin-top: 10px;"> _____ (дата / date) _____ (подпись и печать / signature and official seal) </div>													
16. Подтверждение ввоза (вывоза) (экспорта, реэкспорта) / Confirmation of import (export) (export, re-export)			17. Заполняется при пересечении таможенной границы Евразийского экономического союза / To be completed when crossing the customs border of the Eurasian Economic Union										
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="font-size: small;">Название образца / Sample Name</th> <th style="font-size: small;">Количество / Quantity</th> </tr> <tr> <td style="height: 20px;">А</td> <td></td> </tr> <tr> <td style="height: 20px;">В</td> <td></td> </tr> <tr> <td style="height: 20px;">С</td> <td></td> </tr> </table>	Название образца / Sample Name	Количество / Quantity	А		В		С		Пункт пропуска / Checkpoint _____ <div style="display: flex; justify-content: space-between; margin-top: 10px;"> _____ (дата / date) _____ (подпись должностного лица таможенного органа и печать / customs official's signature and seal) </div>				
Название образца / Sample Name	Количество / Quantity												
А													
В													
С													
18. Административный орган СИТЕС в Республике Беларусь / Management Authority of CITES in the Republic of Belarus Министерство природных ресурсов и охраны окружающей среды Республики Беларусь / Ministry of Natural Resources and Environmental Protection of the Republic of Belarus Для международной связи / For international contacts Тел./Tel.: +375 17 200 43 28. Факс/Fax: +375 17 200 62 61. Для связи внутри страны / For national contacts Тел./Tel.: (017) 200 66 91, 200 62 61. Факс/Fax: (017) 200 62 61.													
РАЗРЕШЕНИЕ СИТЕС / № 00BY000000 CITES PERMIT													
animal or plant	живые) / Description of specimens, including identifying marks or numbers (age (sex) if live)			образца (см. на обороте) / Appendix No. and source (see reverse)	unit)								
8./9.	10.			11.	12.	13.							
А	14. Страна происхождения* / Country of origin*	Номер разрешения / Permit No.	Дата / Date	14а. Страна последнего реэкспорта / Country of last re-export	Сертификат № / Certificate No.	Дата / Date							
14б. № операции** или дата приобретения*** / No. of the operation** or date of acquisition***													
В	14. Страна происхождения* / Country of origin*	Номер разрешения / Permit No.	Дата / Date	14а. Страна последнего реэкспорта / Country of last re-export	Сертификат № / Certificate No.	Дата / Date							
14б. № операции** или дата приобретения*** / No. of the operation** or date of acquisition***													
С	14. Страна происхождения* / Country of origin*	Номер разрешения / Permit No.	Дата / Date	14а. Страна последнего реэкспорта / Country of last re-export	Сертификат № / Certificate No.	Дата / Date							
14б. № операции** или дата приобретения*** / No. of the operation** or date of acquisition***													
* Страна, в которой образцы были изъяты из живой природы, разведены в неволе или искусственным путем (только в случае реэкспорта) / Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export) ** Только для образцов видов, включенных в Приложение I к Конвенции СИТЕС, разведенных в неволе или искусственно размноженных в коммерческих целях / Only for specimens of Appendix I species bred in captivity or artificially propagated for commercial purposes *** Для преконвенционных образцов / For pre-Convention specimens													

CODES FOR BOX 6

- T – for commerce
- Z – for zoos
- G – for botanical gardens
- Q – for circuses and travelling exhibitions
- S – for scientific purposes
- H – for hunting trophies
- P – for personal use
- M – for medical purposes (including biomedical research)
- E – for educational purposes
- N – for introduction or reintroduction into the wild
- B – for breeding in captivity or artificial propagation

CODES FOR BOX 11

- W – specimens taken from the wild
- R – specimens come from specialised wildlife breeding nurseries;

D – Annex I animals bred in captivity for commercial purposes in operations included in the Secretariat's Register, in accordance with Resolution 12.10 of the Conference of the Parties to the CITES Convention, and Annex I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported in accordance with paragraph 4 of Article VII of the CITES Convention

A – plants artificially propagated in accordance with the provisions of Resolution 11.11 of the Conference of the Parties to the CITES Convention, as well as parts and derivatives thereof, exported in accordance with paragraph 5 of Article VII of the CITES Convention (specimens of species included in Annex I artificially propagated for non-commercial purposes, and specimens of species included in Annexes II and III)

C – animals bred in captivity in accordance with Resolution 10.16 of the Conference of the Parties to the CITES Convention, as well as parts and derivatives thereof, exported in accordance with paragraph 5 of Article VII of the CITES Convention

F – animals born in captivity (F1 or subsequent generations) that do not fulfill the definition of "bred in captivity" provided for in Resolution 10.16 of the Conference of the Parties to the CITES Convention, as well as parts and derivatives thereof

- U – the source is unknown (must be justified)
- I – confiscated or seized specimens
- O – pre-convention specimens (can be used with other source codes)

A copy of permit cannot be used instead of the original.

After use, the original of the permit shall be sent to a management authority of the CITES Convention of the importing country.

RESOLUTION OF THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS

11 April 2022 No. 219

ON RATES FOR THE DETERMINATION OF THE AMOUNT OF COMPENSATION FOR HARM CAUSED TO THE ENVIRONMENT AND THE PROCEDURE FOR ITS CALCULATION

On the basis of paragraph [twenty-four of Article 9, parts one](#) and [two of Article 101-1](#) of the Law of the Republic of Belarus of 26 November 1992 No. 1982-XII "On environmental protection", the Council of Ministers of the Republic of Belarus RESOLVES to:

1. Determine that:

1.1. harm to the environment shall be considered caused in case one of the following facts is established:

emission of a pollutant into the atmospheric air from a stationary source of emissions exceeding the standards (temporary standards) for permissible emission of pollutants into the atmospheric air established in the present permit for the emission of pollutants into the atmospheric air or an integrated environmental permit, if the establishment of such standards is mandatory in accordance with the legislation;

emission of a pollutant into the atmospheric air from a stationary source of emissions exceeding the emission standards established by mandatory technical regulatory legal acts, in case the obtaining of a permit for the emission of pollutants into the atmospheric air or an integrated environmental permit is not required;

emission of a pollutant into the atmospheric air from an organised stationary source of emissions without a permit for the emission of pollutants into the atmospheric air or an integrated environmental permit, in case the obtaining of such a permit is required in accordance with the legislation;

emission of a pollutant into the atmospheric air as a result of the combustion of fuel, substances, a mixture of substances, materials, waste in places and (or) facilities not designated for their combustion, with the exception of circumstances of controlled combustion initiated by emergency rescue services;

failure to of the gas cleaning plant during the operation of the technological equipment connected to it;

content of pollutants in the exhaust gases of the engines of mobile emission sources, inspected at control facilities by individuals operating them at the time of the inspection, exceeding the standard of at least one pollutant in one of the engine operating modes;

discharge of wastewater [<*>](#) into a surface water body in violation of environmental protection requirements, other violation of the legislation, resulting in an increase in temperature in the control section of the surface water body (with the exception of the technological water body) compared to its natural temperature in the background section of 3 and more degrees Celsius;

discharge of wastewater into a surface water body, including through drainage canals [<*>](#), soil-reclamation canals [<***>](#), exceeding the standards (temporary standards) for permissible discharges of chemicals and other substances in wastewater, established in the present permit for special water use or an integrated environmental permit, in case the establishment of such standards is required in accordance with the legislation;

discharge of wastewater into the environment without a permit for special water use or an integrated environmental permit, in case such a permit is required in accordance with the legislation;

ingress (inflow) of waste into a surface water body [<***>](#);

[<*>](#) Discharge of wastewater shall be understood as a specially organised inflow of wastewater into the environment with the use of hydrotechnical constructions and devices.

[<***>](#) Drainage canals shall be understood as hydrotechnical constructions designed specially for water transportation.

<***> Canals of reclamation systems shall be understood as hydrotechnical constructions designed for the regulation of water flow in order to create and maintain an optimal soil regime for agricultural plants, forests and other plantations.

<****> Ingress (inflow) of waste into a surface water body shall be understood as the introduction of waste directly into a surface water body.

illegal disposal of by-products from production processes (whey, manure, litter) into the environment;

land degradation (including soils), determined by types and indicators in accordance with [Annex 1](#);

illegal logging (cutting, removal of tree and shrub vegetation without permits; logging of species not specified in the logging permit, warrant; logging exceeding the volume specified in the logging permit, warrant (taking into account the established by the republican state forestry authority permissible deviation of the actually harvested volume of wood from that specified in the logging permit, warrant);

illegal removal, seizure, destruction of trees, shrubs <*> (except for the cases of illegal removal of flora objects before the implementation of compensatory measures, provided that these measures were carried out before the authorised state body revealed the fact of the removal of trees, shrubs);

illegal destruction of forest plantations, undergrowth, young growth of natural origin or self-sown plants on forest fund plots designated for reforestation;

illegal harm to trees, shrubs to the extent of growth cessation <*>;

illegal harm to trees, shrubs not to the extent of growth cessation <***> exceeding the established norms for forestry and other activities;

<*> The destruction of trees, shrubs shall be understood as actions that resulted in the loss of vital activity of these trees, shrubs, not related to logging, removal of flora objects in accordance with the legislation on the use, protection and reproduction of forests, on the protection and use of the flora.

<***> Trees damaged not to the extent of growth cessation include trees with a broken trunk, a slope of more than 30 degrees (including fallen ones) as a result of anthropogenic impact, illegal complete removal (pruning) of the crown, crown fraying of more than 1/2 of its length (circumference), peeling the bark with harm to the bast of more than 50 percent of the circumference of the trunk, with the exception of those damaged within the established norms during forest management, forestry and other activities. Shrubs damaged not to the extent of growth cessation include shrubs with the illegal removal of more than 50 percent of their ground part by height or by the number of trunks (branches), with the exception of those damaged within the established norms during forest management, forestry and other activities. In the case of harm to a tree consisting of several trunks at a height of 1,3 m, the harm shall be calculated for each damaged trunk (its crowns), and in the case of harm to the foundation of such a tree forming its trunk, the harm shall be calculated for each trunk of the tree at a height of 1,3 m.

<****> Trees damaged to the extent of growth cessation include trees with broken or illegally removed crown (2 annual growths or more, up to 1/3 of the crown length), a slope of 10 to 30 degrees as a result of anthropogenic impact, crown fraying from 1/3 to 1/2 of its length (circumference), peeling of the bark with harm to the bast from 20 to 50 percent of the circumference of the trunk, with the exception of those damaged within the established norms during forest management, forestry and other activities, as well as trees with pruning carried out in violation of the legislation on the protection and use of flora (with the exception of the complete removal (pruning) of the crown). Shrubs damaged to the extent of growth cessation include shrubs with the illegal removal of 20 to 50 percent of their ground part in height or in the number of trunks (branches), with the exception of those damaged within the established norms during forest management, forestry and other activities, as well as shrubs with pruning carried out in violation of the legislation on the protection and use of flora. In the case of harm to a tree consisting of several trunks at a height of 1,3 m, the harm shall be calculated for each damaged trunk (its crowns), and in the case of harm to the foundation of such a tree forming its trunk, the harm shall be calculated for each trunk of the tree at a height of 1,3 m.

illegal harm not to the extent of growth cessation of trees, shrubs in settlements;

unauthorised and (or) in violation of the requirements of the legislation in the field of environmental protection, other legislation haying;

illegal grazing (grazing in specially protected natural areas, natural areas subject to special protection, in accordance with the regime of protection and use that prohibits grazing; grazing within the

boundaries of the forest fund without a forest permit, or in areas of the forest fund that are not indicated in the forest permit, or exceeding the number of livestock indicated in the forest permit, as well as the wrong types of livestock);

illegal burning of dry vegetation, grasses on the vine (except lawns, flower beds, forest litter, living ground cover), as well as stubble and crop residues;

destruction or harm to seedlings or saplings in nurseries, plantations;

illegal, as well as unauthorised, collection and (or) destruction of forest litter, living ground cover, removal (destruction) of the fertile soil layer, including underlying rocks, on an area of more than three square meters, and within forestry and other activities – exceeding the established norms;

illegal seizure or destruction of wild berry plants without the removal, destruction of living ground cover;

illegal collection or harvesting of wild plants of medicinal, food, technical or other value, or their parts;

illegal removal, seizure, replanting, harm or destruction of species of the wild plants included in the Red Book of the Republic of Belarus or protected in accordance with international treaties of the Republic of Belarus, and (or) their parts;

destruction, harm to lawns, flower beds, other grass cover <*>;

<*> Damaged lawns, flower beds, other grass cover include areas of flower beds, lawns, other grass cover on which the ground part of the grass cover, flower plants is mixed with the top layer of soil, oppressed as a result of mechanical and (or) other anthropogenic impact, including the impact of motor vehicles and other equipment, placement on a flower garden, lawn, other grass cover of structures or other objects that are not capital structures. Destroyed lawns, flower beds, other grass cover include areas of lawns, flower beds, other grass cover, on which the grass cover, flower plants are illegally removed taking of the top layer of soil (with the exception of cases of illegal removal of a flower garden, lawn, other grass cover during construction before implementation compensation payments, provided that these payments were made before the approval of the act of acceptance of the construction object into operation), the ground part of the grass cover, flower plants was destroyed as a result of burning and (or) other anthropogenic impact.

illegal removal or destruction of wild animals, including the death of fish or other aquatic animals;

destruction or harm to anthills, nests, burrows or dwellings of wild animals, except for cases provided for by legislative acts;

illegal ingress (inflow) of wastewater into a surface water body;

accidental contamination of the environment <*>;

<*> Accidental contamination of the environment shall be understood as a sudden unintentional pollution of the environment caused by an industrial accident, other emergency situation of a man-made nature.

contamination with environmental waste;

other harm to the environment, the amount of compensation for which shall be determined in accordance with the rates established in [Annexes 2 - 11](#), as well as other harmful impact on the environment related to the violation of requirements in the field of environmental protection, other violation of the legislation.

The results of local monitoring of the environment, observations of chemical contamination of land during land monitoring shall not be the basis for the establishment of the fact of causing harm to the environment, with the exception of data obtained with the use of automated control systems;

1.2. the amount of compensation for harm caused to the environment, as well as as a result of accidental contamination of the environment, shall be determined in accordance with the rates established in [Annexes 2 - 11](#);

1.3. for the determination of the amount of compensation for harm:

1.3.1. as a result of:

emission of a pollutant into the atmospheric air related to the violation of requirements in the field of environmental protection, other violation of the legislation, except for that received from a stationary or mobile source of emissions, carried out within the boundaries of specially protected natural areas, natural areas subject to special protection, to the rates established in [Annex 2](#) coefficient 3 shall be applied;

discharge of wastewater into a surface water body in violation of the requirements in the field of environmental protection, other violation of the legislation, resulting in an increase in temperature in the control section of the surface water body (with the exception of the technological water body) compared to its natural temperature in the background section of 3 to 5 degrees Celsius, the rate equal to 0,1 base value per one cubic meter of discharged wastewater shall be applied, and in the event of an increase in temperature of 5 degrees Celsius or more – the rate equal to 0,5 base value per one cubic meter of discharged wastewater;

1.3.2. in the case of land degradation (including soils), the following shall be additionally applied to the rates established in [Annexes 5](#) and [6](#):

coefficient 2,5 – in the case of degradation of lands of nature conservation, recreational, historical and cultural purposes, lands within the boundaries of protected areas, natural areas subject to special protection;

coefficients in accordance with [Annex 12](#) – in the case of land degradation (including soil) in the form of pollution with chemicals and other substances;

1.3.3. in the case of wastewater discharge into water bodies used for breeding, feeding, wintering, migration of salmon and sturgeon fish species, drinking needs, production of food, medicines and veterinary drugs and (or) located in a protected area, in violation of environment protection requirements, other legislation, a coefficient of 1,38 shall be applied to the rates established in [Annex 7](#);

1.3.4. in case a pollutant is discharged into groundwater in violation of the requirements in the field of environmental protection, other legislation, a coefficient of 3 shall be applied to the rates established in [Annex 7](#);

1.3.5. the following coefficients shall be applied to the rates established in [paragraphs 1 – 3](#) of [Annex 8](#):

in the case of illegal logging, removal, seizure, destruction and (or) harm to the extent of growth cessation of trees, shrubs and other plants located within the boundaries of reserves, protected areas of national parks – a coefficient of 5, within the boundaries of national parks (with the exception of protected areas), reserves and natural monuments of republican significance, – a coefficient of 4, within the boundaries of reserves and natural monuments of local importance, habitats of wild animals and (or) the growth of wild plants belonging to the species included in the Red Book of the Republic of Belarus, within the boundaries of typical and rare natural landscapes and biotopes, in respect of which local executive and administrative bodies have decided to transfer them under protection to users of land plots and (or) water bodies, – a coefficient of 3, in recreational and health-improving and protective forests, as well as forests classified by forest management projects approved before 31 December 2016 to the forests of the first group (except for located within the boundaries of protected areas, habitats of wild animals and (or) growth of wild plants belonging to the species included in the Red Book of the Republic of Belarus, within the boundaries of typical and rare natural landscapes and biotopes) – a coefficient of 2;

in the case of illegal logging, removal, seizure, destruction of dead trees, shrubs – a coefficient of 0,25;

1.3.6. in the case of disposal of by-products from production processes (whey, manure, litter) into the environment a rate equal to 196 base values per tonne of such products shall be applied;

1.3.7. in the case of destruction or harm to the lands of the forest fund of drainage ditches and drainage systems (driers, collectors, main canals), roads (asphalt-concrete, cement-concrete, tarmac, cobblestone, crushed stone, gravel, soil, improved soil), engineering structures on forest drainage canals, drainage systems and roads (bridges, pipes, pipe-crossings, pipes-regulators, sluices) doubled amount of the cost of restoration works shall be taken as of the day the detection of the harm;

1.4. The amount of compensation for harm caused to the environment as a result of the illegal removal or destruction of wild animals and the harmful impact on their habitat shall be determined in accordance with the rates established in [Annex 9](#).

In the case of the illegal seizure or destruction of:

wild animals, their parts and (or) derivatives subject to the [Convention](#) on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (hereinafter – CITES specimens), the harm shall be compensated on the basis of the rates established in [Annex 9](#) calculated in a double amount for each seized or destroyed wild animal;

wild animals included in the Red Book of the Republic of Belarus, the harm shall be compensated on the basis of the rates established in [Annex 9](#) calculated in a triple amount for each seized or destroyed wild animal;

wild animals included in the Red Book of the Republic of Belarus, as well as CITES specimens, the harm shall be compensated on the basis of the rates established in [Annex 9](#) calculated in a triple amount for each seized or destroyed wild animal;

wild animals living in lands where their seizure is prohibited, the harm shall be compensated on the basis of the rates established in [Annex 9](#) calculated in a triple amount for each seized or destroyed wild animal;

wild animals with tools, the operation principles of which are based on the use of an electromagnetic field, ultrasound, or by means of an explosion, the harm shall be compensated on the basis of the rates established in [Annex 9](#) calculated in the amount of five times for each seized or destroyed wild animal;

fish and aquatic invertebrates in the period when their removal is prohibited, the harm shall be compensated on the basis of the rates established in [Annex 9](#) calculated in a triple amount for each seized or destroyed species of fish or aquatic invertebrate;

pregnant female mammals, the harm shall be compensated on the basis of the rates established in [Annex 9](#) for each seized or destroyed wild animal and its embryo;

bird eggs, eggs, larvae and pupae of ants, harm shall be compensated on the basis of the rates established in [Annex 9](#) for each bird and ant whose eggs, larvae and pupae are seized or destroyed.

In the case of destruction of dwellings of wild animals, the harm shall be compensated on the basis of the rates established in [Annex 9](#) for each wild animal living in these dwellings;

1.5. the amount of compensation for harm caused to the environment as a result of contamination with waste [<*>](#) shall be determined by:

if it is possible to determine the area of land within the boundaries of which the environment is contaminated with waste – in accordance with the rates established in [Annex 10](#);

if it is possible to determine the mass of waste – in accordance with the rates established in [Annex 11](#).

[<*>](#) For the purposes of this Resolution, contamination with environmental waste shall be understood as the presence in the environment of waste of the first – third hazard classes in any quantity and on any area of land, other waste in the amount of more than one tonne or on the area of land over 3 sq.m. in violation of the requirements of environmental protection legislation.

In the case of contamination of the environment with environmental waste within the boundaries of lands of nature protection, recreational, historical and cultural purposes, forest fund (nature conservation, recreational and protective forests), specially protected natural areas, a coefficient of 2,5 shall be applied to the rates established in [Annex 10](#).

As the amount of compensation for harm caused to the environment as a result of contamination with waste, the largest of its value determined by the rates specified in [paragraphs two and three of part one](#) of this subparagraph shall be taken.

Expenses for the compensation of harm caused to the environment as a result of contamination with waste shall not be considered for taxation;

1.6. in case the rates are not established, compensation for harm caused to the environment shall be carried out by the individual who caused the harm, at the actual costs of the restoration of the disturbed state of the environment, including the loss of profit.

The composition of the costs indicated in [part one](#) of this subparagraph shall be determined on the basis of the types and scope of work on the restoration of the disturbed state of the environment, as well

as the costs for the development, consideration, agreement, approval of project documentation, monitoring of the state of the environment, component of the environment and the forecast of its change during the period of the specified works, revenues not received by the state;

1.7. the costs related to the determination of the mass of waste <*>, sampling and measurements in the field of environmental protection <*> shall not be included in the amount of compensation for harm caused to the environment, and shall be subject to compensation by the individual who caused the harm, if such harm was caused in the result of:

<*> The costs related to the determination of the mass of waste shall be understood as the costs of services connected with loading and unloading, transportation, separation by type, weighing, removal, storage, disposal, neutralisation and (or) use of waste.

<*> The costs related to sampling and measurements in the field of environmental protection shall be understood as the costs of economic entities incurred in the course of sampling and measurements in the field of environmental protection. In the case of sampling and measurement in the field of environmental protection by an organisation financed from the budget, the costs shall be calculated on the basis of direct and overhead costs.

1.7.1. accidental contamination of the environment;

1.7.2. discharges of wastewater into water bodies, emissions of pollutants into the atmospheric air prohibited by law;

1.7.3. disposal of by-products of production into the environment;

1.7.4. emissions of pollutants into the atmospheric air, wastewater discharges into water bodies exceeding the established standards (temporary standards) for permissible emissions and discharges of chemical and other substances or without established standards (temporary standards) in cases where the legislation provides for the establishment of such standards, as well as wastewater discharges into surface water bodies, which caused an increase in temperature in the control section of surface water bodies (with the exception of technological water bodies) in comparison with their natural temperature in the background section of 3 or more degrees Celsius;

1.7.5. degradation of lands (including soils) due to their contamination with the concentration of chemical and other substances in soils exceeding the differentiated standard for the content of a chemical in soils, in the absence of the standard – the standard for the maximum permissible concentration of chemical and other substances in soils, and in the absence of these standards – two times higher than the background concentration of a chemical in soils;

1.7.6. contamination with environmental waste.

For the establishment of the fact of causing harm to the environment and calculation of the amount of its compensation, confirmation of the restoration of the disturbed state of the environment, if such harm was caused as a result of the violations specified in [part one](#) of this paragraph, the state body exercising control in the field of environmental protection, rational use of natural resources, another state organisation, within its competence, for the purpose of measurements in the field of environmental protection, may attract subordinate organisations authorised by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, as well as other legal entities accredited in the National Accreditation System of the Republic of Belarus, carrying out sampling and measurements in the field of environmental protection (hereinafter – economic entities).

For the determination of the mass of waste for the purpose of the calculation of the amount of compensation for harm caused to the environment as a result of contamination with waste, the state body exercising control in the field of environmental protection, rational use of natural resources, another state organisation, within its competence, may attract on a contractual basis organisations providing services for the storage, disposal, neutralisation, use of waste.

Reimbursement of costs related to the determination of the mass, sampling and measurements in the field of environmental protection shall be carried out by the individual who caused the harm, no later than two months from the date of notification by the state body exercising control in the field of environmental protection, rational use of natural resources, other state organisation within its competence, economic entity that incurred these costs. In the case of full or partial refusal to reimburse the costs related to the determination of the mass, sampling and measurements in the field of environmental protection, they shall be subject to recovery in accordance with the legislation.

2. Approve the [Regulation](#) on the procedure for the calculation of the amount of compensation for harm caused to the environment and drawing up an act on the establishment of the fact of causing harm to the environment (attached).

3. Draft normative legal acts stipulating changes of the rates for the determination of the amount of compensation for harm caused to the environment shall be subject to agreement with the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

4. Amend the [Resolution](#) of the Council of Ministers of the Republic of Belarus of 17 July 2008 No. 1042 "On the approval of the Regulation on the procedure for the calculation of the amount of compensation for harm caused to the environment, and drawing up an act on the establishment of the fact of causing harm to the environment, changing and revocation of some decisions of the Council of Ministers of the Republic of Belarus" as follows:

the words from the [title](#) "the approval of the Regulations on the procedure for calculating the amount of compensation for harm caused to the environment, and drawing up an act on the establishment of the fact of causing harm to the environment" shall be excluded;

the [preamble](#) shall read as follows:

"The Council of Ministers of the Republic of Belarus RESOLVES:";

[paragraph 1](#) shall be excluded.

Paragraph 5 came into force after its official publication ([paragraph two of clause 6](#) of this document).

5. The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and other republican authorities of state/public administration shall adjust their normative legal acts in accordance with this Resolution and take other measures for its implementation.

6. This Resolution shall enter into force in the following order:

[paragraph 5](#) – after the official publication of the Resolution;

other provisions of the Resolution – from 12 April 2022

Prime Minister of the Republic of Belarus
Golovchenko

Roman

RATES
FOR THE DETERMINATION OF THE AMOUNT OF COMPENSATION FOR HARM CAUSED TO FORESTS
AND THE OBJECTS OF THE FLORA

Type of harm	Rate, base value
1. Destruction of forest plantations, undergrowth, young growth of natural origin or self-seeding on areas of the forest fund designated for reforestation:	
1.1. per hectare of destroyed forest plantations, undergrowth, young growth of natural origin and self-sown at the age up to 5 years	30,0
1.2. per hectare of destroyed forest plantations, undergrowth, young growth of natural origin and self-sown plants at the age of 6 - 10 years	60,0
2. Harm to trees or shrubs not to the extent of growth cessation exceeding the established norms during forestry and other activities – per one damaged tree over 8 cm in diameter	0,1
3. Illegal logging, removal as well as destruction and (or) harm to the extent of growth cessation, shrubs, except for trees, shrubs in settlements:	
3.1. per one tree with a diameter:	
pine, spruce, larch, fir and other coniferous trees:	
up to 12 cm	0,2
from 12,1 to 16 cm	0,4
from 16,1 to 20 cm	0,8
from 20,1 to 24 cm	1,4
from 24,1 to 28 cm	2,0
from 28,1 to 32 cm	3,0
from 32,1 to 36 cm	4,0
from 36,1 to 40 cm	5,0
from 40,1 to 44 cm	6,0
over 44 cm – per each centimeter in addition to the previous rate	0,4
oak, ash, maple, linden, elm, horse chestnut, walnut:	
up to 12 cm	0,6
from 12,1 to 16 cm	1,2
from 16,1 to 20 cm	2,4
from 20,1 to 24 cm	4,2
from 24,1 to 28 cm	6,0
from 28,1 to 32 cm	9,0
from 32,1 to 36 cm	12,0
from 36,1 to 40 cm	15,0
from 40,1 to 44 cm	18,0
over 44 cm – per each centimeter in addition to the previous rate	1,2
Karelian birch:	
up to 12 cm	4,0
from 12,1 to 16 cm	8,0
from 16,1 to 20 cm	16,0
from 20,1 to 24 cm	28,0
from 24,1 to 28 cm	40,0
from 28,1 to 32 cm	60,0
from 32,1 to 36 cm	80,0
from 36,1 to 40 cm	100,0
from 40,1 to 44 cm	120,0
over 44 cm – per each centimeter in addition to the previous rate	8,0
Other species:	
up to 12 cm	0,14
from 12,1 to 16 cm	0,28
from 16,1 to 20 cm	0,52
from 20,1 to 24 cm	0,92

from 24,1 to 28 cm	1,32
from 28,1 to 32 cm	2,0
from 32,1 to 36 cm	2,68
from 36,1 to 40 cm	3,32
from 40,1 to 44 cm	4,0
over 44 cm – per each centimeter in addition to the previous rate	0,28
3.2. per one shrub:	
juniper, thuja and other coniferous shrubs	2,0
willows	0,4
other species	0,8
4. Unauthorised and (or) in violation of the requirements in the field of environmental protection, other legislation haying – per one hectare of unauthorised haying on the lands:	
Arable lands	10,0
improved meadow grasslands	5,0
natural dry meadow grasslands	3,0
natural swamp meadow grasslands	2,0
of the forest fund, where haying is prohibited	10,0
5. Illegal cattle grazing – per one head of illegally grazed cattle	3,0
6. Illegal burning of dry vegetation, grass on the root (except lawns, flower gardens, forest litter, living ground cover), as well as stubble and crop residues – per one square meter of burned dry vegetation, grasses on the root, stubble and crop residues on the lands: environmental protection, health-improving, recreational, historical and cultural purposes	0,02
agricultural purposes, including:	
natural meadow grasslands	0,02
improved meadow grasslands	0,018
other types	0,016
settlements, horticultural associations, dacha cooperatives	0,009
industry, transport, communication, energy, defense and other purposes, water found, stock	0,005
7. Destruction or harm of seedlings and saplings in nurseries, on plantations:	
per square meter covered with seedlings	0,1
per one thousand seedlings for forestation purposes	2,0
per one seedling for landscaping purposes	1,0
per one fruit seedling	2,0
8. Illegal, including unauthorised, collection and (or) destruction of forest litter, living ground cover, removal (destruction) of the fertile soil layer, including underlying rocks, on the area of more than three square meters, and when conducting forestry and other activities exceeding the established norms – per square meter	1,0
9. Illegal seizure or destruction of wild berry plants without removal, destruction of the ground cover on one square meter of area:	
bilberries, blueberries	0,25
cranberries, cowberries	0,35
strawberries, blackberries, brambleberries	0,5
10. Illegal collection or harvesting of wild plants of medicinal, food, technical and other importance, or their parts – per kilogram:	
10.1. wild mushrooms, nut-bearing, fruit-berry, medicinal and technical plants (berries, fruits, seeds, nuts, acorns)	1,2
10.2. wild medicinal and industrial plants:	
bark, bast, roots, rootstock, bulbs	1,8
leaves, needles, moss, lichens, grass, shoots	1,6
flowers, inflorescences, bourgeons, buds	2,4
10.3. tree sap	0,1
10.4. turpentine, spruce sulfur	0,2

11. Illegal removal, seizure, replanting, as well as destruction or harm of wild plants belonging to the species included in the Red Book of the Republic of Belarus or protected in accordance with international treaties of the Republic of Belarus, and (or) their parts:	
11. 1. per one specimen damaged not to the extent of cessation of growth:	
trees, regardless of age, with a height less than 1,5 m	1,5
trees, regardless of age, with a height of more than 1,5 m	2,5
11.2. per one specimen destroyed or damaged to the point of growth cessation:	
tree diameter:	
up to 8 cm	1,0
from 8,1 to 12 cm	2,0
from 12,1 to 16 cm	4,0
from 16,1 to 20 cm	8,0
from 20,1 to 24 cm	14,0
from 24,1 to 28 cm	20,0
from 28,1 to 32 cm	30,0
from 32,1 to 36 cm	40,0
from 36,1 to 40 cm	50,0
from 40,1 to 44 cm	60,0
over 44 cm – per each centimeter in addition to the previous rate	4,0
shrub	5,0
herbaceous (flowering, fern, lycophyte) plants	5,0
11.3. per one square meter of area occupied by lichen or moss	5,0
11.4. per one kilogram of illegally collected (harvested) parts of wild plants:	
grass, leaves, shoots, needles, moss, lichens	5,0
roots, rhizomes, bulbs, bark, bast	7,0
flowers, inflorescences, bourgeons, buds	10,0
fruits, berries, nuts, acorns	5,0
seeds other than acorns and nuts	10,0
11.5. for a detached area of growth of a herbaceous (flowering, ferns, lycophyte, bryophyte, lichens) plant in the absence of the possibility of calculation in accordance with the units of measurement specified in subparagraphs 11.1 - 11.4 of this paragraph	100,0
12. Illegal logging, removal, seizure, as well as destruction and (or) harm to the extent of cessation of growth of trees, shrubs in settlements:	
12.1. per one tree with a diameter:	
European spruce, Colorado spruce, Canadian spruce, Scotch pine,, black pine, Siberian pine, Weymouth pine, western white-cedar, Douglas fir, white fir, Siberian fir, European larch, Siberian larch, Sukachev’s larch and other conifers:	
up to 4 cm	2,0
from 4,1 to 8 cm	5,0
from 8,1 to 12 cm	7,0
from 12,1 to 16 cm	10,0
from 16,1 to 20 cm	12,0
from 20,1 to 30 cm	13,0
from 30,1 cm and higher	15,0
European white elm, pinnate-branched elm, Scotch elm (elm), European hornbeam, red oak, pedunculate oak, horse chestnut, sumac, sycamore maple (sycamore), small-leaved linden, large-leaved linden, Karelian birch and other deciduous slow-growing trees:	
up to 4 cm	2,0
from 4,1 to 8 cm	5,0
from 8,1 to 10 cm	7,0
from 10,1 to 14 cm	10,0
from 14,1 to 16 cm	12,0
from 16,1 to 22 cm	13,0

from 22,1 to 28 cm	15,0
from 28,1 cm and higher	17,0
birch, common willow, white willow, drooping willow, European ash, red ash, Manchurian ash, walnut, white walnut, Manchurian walnut, Norway maple, silver maple, pyramidal poplar, choke pear, apple tree, cherry plum, plum, cherry, bird-cherry, mountain ash, hybrid mountain ash, chokecherry, late bird cherry, Manchurian cherry, sea buckthorn, mulberry and other fast-growing deciduous and fruit trees:	
up to 4 cm	1,0
from 4,1 to 8 cm	3,0
from 8,1 to 12 cm	5,0
from 12,1 to 15 cm	7,0
from 15,1 to 18 cm	10,0
from 18,1 to 23 cm	12,0
from 23,1 cm and higher	14,0
brittle willow, goat willow, white willow, poplar (all types except pyramidal), white alder and other low-value deciduous trees:	
up to 4 cm	0,1
from 4,1 to 8 cm	0,3
from 8,1 to 12 cm	1,0
from 12,1 to 15 cm	2,0
from 15,1 cm and higher	5,0
12.2. per one bush with the height:	
actinidia kolomikta, actinidia bower, grape, perfoliate honeysuckle, Chinese magnolia vine, traveller's-joy, waxwort and other woody vines:	
up to 1 m	1,0
from 1,1 m and higher	3,0
microbiota, arborvitae (all species and forms), trailingmahonia, red juniper, savin juniper, common juniper (all forms), cypress (all species), boxwood, yew berry, mountain pine and other coniferous and evergreen shrubs:	
up to 1 m	2,0
from 1,1 m and higher	5,0
weigela, smooth hydrangea, deutzia, beauty bush, rhododendron, grafted rose, own-rooted rose, Hungarian lilac, common lilac, Vangutta spirea, St. John's-wort spirea, willow-leaved spirea, Japanese spirea, European forsythia, coronal mock orange, Japanese quince and other flowering shrubs:	
up to 1 m	2,0
from 1,1 m and higher	4,0
barberry, privet, hawthorn, Tatar honeysuckle, viburnum Sarment, brilliant cotoneaster, horizontal cotoneaster, silverberry, Russian olive, broom, wrinkled rose, golden currant and other slow-growing shrubs:	
up to 1 m	1,5
from 1,1 m and higher	4,0
Siberian pea shrub, white dogwood, red dogwood, shadberry, European dogwood, nine-bark, dog rose, black currant, red currant, chokeberry, gooseberry and other fast-growing and fruit shrubs:	
up to 1 m	1,0
from 1,1 m and higher	2,0
12.3. per one linear meter of a hedge from bushes:	
single row	2,0
two-row	4,0
13. Destruction, harm to flower gardens, lawns, as well as other grass cover in settlements – per one square meter:	
13.1. destruction of flower gardens:	
floral arrangements from annuals and biennials	2,0
floral arrangements from perennials	10,0

13.2. harm to flower gardens:	
floral arrangements from annuals and biennials	0,5
floral arrangements from perennials	2,5
13.3. lawn destruction:	
ordinary, meadow	0,5
parterre	1,0
sports, Mauritanian, special-purpose	2,0
13.4. lawn damage:	
ordinary, meadow	0,1
parterre	0,2
sports, Mauritanian, special-purpose	0,5
13.5. destruction of other grass cover in settlements	0,25
13.6. harm to other grass cover in settlements	0,05
14. Harm not to the extent of cessation of growth of trees, shrubs in settlements:	
14.1. per one tree with a diameter:	
European spruce, Colorado spruce, white spruce, Scots pine, Corsican pine, Siberian stone pine, Weymouth pine, white cedar, Douglas fir, white fir, Siberian fir, European larch, Siberian larch, Sukachev's larch and other conifers:	
up to 4 cm	0,5
from 4,1 to 8 cm	1,0
from 8,1 to 12 cm	2,0
from 12,1 to 16 cm	2,5
from 16,1 to 20 cm	3,0
from 20,1 to 30 cm	3,5
from 30,1 cm and higher	4,0
European white elm, pinnate-branched elm, Scotch elm (elm), European hornbeam, red oak, pedunculate oak, horse chestnut, sumac, sycamore maple (sycamore), small-leaved linden, large-leaved linden, Karelian birch and other deciduous slow-growing trees:	
up to 4 cm	0,5
from 4,1 to 8 cm	1,0
from 8,1 to 10 cm	1,5
from 10,1 to 14 cm	2,0
from 14,1 to 16 cm	2,5
from 16,1 to 22 cm	3,0
from 22,1 to 28 cm	3,5
from 28,1 cm and higher	4,0
birch, common willow, white willow, drooping willow, European ash, red ash, Manchurian ash, walnut, white walnut, Manchurian walnut, Norway maple, silver maple, pyramidal poplar, choke pear, apple tree, cherry plum, plum, cherry, bird-cherry, mountain ash, hybrid mountain ash, chokecherry, late bird cherry, Manchurian cherry, sea buckthorn, mulberry and other fast-growing deciduous and fruit trees:	
up to 4 cm	0,25
from 4,1 to 8 cm	0,7
from 8,1 to 12 cm	1,0
from 12,1 to 15 cm	1,5
from 15,1 to 18 cm	2,0
from 18,1 to 23 cm	3,0
from 23,1 cm and higher	4,0
brittle willow, goat willow, white willow, poplar (all types except pyramidal), white alder and other low-value deciduous trees:	
up to 4 cm	0,02
from 4,1 to 8 cm	0,07
from 8,1 to 12 cm	0,2
from 12,1 to 15 cm	0,5

from 15,1 and higher	1,0
14.2. per one linear meter of a hedge from shrubs:	
single row	0,5
two-row	1,0
14.3. per one bush with the height	
actinidia kolomikta, actinidia bower, grape, perfoliate honeysuckle, Chinese magnolia vine, traveller's-joy, waxwort and other woody vines:	
up to 1 m	0,25
from 1,1m and higher	1,0
microbiota, arborvitae (all species and forms), trailing mahonia, red juniper, savin juniper, common juniper (all forms), cypress (all species), boxwood, yew berry, mountain pine and other coniferous and evergreen shrubs::	
up to 1 m	0,5
from 1,1 m and higher	1,0
weigela, smooth hydrangea, deutzia, beauty bush, rhododendron, grafted rose, own-rooted rose, Hungarian lilac, common lilac, Vangutta spirea, St. John's-wort spirea, willow-leaved spirea, Japanese spirea , European forsythia, coronal mock orange, Japanese quince and other flowering shrubs:	
up to 1 m	0,5
from 1,1 m and higher	1,0
barberry, privet, hawthorn, Tatar honeysuckle, viburnum Sarment, brilliant cotoneaster, horizontal cotoneaster, silverberry, Russian olive, broom, wrinkled rose, golden currant and other slow-growing shrubs:	
from 1 m	0,3
from 1,1 m and higher	1,0
Siberian pea shrub, white dogwood, red dogwood, shadberry, European dogwood, nine-bark, dog rose, black currant, red currant, chokeberry, gooseberry and other fast-growing and fruit shrubs:	
up to 1 m	0,25
from 1,1 m and higher	0,5

Note. For the purposes of this Resolution, the diameter of a tree shall be understood as the diameter of the trunk at a height of 1,3 meters – in the case of harm to the tree without the detachment of the trunk, the diameter of the stump in the bark – in the case of the detachment of the trunk, the diameter of the tree in accordance with accounting data or other documents containing information about the diameter of the tree – when the stump is destroyed or its diameter cannot be measured. In the case of impossibility to establish the parameters of the object of the flora growing within the boundaries of a settlement on lands that are not part of the forest fund (diameter, height, area), according to this Annex, by measurement and in the absence of such information in the available documents, the average value of the minimum rates of trees shall be applied – 1,3 of base value, shrubs – 1,6 of base value, for other grass cover – 0,05 of base value.

RATES
FOR THE DETERMINATION OF THE AMOUNT OF COMPENSATION FOR HARM CAUSED TO THE
ENVIRONMENT AS A RESULT OF ILLEGAL SEIZURE OR DESTRUCTION OF WILD ANIMALS AND HARMFUL
IMPACT ON THEIR HABITAT

Categories of wild animals		Rate, base value
in English	in Latin	
I. Phylum Vertebrata	Vertebrata	
1. Class of Mammalia	Mammalia	
1.1. order of Artiodactyla:	Artiodactyla	
bison <*>	Bison bonasus	400,0
elk <*>	Alces alces	300,0
red deer <*>	Cervus elaphus	300,0
all other species of order <*>		120,0
1.2. order of Carnivora:	Carnivora	
lynx <*>	Lynx lynx	100,0
otter <*>	Lutra lutra	100,0
badger <*>	Meles meles	100,0
brown bear <*>	Ursus arctos	400,0
raccoon dog <*>	Nyctereutes	3,0
	procyonoides	
American mink <*>	Mustela vison	3,0
all other species of order <*>		35,0
1.3. order of Lagomorpha – all types of order <*>	Lagomorpha	20,0
1.4. order of Rodentia:	Rodentia	
beaver <*>	Castor fiber	70,0
all other species of order <*>		3,0
1.5. order of Eulipotyphla – all species of order <*>	Eulipotyphla	3,0
1.6. order of Chiroptera – all species of order <*>	Chiroptera	3,0
1.7. order of Perissodactyla:	Perissodactyla	
Przewalski's horse	Equus przewalskii	400,0
	caballus	
all other species of order <*>		120,0
1.8. all other species of class <*>		35,0
2. Class of Aves	Aves	
2.1. order of Gaviiformes – all species of order <*>	Gaviiformes	30,0
2.2. order of Podicipediformes – all species of order <*>	Podicipediformes	20,0
2.3. order of Pelecaniformes - all species of order <*>	Pelecaniformes	15,0
2.4. order of Ciconiiformes – all species of order <*>	Ciconiiformes	30,0
2.5. order of Anseriformes – all species of order <*>	Anseriformes	30,0
2.6. order of Falconiformes – all species of order <*>	Falconiformes	35,0
2.7. order of Accipitriformes – all species of order <*>	Accipitriformes	35,0
2.8. order of Galliformes	Galliformes	
capercaillie <*>	Tetrao urogallus	200,0
black grouse <*>	Tetrao tetrix	60,0
all other species of order <*>		30,0
2.9. order of Gruiformes	Gruiformes	
crane <*>	Grus grus	30,0
all other species of order <*>		12,0
2.10. order of Charadriiformes:	Charadriiformes	
stone curlew <*>	Burhinus oedicnemus	30,0
all other species of order <*>		10,0
2.11. order of Strigiformes – all species of order <*>	Strigiformes	35,0
2.12. order of Coraciiformes – all species of order <*>	Coraciiformes	10,0
2.13. order of Cuculiformes all species of order <*>	Cuculiformes	10,0
2.14. order of Caprimulgiformes – all species of order <*>	Caprimulgiformes	10,0

2.15. order of Apodiformes – all species of order <*>	Apodiformes	6,0
2.16. order of Piciformes – all species of order <*>	Piciformes	6,0
2.17. order of Passeriformes – all species of order <*>	Passeriformes	6,0
2.18. all other species of class <*>		3,0
3. Class of Petromyzontes – all species of class <*>	Petromyzontes	1,0
4. Class of Osteichthyes	Osteichthyes	
4.1. Order of Acipenseriformes – all species of order <*>	Acipenseriformes	10,0
4.2. Order of Salmoniformes:	Salmoniformes	
rainbow trout <*>	Oncorhynchus mykiss	3,0
lake trout <*>	Salmo trutta	6,0
European greyling <*>	Thymallus thymallus	6,0
northern pike <*>	Esox lucius	3,0
all species of order <*>		3,0
4.3. order of Anguilliformes - all species of order <*>	Anguilliformes	15,0
4.4. order of Cypriniformes:	Cypriniformes	
common barbel <*>	Barbus barbus	12,0
Dnieper barbell <*>	Barbus barbus boristhenicus	12,0
bighead carp <*>	Hypophthalmichthys nobilis	3,0
silver carp <*>	Hypophthalmichthys molitrix	3,0
common nase <*>	Chondrostoma nasus	9,0
grass carp <*>	Ctenopharyngodon idella	3,0
European carp <*>	Cyprinus carpio	6,0
vimba <*>	Vimba vimba	9,0
asp <*>	Aspius aspius	12,0
common bream <*>	Abramis brama	3,0
sabrefish <*>	Pelecus cultratus	6,0
tench <*>	Tinca tinca	6,0
chub <*>	Squalius cephalus	9,0
ide <*>	Leuciscus idus	6,0
zope <*>	Ballerus ballerus	2,0
white-eye bream <*>	Ballerus sapa	2,0
silver bream <*>	Blicca bjoerkna	1,0
common rudd <*>	Scardinius erythrophthalmus	1,0
crusian carp <*>	Carassius carassius	6,0
common dace <*>	Leuciscus leuciscus	1,0
Russian carp <*>	Carassius gibelio	1,0
common roach <*>	Rutilus rutilus	1,0
all other species of order <*>		0,3
4.5. order of Siluriformes:	Siluriformes	
European catfish <*>	Silurus glanis	4,0
channel catfish <*>	Ictalurus punctatus	4,0
all other species of order <*>		0,5
4.6. order of Gadiformes:	Gadiformes	
spineless catfish <*>	Lota lota	9,0
all other species of order <*>		0,2
4.7. order of Perciformes:	Perciformes	
pike-perch <*>	Sander lucioperca	6,0
European perch <*>	Perca fluviatilis	1,0
all other species of order <*>		0,3
4.8. all other species of class <*>		0,3
5. Class of Amphibia <*>	Amphibia	3,0

6. Class of Reptilia – all species of class <*>	Reptilia	3,0
II. Phylum Mollusca	Mollusca	
7. order of Unionida – all species of order <*>	Unionida	1,0
8. All other species of phylum <***>		15,0
III. Phylum Arthropoda	Arthropoda	
9. Order Decapoda – all species of order <*>	Decapoda	1,5
10. All other species of phylum <***>		6,0
IV. Phylum Annelida	Annelida	
11. Medicinal leech <*>	Hirudo medicinalis	1,5
12. All other species of phylum <***>		10,0
V. Phylum Nematelminthes	Nematelminthes	
13. All species of phylum <***>		6,0
VI. Phylum Bryozoa	Bryozoa	
14. All species of phylum <***>		3,0
VII. Phylum Plathelminthes	Plathelminthes	
15. All species of phylum <***>		3,0
VIII. Phylum Porifera	Porifera	
16. All species of phylum <***>		3,0

 <*> Per one specimen regardless of weight and size.

<***> Per one kilogram regardless of quantity and size.

RESOLUTION OF THE COUNCIL OF MINISTERS OF THE REPUBLIC OF BELARUS

9 March 2015 No. 181

ON THE PROCEDURE FOR THE TREATMENT OF STURGEON SPECIES AND (OR) CAVIAR FROM THEM

On the basis of [sub-paragraph four of sub-paragraph 1.4-2 of paragraph 1 of Article 10, part two of paragraph 3 of Article 43-2](#) of the Law of 10 July 2007 No. 257-Z "On wildlife" the Council of Ministers of the Republic of Belarus RESOLVES to:

1. Approve the [Regulation](#) on the procedure for registration of production facilities where the production of sturgeon species and (or) products from them, including caviar, is carried out (attached).

4. This decree enters into force after its official publication.

Prime Minister of the Republic of Belarus

Andrei Kobayakov

APPROVED
Resolution of the Council
of Ministers of the
Republic of Belarus
of 9 March 2015 No. 181
as amended by the
Resolution
of the Council of Ministers
of the Republic of Belarus
of 29 March 2016 No. 255)

REGULATION

ON THE PROCEDURE FOR THE REGISTRATION OF PRODUCTION FACILITIES WHERE THE PRODUCTION OF STURGEON SPECIES AND (OR) PRODUCTS FROM THEM, INCLUDING CAVIAR, IS CARRIED OUT

1. This Regulation establishes the procedure and conditions for the registration of production facilities, where the production of sturgeon species and (or) products from them, including caviar, is carried out.

2. For the purposes of this Regulation, the following terms and their definitions shall be used:

caviar – processed unfertilised eggs (roe) of sturgeon species (caviar);

sturgeon species – fish species of sturgeon family (Siberian sturgeon, Russian sturgeon, sterlet, sevruga, beluga, kaluga and hybrids) and paddlefish species (paddlefish);

caviar lot – certain amount of caviar of one type of processing delivered by one consignor under one transport document to one consignee;

primary container – a metal (glass) jar into which the caviar is placed;

repackaging of caviar – removal of primary containers from one tare and placement into the other, and (or) the removal of caviar from primary containers and placement into the other for the purpose of arranging products according to the needs of a customer;

production facility – fish nursery and (or) artificial reservoirs (fish ponds, cages, basins and other facilities), where the cultivation of stocking material and (or) commercial fish of sturgeon species, as well as fish factories (enterprises, industrial buildings, complexes, facilities, workshops, sections and other facilities), where the processing of sturgeon species and the extraction of roe from them, as well as the packaging and re-packaging of caviar are carried out;

production of sturgeon species and (or) caviar from them – is a type of activity aimed at the cultivation of stocking material, commercial fish, the processing of sturgeon species and (or) the production of caviar from them;

country of origin of caviar – a country where the caviar was produced and packed into the primary containers;

tare – is a product used for the placement, protection, transportation, loading and unloading, delivery and storage of primary containers;

packaging for caviar – tare and primary containers;

CITES label – is a means of transmitting information in accordance with the requirements of the [Convention](#) on International Trade in Endangered Species of wild Fauna and Flora of 3 March 1973 on the product and its manufacturer, which is located on the label applied to caviar packaging.

3. For the registration of production facilities, legal entities and (or) individual entrepreneurs engaged in the production of sturgeon species and (or) products from them, including caviar (hereinafter – applicants) shall submit to the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (hereinafter – the MNREP) an application for the registration of a production facility where the production of sturgeon species and (or) products from them, including caviar, is carried out (hereinafter – application) on the form provided in [Annex 1](#).

4. The MNREP within the period specified in [sub-paragraph 6.16.1 of paragraph 6.16](#) of the consolidated list of administrative procedures carried out in relation to legal entities, approved by the

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548, shall consider the application and register the production facility in the register of production facilities where the production of sturgeon species and (or) products from them, including caviar, is carried out on the form provided in [Annex 2](#) with the assignment of an identification number to the facility, which is a numerical code consisting of two groups of characters separated by a dash (hyphen), where the first group of characters corresponds to the activities carried out at the production facility, including "A" – "Cultivation of stocking material in the fish nursery", "B" – "Cultivation of commercial fish in artificial water bodies", "C" – "Processing and preserving of fish and fish products (including caviar) at fish factories, caviar packaging and repackaging", the second group repeats the number in the register of production facilities (hereinafter – identification number of a production facility), and issues a certificate of registration of a production facility where the production of sturgeon species and (or) products from them, including caviar, is carried out (hereinafter – certificate) on the form provided in [Annex 3](#) or refuses to register it.

Before making a decision on the registration of a production facility, the representatives of the territorial authority of the MNREP together with the representatives of the Ministry of Agriculture and Food shall verify the accuracy of the information provided in the application, upon the results of which the act is issued, signed by the applicant, the representative of the Ministry of Agriculture and Food and the representative of the territorial authority of the MNREP.

The validity period of the certificate shall be unlimited.

5. The decision on the refusal of the registration of a production facility shall be made on the basis stipulated in [Article 25](#) of the Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures".

The applicant shall be notified about the taken decision in accordance with [Article 27](#) of the Law of the Republic of Belarus "On the basis of administrative procedures".

6. The forms of [certificates](#) shall be the form of documents with a certain degree of protection and shall be made in accordance with the procedure established by legislation by the order of the MNREP.

7. A [certificate](#) shall be signed by the Minister of Natural Resources and Environmental Protection of the Republic of Belarus, or his deputy, and shall be issued upon the submission of:

a document confirming the official position of the head of a legal entity, as well as the document of identification – to the head of a legal entity;

certificates of state registration – to an individual entrepreneur;

the document of identification and the power of attorney – to an authorised representative of a legal entity or an individual entrepreneur.

8. In the case of change of the actual address of a production facility or liquidation (termination of activity) of an applicant, the [certificate](#) shall be deemed invalid from the date of change of the actual address of a production facility or liquidation (termination of activity) of the applicant.

9. The production facilities where the production, packaging and (or) repackaging of caviar takes place must be provided with labelling for caviar packaging.

10. CITES labels, made on self-adhesive paper resistant to high and low temperatures and various levels of humidity to prevent them from drying out and peeling off from the surface on which they are applied to, shall be used for the labelling of caviar packaging. If an attempt is made to peel off a CITES label, the integrity of the label is damaged, making it impossible to reuse it.

11. A CITES label must contain the following details:

11.1. for the packaging of caviar produced at the production facilities located on the territory of the Republic of Belarus:

BAE^a/C^b/BY^c/2016^d/yyyy^e/zzzz^f,

where a – code of fish species of the sturgeon or paddlefish family: Siberian sturgeon (*Acipenser baerii*) – BAE; Russian sturgeon (*Acipenser gueldenstaedtii*) – GUE; sterlet (*Acipenser ruthenus*) – RUT; sevruga (*Acipenser stellatus*) – STE; beluga (*Huso huso*) – HUS; paddlefish (*Polyodon spathula*) – SPA; Kaluga (*Huso dauricus*) – DAU; Bastard sturgeon – (*Acipenser nudiiventris*) – NUD; Persian sturgeon (*Acipenser persicus*)

– PER; Atlantic sturgeon (*Acipenser sturio*) – STU; Amur sturgeon (*Acipenser schrencki*) – SCH; Sakhalin sturgeon (*Acipenser medirostris*) – MED; for hybrids (Mixed species (for "pressed" caviar exclusively) – code of male species x code of female species);

b – source code of caviar: W – for caviar from female sturgeon caught in natural water bodies; C – for caviar from female sturgeon species grown in artificial conditions; F – for caviar from female sturgeon species in which one of the parents was caught in a natural water body;

c – two-letter ISO code of the country of caviar origin (for the Republic of Belarus – BY);

d – year of caviar production;

e – identification number of a production facility;

f – caviar lot number (including the day, month, time of caviar packaging);

11.2. for the repackaging of caviar produced at the production facilities located on the territory of the Republic of Belarus and abroad:

BAE^a/C^b/RU^c/2016^d/BY-zzzz^e/xxxx^f,

where a – code of fish species of the sturgeon or paddlefish family: Siberian sturgeon (*Acipenser baerii*) – BAE; Russian sturgeon (*Acipenser gueldenstaedtii*) – GUE; sterlet (*Acipenser ruthenus*) – RUT; sevruga (*Acipenser stellatus*) – STE; beluga (*Huso huso*) – HUS; paddlefish (*Polyodon spathula*) – SPA; Kaluga (*Huso dauricus*) – DAU; Bastard sturgeon – (*Acipenser nudiventris*) – NUD; Persian sturgeon (*Acipenser persicus*) – PER; Atlantic sturgeon (*Acipenser sturio*) – STU; Amur sturgeon (*Acipenser schrencki*) – SCH; Sakhalin sturgeon (*Acipenser medirostris*) – MED; for hybrids (Mixed species (for "pressed" caviar exclusively) – code of male type x code of female type;

b – source code of caviar;

c – two-letter ISO code of the country of caviar origin (for the Republic of Belarus BY);

d – year of the caviar repackaging;

e – identification number of a production facility;

f – caviar lot number (including the day, month, time of caviar packaging).

12. A CITES label shall be applied to each primary container gripping the lid, sides and bottom of the container in such a way that the identification number of the production facility and the lot number of caviar are on the lid of the container. The size and positioning of the CITES label on the primary container shall ensure that the information on it can be visually viewed .

13. One CITES label shall be applied to each side, bottom and top of the container.

14. Information on the products marked with CITES labels shall be recorded by legal entities and individual entrepreneurs in the register of the products marked with CITES labels.

The register of the products marked with CITES labels must be numbered, tied and signed by an official of the legal entity.

The register of the products marked with CITES labels at the end of its keeping shall be kept for 5 years from the date of the last record in it.

Annex 1
to the Regulation on the procedure for the
registration of production facilities where the
production of sturgeon species and (or)
products from them, including caviar, is
carried out
(as amended by
the Resolution of the Council of Ministers
of the Republic of Belarus
of 29 March 2016 No. 255)

Form

APPLICATION
for the registration of production facilities where the production of
sturgeon species and (or) products from them, including caviar, is carried
out

(full name of the legal entity, its location, surname, given name, middle
name (if any),

residential address, payer's identification number, date of state
registration of an individual entrepreneur

or the post, surname, given name, middle name (if any) of its representative

and a document confirming the representative's authority)

I apply for the registration of a production
facility _____

(actual address of the production facility)

where _____

(the type of activity is indicated)

_____ is carried
out

The production facility includes _____
(indicate production

capacity - areas of pounds, cages, basins and other facilities where the
stocking material and (or) commercial fish of sturgeon species

are cultivated; capacity of the fish factory where the processing of sturgeon

species and (or) the production of caviar from them is carried out)

I declare that the information contained in this application is correct.

(the signature of the applicant
or his representative)

(initials, surname)

Annex 2
to the Regulation on the procedure for the registration of
production facilities where the production of sturgeon species
and (or) products from them, including caviar, is carried out
(as amended by
the Resolution of the Council of Ministers
of the Republic of Belarus
of 29 March 2016 No. 255)

Form

REGISTER

of production facilities where the production of sturgeon species and (or) products from them, including caviar, is carried out

No.	Name of the production facility	Actual address of the production facility	Name of the legal entity or the surname, given name, middle name (if any) of the individual entrepreneur producing sturgeon species and (or) products from them, including caviar	Type of activity	Identification number of the production facility

Annex 3
to the Regulation on the procedure for the
registration of production facilities where the
production of sturgeon species and (or)
products from them, including caviar, is
carried out
(as amended by
the Resolution of the Council of Ministers
of the Republic of Belarus
of 29 March 2016 No. 255)

Form

THE MINISTRY OF NATURAL RECOURCES AND ENVIRONMENTAL PROTECTION OF THE REPUBLIC OF
BELARUS

CERTIFICATE

**of the registration of production facilities where the production of sturgeon
species and (or) products from them, including caviar, is carried out**

_____ No.

(date of the issuance of the certificate) (number of the
certificate)

Issued by _____
(full name of the legal entity or surname, given name, middle name (if any)
_____,
of the individual entrepreneur)

carrying out _____
(type of activity)

of the following species of sturgeon or paddlefish family:

(the name of the species in Russian and Latin)

at the production facility _____
(actual address of the production facility,

_____,
the telephone number of the production facility)

which is assigned an identification number _____

Minister of Natural
Resources and
Environmental Protection
of the Republic of Belarus
(his deputy)

(signature)
L.S.

(initials, surname)



**МІНІСТЭРСТВА
ПРЫРОДНЫХ РЭСУРСАЎ І АХОВЫ
НАВАКОЛЬНАГА АСЯРОДДЗЯ
РЭСПУБЛІКІ БЕЛАРУСЬ
МІНПРЫРОДЫ**

**THE MINISTRY
OF NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION
OF THE REPUBLIC OF BELARUS
MNREP**

ПАСТАНОВА

RESOLUTION

28 January 2022 No. 16

г. Мінск

Minsk

On the approval of the regulations of administrative procedures in the field of protection and use of flora and fauna

On the basis of subparagraph three of paragraph 3 of the Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities", paragraph 9 of the Regulation of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 20 June 2013 No. 503, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus RESOLVES:

1. To approve:

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph* 6.12.1 "Obtaining a registration certificate of a facility for keeping and(or) breeding of wild animals" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.13.1 "Obtaining a registration certificate of wild animals kept and (or) bred in captivity" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.16.1 "Obtaining a registration certificate of a production facility where the production of sturgeon species or products from them, including caviar, is carried out" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.22.1 "Obtaining the permit to release non-pathogenic genetically engineered organisms into the environment for testing" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.1 "Obtaining the permit for the removal of wild animals and wild plants included in the Red Book of the Republic of Belarus from their habitat" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.2 "Obtaining the permit for the removal of wild animals from their habitat" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.3 "Obtaining the permit for the introduction, reintroduction, cross-breeding of wild animals" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.4 "Obtaining the permit for the removal of wild plants and (or) their parts from their habitat" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 6.34.1 "Obtaining the permit for the removal or replanting of plant species" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 25.1.2 "Obtaining with regard to goods included in the unified list of goods to which the measures of non-tariff regulation in trade with third countries are applied, provided for in the Protocol on measures of non-tariff regulation with regard to third countries to the Treaty on the Eurasian Economic Union of 29 May 2014 (Annex No. 7), of conclusions (permits) certifying the legality of harvesting, collection, extraction or capturing and (or) possession of wild animals, individual wild plants and wild medicinal plants" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 25.1.3 "Obtaining with regard to goods included in the unified list of goods to which the measures of non-tariff regulation in trade with third countries are applied, provided for in the Protocol on measures of non-tariff regulation with regard to third countries to the Treaty on the Eurasian Economic Union of 29 May 2014 (Annex No. 7), of conclusions (permits) certifying the legality of harvesting, collection, extraction or capturing and (or) possession of rare and endangered species of wild animals and plants included in the Red Books of the member states of the Eurasian Economic Union" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 25.9.1 "Obtaining the permit for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973" (attached);

Regulation of the administrative procedure carried out in relation to economic entities for subparagraph 25.9.2 "Obtaining of a conclusion (permitting document) for export from the customs territory of the Eurasian Economic Union of collection materials on mineralogy, paleontology, bones of fossil animals, wild live animals, individual wild plants and wild medicinal plants, rare and endangered species of wild animals and plants included in the Red Books of the member states of the Eurasian Economic Union, mineral materials, those included in the unified list of goods to which the measures of non-tariff regulation in trade with third countries provided for in the Protocol

on measures of non-tariff regulation with regard to third countries to the Treaty on the Eurasian Economic Union of 29 May 2014 (Annex No. 7) " (attached).

2. The present Resolution shall enter into force after its official publication.

Minister

Andrei Khudyk

AGREED

Ministry of Foreign Affairs of the
Republic of Belarus

Ministry of Economy of the Republic
of Belarus

Brest Regional Executive Committee

Vitebsk Regional Executive
Committee

Grodno Regional Executive
Committee

Gomel Regional Executive
Committee

Mogilev Regional Executive
Committee

Minsk Regional Executive
Committee

Minsk City Executive Committee

National Academy of Sciences of
Belarus

State Institution "Administration of
the Chinese-Belarusian Industrial
Park "Great Stone"

APPROVED

Resolution of the Ministry of
Natural Resources and
Environmental Protection of
the Republic of Belarus

REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 6.12.1 "Obtaining a registration certificate of a facility for keeping and (or) breeding of wild animals"

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 10 July 2007 No. 257-Z "On wildlife";

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure and conditions of the registration of facilities for keeping and (or) breeding of wild animals, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 29 March 2016 No. 255 (hereinafter – Regulation on the procedure and conditions of the registration of facilities);

1.3. other peculiarities of the administrative procedure:

1.3.1. the administrative procedure shall be carried out in relation to the facilities specified in part two of paragraph 1 of the Regulation on the procedure and conditions of the registration of facilities;

1.3.2. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of administrative procedures" are defined in sub-paragraph two of part one of paragraph 7 of the Regulation on the procedure and conditions of the registration of facilities;

1.3.3. the appeal against the administrative decision shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application	on the form in accordance with Annex 1 to the Regulation on the procedure and conditions of the registration of facilities	in writing: during the reception of a stakeholder; by courier; by post
documents confirming the right of possession, economic management, operational management or other legal basis for the possession and use of facilities for keeping and (or) breeding of wild animals:		
copy of the decision of the local executive and management authority to lease a forestry plot for the creation of an enclosure		
copy of the lease agreement for the hunting areas		
copy of the lease agreement for the forest plot to be used for forestry purposes		
copy of the decision of the local executive and management authority on granting the land plot for farming or forestry		

When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
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act on the accuracy of the information given in the application	district, city, city and district inspections of natural resources and environmental protection, regional (Minsk city) committees of natural resources and environmental protection
act of compliance of the conditions of keeping wild animals with the requirements established by the legislation, indicating the maximum number of wild animals that can be kept and (or) bred at the inspected facility for keeping and (or) breeding of wild animals	district, city, city and district inspections of natural resources and environmental protection, regional (Minsk city) committees of natural resources and environmental protection

3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
registration certificate of a facility for keeping and (or) breeding of wild animals	unlimited	written

Other actions taken by the authorised authority for the implementation of the administrative decision – in case of the registration of a facility for keeping and (or) breeding of wild animals on the lands of the forest fund, lands under wild tree and shrub vegetation (plantations), except tree and shrub vegetation within the borders of settlements, and (or) keeping and (or) breeding on these facilities of wild animals that are objects of hunting and fishing, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus notifies the State Inspection for Fauna and Flora Protection under the President of the Republic of Belarus of the issuance of a registration certificate of a facility for keeping and (or) breeding of wild animals.

APPROVED
Resolution of the Ministry of
Natural Resources and
Environmental Protection of
the Republic of Belarus
28 January 2022 No.16

REGULATION

of the administrative procedure carried out in
relation to economic entities for
subparagraph 6.13.1 "Obtaining a registration
certificate of wild animals kept and (or) bred in
captivity"

1. Peculiarities of the implementation of the administrative
procedure:

1.1. name of the authorised authority (jurisdiction of the administrative
procedure):

the Ministry of Natural Resources and Environmental Protection of the
Republic of Belarus (hereinafter – MNREP) – if registered wild animals kept
and (or) bred in captivity (including their offspring that has reached the age
of three months) belong to the species included in the Red Book of the
Republic of Belarus, or are CITES specimens;

regional (Minsk city) committees of natural resources and
environmental protection at the place of keeping the animals – if registered
wild animals kept and (or) bred in captivity (including their offspring that
has reached the age of three months) belong to wild animals captured for the
purpose of keeping and (or) breeding in captivity on the basis of the permit
for the removal of wild animals from their habitat, issued by the Ministry of
Natural Resources and Environmental Protection of the Republic of Belarus
(hereinafter – other wild animals);

1.2. normative legal acts, international treaties of the Republic of
Belarus, international legal acts containing the obligations of the Republic of
Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 10 July 2007 No. 257-Z "On
wildlife";

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the
basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021
No. 240 "On administrative procedures carried out in relation to economic
entities";

Regulation on the procedure and conditions of the registration of wild
animals kept and (or) bred in captivity (including their offspring that has
reached the age of three months) included in the Red Book of the Republic

of Belarus or CITES specimens as well as wild animals captured for the purpose of keeping and (or) breeding in captivity on the basis of the permit for the removal of wild animals from their habitat, approved by the Resolution of the Council of Ministers of the Republic of Belarus on 30 January 2008 No. 126 (hereinafter – the Regulation on the procedure and conditions of the registration of wild animals);

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

1.3. other peculiarities of the administrative procedure:

1.3.1. the administrative procedure shall be carried out in relation to wild animals kept and (or) bred in captivity (including their offspring that has reached the age of three months), which belong to the species included in the Red Book of the Republic of Belarus or are CITES specimens, and other wild animals (hereinafter, unless otherwise specified, wild animals);

1.3.2. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of administrative procedures" are defined in part one of paragraph 6 of the Regulation on the procedure and conditions of the registration of wild animals;

1.3.3. the appeal against the administrative decision of the MNREP shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application	on the form in accordance with Annex 1 to the Regulation on the procedure and conditions of the registration of wild animals	in writing: during the reception of a stakeholder; by courier;
photographs of wild animals to be registered		by post
permit for the removal of wild animals from their habitat – in case of the removal of a wild animal from its habitat		
registration certificate of		

wild animals kept and (or) bred in captivity – in case of the acquisition of a wild animal on the territory of the Republic of Belarus		
registration certificate of facilities for keeping and (or) breeding of wild animals – in case of the acquisition of a wild animal at the above facility		
registration certificate of production facilities where the production of sturgeon species or products from them, including caviar, is carried out – in case of the acquisition of a wild animal at the specified facility		
copy of the certificate of right of inheritance – in case of inheriting a wild animal		
copy of the agreement of sale and purchase – in case of the acquisition of a wild animal		
copy of the agreement of exchange – in case of the exchange of wild animals		
copy of the gift agreement – in case of receiving a wild animal as a gift		
copy of the lease (gratuitous use) agreement – in case of the lease (receiving for gratuitous use) of a wild animal		
CITES permit – in case of the import of CITES specimens into the territory of the Republic of Belarus		

When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
act of compliance of the conditions of keeping wild animals with the requirements for their keeping	district, city, city and district inspections of natural resources and environmental protection, Minsk City Committee of Natural Resources and Environmental Protection
act of confirmation of the birth of offspring of captive-bred wild animals (in case of the registration of captive-bred wild animals)	

3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
registration certificate of wild animals kept and (or) bred in captivity	unlimited	written

Other actions taken by the authorised authority for the implementation of the administrative decision – the authorised authority shall notify the State Inspection for Fauna and Flora Protection under the President of the Republic of Belarus of the issuance of a registration certificate of wild animals kept and (or) bred in captivity in relation to wild animals that are objects of hunting and fishing within three working days.

4. The procedure of lodging (withdrawing) an administrative appeal:

Name of the public authority (other organisation) considering the administrative appeal	Form of lodging (withdrawing) an administrative appeal (electronic and (or) written form)
MNREP – upon the administrative decision of regional (Minsk city) committees of natural resources and environmental protection	written

REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 6.16.1 "Obtaining a registration certificate of a production facility where the production of sturgeon species or products from them, including caviar, is carried out"

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 10 July 2007 No. 257-Z "On wildlife";

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure and conditions of the registration of facilities for the production of sturgeon species and (or) products from them, including caviar, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 9 March 2015 No. 181 (hereinafter – Regulation on the procedure for registration of production facilities);

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

1.3. other peculiarities of the administrative procedure:

1.3.1. the administrative procedure shall be carried out in relation to legal entities and individual entrepreneurs who on the right of possession, economic management, operational management or on legal basis have production facilities where sturgeon is produced and (or) products from it, including caviar, before the start of economic activity with the use of these facilities;

1.3.2. the appeal against the administrative decision shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application for the registration of a facility where the production of sturgeon species and (or) products from them, including caviar, is carried out	on the form in accordance with Annex 1 to the Regulation on the procedure and conditions of the registration of facilities	in writing: during the reception of a stakeholder; by courier; by post

When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
act on the accuracy of the information given in the application	district, city, city and district inspections of natural resources and environmental protection, regional (Minsk city) committees of natural resources and environmental protection

3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
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registration certificate of a facility where the production of sturgeon species and (or) products from them, including caviar, is carried out	unlimited	written
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REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.1 "Obtaining the permit for the removal of wild animals and wild plants included in the Red Book of the Republic of Belarus from their habitat"

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 26 November 1992 No. 1982-XII "On Environmental Protection";

Law of the Republic of Belarus of 14 June 2003 No. 205-Z "On flora";

Law of the Republic of Belarus of 10 July 2007 No. 257-Z "On wildlife";

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure and conditions of the issuance of permits for the removal of wild animals and plants from their habitat, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 18 May 2009 No. 638 (hereinafter – the Regulation on the procedure and conditions of the issuance of permits for the removal);

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of 27 February 2007 No. 16 "On the establishment of requirements for the keeping and (or) breeding of captive wild animals, as well as other requirements for the protection of wildlife";

1.3. other peculiarities of the administrative procedure:

1.3.1. the administrative procedure shall be carried out in relation to wild animals included in the Red Book of the Republic of Belarus, their clutches, eggs or roe (hereinafter, unless otherwise specified, wild animals) and wild plants included in the Red Book of the Republic of Belarus or their parts (hereinafter, unless otherwise specified, wild plants);

1.3.2. the administrative procedure shall not be carried out in relation to wild animals in cases stipulated in part two of paragraph 3 of the Regulation on the procedure and conditions of the issuance of permit for the removal;

1.3.3. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of administrative procedures" are defined in paragraph 7 of the Regulation on the procedure and conditions of the issuance of the permit for the removal;

1.3.4. the appeal against the administrative decision shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application for the removal of wild animals and plants included in the Red Book of the Republic of Belarus from their habitat	on the form in accordance with Annex 1 to the Regulation on the procedure and conditions of the issuance of permits for the removal	in writing: during the reception of a stakeholder; by courier;
biological justification of the introduction of wild animals to lands (in case of their further introduction and (or) reintroduction to the lands of the Republic of Belarus)		by post
act of compliance of the conditions of keeping wild animals with the requirements for their keeping (in case of the removal of a wild animal for keeping and (or) breeding in captivity beyond the		

territory of the Republic of Belarus)		
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When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
conclusion that the removal of wild animals and wild plants does not threaten the survival of these species of wild animals and plants	National Academy of Sciences of Belarus
act of compliance of the conditions of keeping wild animals with the requirements for their keeping, established by the legislation – in case of the removal of a wild animal for keeping and (or) breeding in captivity on the territory of the Republic of Belarus	district, city, city and district inspections of natural resources and environmental protection, Minsk City Committee of Natural Resources and Environmental Protection

3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
permit for the removal of wild animals and plants included in the Red Book of the Republic of Belarus from their habitat (hereinafter – the permit)	from one month to one year, depending on the time required for the removal of wild animals and plants	written

Other actions taken by the authorised authority for the implementation of the administrative decision – The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus shall send a copy of the permit to the State inspection for fauna and flora protection under the President

of the Republic of Belarus within three days from the date of registration of the permit in the permit register.

REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.2 "Obtaining the permit for the removal of wild animals from their habitat "

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure of the issuance of permits for the removal of wild animals from their habitat, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 12 July 2013 No. 610 (hereinafter – the Regulation on the procedure of the issuance of permits for the removal);

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of 27 February 2007 No. 16 "On the establishment of requirements for the keeping and (or) breeding of captive wild animals, as well as other requirements for the protection of wildlife";

1.3. other peculiarities of the administrative procedure:

1.3.1. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of administrative procedures" are defined in the second sub-paragraph of part three of paragraph 5 of the Regulation on the procedure of the issuance of permit for the removal;

1.3.2. the appeal against the administrative decision shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application	on the form in accordance with Annex 1 to the Regulation on the procedure and conditions of the issuance of permits for the removal	in writing: during the reception of a stakeholder; by courier;
justification of the necessity of the removal of wild animals from their habitat with copies of documents confirming their removal from their habitat		by post
act confirming that wild animals cause harm to the components of the environment, life, health and property of citizens, property of legal entities – in case of harm caused by wild animals to the components of the environment, life, health and property of citizens, property of legal entities		
act confirming that wild animals cause harm to agriculture, forestry, hunting and (or) fishery – in case of harm caused by wild animals to agriculture, forestry, hunting and (or) fishery		
act confirming that wild animals worsen the sanitary and aesthetic		

<p>condition of settlements, residential, production, cultural and household and other buildings and constructions – in case of the worsening of the sanitary and aesthetic condition of settlements, residential, production, cultural and household and other buildings and constructions by wild animals</p>		
<p>act confirming that wild animals cause disturbance to inhabitants of settlements – in case wild animals cause disturbance to inhabitants of settlements</p>		
<p>act confirming that wild animals pose a threat to or interfere with the operation of transport, power lines or industrial or military installations – in case wild animals pose a threat to or interfere with the operation of transport, power lines or industrial or military installations</p>		
<p>act confirming that wild animals are born with physical disabilities or are affected by a disease threatening their life, life or health of other animals and (or) citizens – in case wild animals are born with physical disabilities or are affected by a disease threatening their life, life or health of other animals and (or) citizens</p>		
<p>biological justification of the introduction of wild animals to lands (in case of</p>		

their further introduction and (or) reintroduction to the lands of the Republic of Belarus)		
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When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
letter on the agreement of the removal of wild animals or a reasoned refusal of the agreement	<p>users of hunting areas or leaseholders (users) of fishing grounds, except for cases when the application is submitted by a user of hunting areas or a leaseholder (user) of fishing grounds – if the removal of wild animals is planned to be carried out in leased (provided for gratuitous use) hunting or fishing areas;</p> <p>state environmental institutions administering specially protected natural territories, except for cases when the application is submitted by the above state environmental institutions or state bodies – if removal of wild animals is planned to be carried out on specially protected natural territories;</p> <p>state bodies administering specially protected natural territories, except for cases when the application is submitted by the above state environmental institutions or state bodies – if the removal of wild animals is planned to be carried out on specially protected natural territories;</p> <p>The Ministry of Emergency Situations of the Republic of Belarus – if the removal of wild animals is planned to be carried out on the territories radioactively</p>

	<p>contaminated as a result of the Chernobyl NPP disaster (in the evacuation (exclusion) zone, primary evacuation zone, subsequent evacuation zone from which the population was evacuated and on which the control regime is established) when the application is submitted by the above state authority; National Academy of Sciences of Belarus, except in cases when the application for the permit for the removal of wild animals from their habitat is submitted by the Scientific and Practical Centre of the National Academy of Sciences of Belarus for Bioresources"; The State Border Committee of the Republic of Belarus – in case the removal of wild animals is planned to be carried out within the borderland.</p>
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3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
permit for the removal of wild animals from their habitat	from one month to one year, depending on the time required for the removal of wild animals from their habitat	written

Other actions taken by the authorised authority for the implementation of the administrative decision – The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus shall send a copy of the permit for the removal of wild animals from their habitat to the relevant district, city, town and district inspection of natural resources and environmental protection, Minsk City Committee of Natural Resources and Environmental Protection and the State Inspection for Fauna and Flora Protection under the President of the Republic of Belarus within three days – if the above permit is issued for the removal of wild animals that are objects of hunting and fishing or if the removal of wild animals will be carried out using hunting and fishing gear.

REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.3 "Obtaining the permit for the introduction, reintroduction, cross-breeding of wild animals"

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure of the issuance of the permit for the introduction, reintroduction, cross-breeding of wild animals, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 31 March 2010 No. 488;

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of 27 February 2007 No. 16 "On the establishment of requirements for the keeping and (or) breeding of captive wild animals, as well as other requirements for the protection of wildlife";

1.3. other peculiarities of the administrative procedure:

1.3.1. no permit for introduction, reintroduction, cross-breeding of wild animals is required in case of the existence of a permit for the removal of wild animals from their habitat;

1.3.2. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of

administrative procedures" are defined in paragraph 6 of the Regulation on the procedure of the issuance of the permit for the introduction, reintroduction, cross-breeding of wild animals;

1.3.3. the appeal against the administrative decision shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application for permit for the introduction, reintroduction, cross-breeding of wild animals	on the form in accordance with Annex 1 to the Regulation on the procedure of the issuance of the permit for the introduction, reintroduction, cross-breeding of wild animals	in writing; during the reception of a stakeholder; by courier;
biological justification of the introduction of wild animals to lands	must comply with the requirements stipulated in the second part of paragraph 2 of the Regulation on the procedure of the issuance of the permit for the introduction, reintroduction, cross-breeding of wild animals	by post

When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
conclusion of the permissibility of introduction, reintroduction, cross-breeding of wild animals	National Academy of Sciences of Belarus

3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
permit for the introduction, reintroduction, cross-breeding of wild animals	18 months	written

REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 6.28.4 "Obtaining the permit for the removal of wild plants and (or) their parts from their habitat"

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – Regional, Minsk City committees of natural resources and environmental protection;

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Law of the Republic of Belarus of 14 June 2003 No. 205-Z "On flora";

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure of the issuance of permits for the removal of wild plants from their habitat, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 28 November 2016 No. 975 (hereinafter – the Regulation on the procedure and conditions of the issuance of permits for the removal of wild plants);

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

1.3. other peculiarities of the administrative procedure:

1.3.1. the administrative procedure shall be carried out in relation to wild plants and (or) their parts indicated in the second part of paragraph 1 of the Regulation on the procedure and conditions of the issuance of permits for the removal of wild plants;

1.3.2. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of administrative procedures" are defined in paragraph 6 of the Regulation on the

procedure and conditions of the issuance of the permit for the removal of wild plants;

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application	on the form in accordance with Annex 1 to the Regulation on the procedure of the issuance of the permit for the removal of wild plants	in writing: during the reception of a stakeholder;
justification of the necessity of the removal of wild plants and (or) their parts from their habitat		by courier; by post

When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
letter on the agreement of the removal of wild plants and (or) their parts or a reasoned refusal of the agreement	users of land plots and (or) water bodies, within the borders of which it is planned to remove wild plants and (or) their parts from their habitat, except for cases when applicants are the above users of land plots and (or) water bodies; state nature conservation institutions managing specially protected natural territories or state bodies under the management of which specially protected natural territories have been transferred – if the removal of wild plants and (or) their parts from their habitat is planned to be

	<p>carried out on specially protected natural territories, except for cases when applicants are the above state environmental institutions or state bodies;</p> <p>The Ministry of Emergency Situations of the Republic of Belarus – if the removal of wild plants is planned to be carried out on the territories radioactively contaminated as a result of the Chernobyl NPP disaster (in the evacuation (exclusion) zone, primary evacuation zone, subsequent evacuation zone from which the population was evacuated and on which the control regime is established) when the application is submitted by the above state authority;</p> <p>National Academy of Sciences of Belarus, except in cases when the application for the permit for the removal of wild animals from their habitat is submitted by the Scientific and Practical Centre of the National Academy of Sciences of Belarus for Bioresources" or its constituent legal entities;</p>
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3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
permit for the removal of wild plants and (or) their parts from their habitat	the period specified in the application, but not longer than 1 year	written

Other actions taken by the authorised authority for the implementation of the administrative decision – regional, the Minsk City Committee of Natural Resources and Environmental Protection:

shall provide the stakeholder with registers of wild plants and (or) their parts removed from their habitat in accordance with part two of paragraph 7 of the Regulation on the procedure of the issuance of the permit for the removal of wild plants;

shall send a copy of the permit to the State inspection for fauna and flora protection under the President of the Republic of Belarus within three days from the date of registration of the permit in the permit register.

within two days, shall send a copy of the permit for the removal of wild plants and/or their parts from their habitat to a relevant district, city, town and district inspection of natural resources and environmental protection

4. The procedure of lodging (withdrawing) an administrative appeal:

Name of the public authority (other organisation) considering the administrative appeal	Form of lodging (withdrawing) an administrative appeal (electronic and (or) written form)
The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus	written

APPROVED
Resolution of the Ministry of
Natural Resources and
Environmental Protection of
the Republic of Belarus
28 January 2022 No.16

REGULATION

of the administrative procedure carried out in relation to economic entities for subparagraph 25.9.1 "Obtaining the permit for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973"

1. Peculiarities of the implementation of the administrative procedure:

1.1. name of the authorised authority (jurisdiction of the administrative procedure) – The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus (hereinafter – MNREP);

1.2. normative legal acts, international treaties of the Republic of Belarus, international legal acts containing the obligations of the Republic of Belarus, regulating the procedure of the administrative procedure:

Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (hereinafter – the CITES Convention);

Law of the Republic of Belarus of 26 November 1992 No. 1982-XII "On Environmental Protection";

Law of the Republic of Belarus of 28 October 2008 No. 433-Z "On the basis of administrative procedures";

Decree of the President of the Republic of Belarus of 25 June 2021 No. 240 "On administrative procedures carried out in relation to economic entities";

Regulation on the procedure and conditions of the issuance of permits for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973, approved by the Resolution of the Council of Ministers of the Republic of Belarus of 27 October 2020 No. 610 (hereinafter – the Regulation on the procedure and conditions for the issuance of CITES permit);

Resolution of the Council of Ministers of the Republic of Belarus of 24 September 2021 No. 548 "On administrative procedures carried out in relation to economic entities";

1.3. other peculiarities of the administrative procedure:

1.3.1. additional grounds for the refusal to carry out the administrative procedure as compared to the Law of the Republic of Belarus "On the basis of administrative procedures" are defined in the first part of paragraph 13 of the Regulation on the procedure and conditions for the issuance of CITES permit;

1.3.2. the appeal against the administrative decision shall be made judicially.

2. Documents and (or) information required for the implementation of the administrative procedure:

2.1. submitted by a stakeholder:

Name of the document and (or) information	Requirements for the document and (or) information	Form and procedure for the submission of the document and (or) information
application for the permit for the movement across the state border of the Republic of Belarus of animal and plant species, their parts or derivatives subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 3 March 1973 (hereinafter – CITES permit);	on the form in accordance with Annex 1 to the Regulation on the procedure and conditions for the issuance of CITES permit	in writing: during the reception of a stakeholder; by courier;
copy of an agreement or any other document between the exporter and importer stating the terms of the transaction, transportation of animal and plant species subject to the CITES Convention, their parts and (or) derivatives (hereinafter – CITES specimens)	originals of documents or notarised copies	by post
permit for import of a management authority of the CITES Convention of the importing country – in case of the export from the territory of the Republic of Belarus of CITES specimens listed in Annex I to the CITES Convention		
permit for import of a competent authority of the importing country that complies with the requirements of the CITES Convention for permits and certificates – in case of the export of CITES specimens listed in Annex I to the CITES Convention from the territory of the Republic of Belarus, if the importing country is not a party to the CITES Convention		

<p>permit for export of a management authority for the CITES Convention of the exporting country – in case of the export of CITES specimens that were previously imported to the Republic of Belarus</p>		
<p>permit for export of a competent authority of the exporting country that complies with the requirements of the CITES Convention for permits and certificates – in case of the export of CITES specimens that were previously imported to the Republic of Belarus, if the exporting country is not a party to the CITES Convention</p>		
<p>copy of a genetic certificate, issued in accordance with the procedure established by the legislation – in case of the export of caviar from sturgeon species from the territory of the Republic of Belarus</p>		
<p>copies of documents confirming the legality of the possession of CITES specimens, depending on the type of possession:</p>		
<p>copy of the permit for the removal of wild animals and plants included in the Red Book of the Republic of Belarus from their habitat – in case of the removal of the stated wild animals and plants from their habitat on the territory of the Republic of Belarus</p>		
<p>copy of the permit for the removal of wild animals from their habitat – in case of the removal of a wild animal from its habitat on the territory of the Republic of Belarus</p>		
<p>copy of the registration certificate of wild animals kept and (or) bred in captivity – in case of the acquisition of a wild animal on the territory of the Republic of Belarus</p>		
<p>copy of the registration certificate of facilities for keeping and (or) breeding of wild animals – in case of the acquisition of a wild animal at the above facility on the territory of the Republic of Belarus</p>		
<p>copy of the registration certificate of facilities for the production of sturgeon</p>		

species and (or) products from them, including caviar – in case of the acquisition of a wild animal at the above facility on the territory of the Republic of Belarus		
copy of the certificate of the right of inheritance		
copies of the agreements of sale, exchange, gift or alienation		
copies of lease (gratuitous use) agreements		

When submitting an application, the authorised authority shall have the right to request from a stakeholder the documents stipulated in paragraphs two – seven of part one of paragraph 2 of Article 15 of the Law of the Republic of Belarus "On the basis of administrative procedures";

2.2. requested (obtained) by the authorised authority independently:

Name of the document and (or) information	Name of a state authority or other organisation from which a document and (or) information is requested (obtained) or a state information resource (system) from which the necessary information shall be provided to the authorised authority in automatic and (or) automated mode through a state automated information system
conclusion of the possibility (or impossibility) of the issuance of a CITES permit, taking into account potential threats to the survival of wild animals and plant species as a result of international trade of its specimens	State Research and Production Association "The Scientific and Practical Centre of the National Academy of Sciences of Belarus for Bioresources" (in case of the movement of wild animals)
	State Scientific Institution "V. F. Kuprevich Institute of Experimental Botany of the National Academy of Sciences of Belarus" (in case of the movement of wild plants)

3. Information on the certificate or other document issued (accepted, agreed, approved) by the competent authority on the result of the administrative procedure:

Name of the document	Validity period	Form of submission
CITES permit	6 months – for export or reexport; 12 months – for import	written

**МІНІСТЭРСТВА
ПРЫРОДНЫХ РЭСУРСАЎ І
АХОВЫ НАВАКОЛЬНАГА
АСЯРОДДЗЯ
РЭСПУБЛІКІ БЕЛАРУСЬ
МІНПРЫРОДЫ**



**MINISTRY
OF NATURAL RESOURCES AND
ENVIRONMENTAL PROTECTION
OF THE REPUBLIC OF BELARUS
MNREP**

ПАСТАНОВА

RESOLUTION

___ June 2022 No. ___

Minsk

г. Мінск

On the establishment of the lists of wildlife species

In accordance with sub-paragraphs two and three of paragraph 1.6 of paragraph 1 of Article 11 of the Law of 10 July 2007 No. 257-Z "On wildlife", the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus RESOLVES to:

1. Establish:

a list of wildlife species prohibited for keeping and (or) breeding in captivity in flats of multi-family and blocked residential houses, single-family residential buildings and on their adjacent territories, in horticultural associations and dacha cooperatives, according to Annex 1;

a list of wildlife species permitted to be kept in contact zoos, according to Annex 2.

2. This Regulation enters into force on 1 August 2022.

Minister

Andrei Khudyk

AGREED

Ministry of Health of the Republic of Belarus

Ministry of Housing and Utilities of the Republic of Belarus

Ministry of Agriculture and Food of the Republic of Belarus

Ministry of Emergency Situations of the Republic of Belarus

Brest Regional Executive Committee

Vitebsk Regional Executive Committee

Grodno Regional Executive Committee

Gomel Regional Executive Committee

Mogilev Regional Executive Committee

Minsk Regional Executive Committee

Minsk City Executive Committee

Annex 1
to the Resolution of the Ministry of Natural
Resources and Environmental Protection of
the Republic of Belarus

2022 No.

LIST

of wildlife species prohibited for keeping and (or) breeding in captivity in
flats of multi-family and blocked residential houses, single-family
residential buildings and on their adjacent territories, in horticultural
associations and dacha cooperatives

Name of wildlife species	
In English	In Latin
1	2
Class of Reptilia Order of Serpentes	
King Cobra	<i>Ophiophagus hannah</i>
Rinkhals snake	<i>Hemachatus haemachatus</i>
All speices of real cobra	<i>Naja</i> sp.
All speices of Günther false cobra	<i>Pseudonaja</i> sp.
All kinds of shielded cobra	<i>Aspidelaps</i> sp.
All speices of tree cobra	<i>Pseudohaje</i> sp.
All speices of desert cobra	<i>Walterinnesia</i> sp.
All speices of krait	<i>Bungarus</i> sp.
All speices of mamba	<i>Dendroaspis</i> sp.
All speices of taipan	<i>Oxyuranus</i> sp.
All speices of death adder	<i>Acanthophis</i> sp.
All speices of black aspid	<i>Pseudechis</i> sp.
All speices of tiger snake	<i>Notechis</i> sp.
All speices of sea snake	Hydrophiinae
Boomslang	<i>Dispholidus typus</i>
All speices of wine snake	<i>Thelotornis</i> sp.
All speices of chain viper	<i>Daboia</i> sp.
All speices of rattlesnake	<i>Crotalus</i> sp., <i>Sistrurus</i> sp.
All speices of ef	<i>Echis</i> sp.
All speices of blunt-nosed viper	<i>Macrovipera</i> sp.
All speices of African viper	<i>Bitis</i> sp.
All speices of bushmaster	<i>Lachesis</i> sp.
Species of pythons that exceed 4 metres in length	Pythonidae
Species of boids greater than 4 meters in length	Boidae
Order of Lacertilia	
All speices of venomous lizard	<i>Heloderma</i> sp.
Komodo varan	<i>Varanus komodoensis</i>
Order of Crocodilia	
All speices of the order	Crocodilia
Order of Testudines	
All speices of sea turtle	Cheloniidae
All speices of snapping turtle	<i>Chelydra</i> sp.
Alligator snapping turtle	<i>Macrochelys temminckii</i>
Trionychidae soft-shelled turtles with a carapace length of more than 50 cm	Trionychidae

All speices of batagur	Batagur sp.
Red-eared turtle	Trachemys scripta
Class of Amphibia All poisonous species of the class as well as Order of Anura	
Bruno's bony-headed frog	Aparasphenodon brunoi
Greening's frog	Corythomantis greeningi
All speices of Australian false toad	Pseudophryne sp.
All speices of golden frog	Brachycephalus sp.
Chiriqui harlequin toad	Atelopus chiriquiensis
Rancho Grande toad	Atelopus cruciger
Venezuelan harlequin toad	Atelopus oxyrhynchus
Peruvian harlequin toad	Atelopus peruensis
Variable harlequin toad	Atelopus varius
Tsetse's golden toad	Atelopus zeteki
Order of Caudata	
All speices of Pacific newt	Taricha sp.
All speices of Eastern newt	Notophthalmus sp.
Great Crested newt	Triturus cristatus
Class of Chondrichthyes Order of Myliobatiformes	
All speices of eagle ray	Torpedinidae
Whiptail stingrays with a disc diameter greater than 50 cm	Dasyatidae
Order of Torpediniformes	
All speices of torpedo	Torpedinidae
Order of Pristiformes	
All speices of sawfish	Pristidae
Order of Hexanchiformes	
Atlantic mud shark	Hexanchus griseus
Order of Orectolobiformes	
Whale shark	Rhincodon typus
Order of Lamniformes	
Basking shark	Cetorhinus maximus
All speices of Lamnidae	
Order of Carcharhiniformes	
Tiger shark	Galeocerdo cuvier
All speices of gray shark	Carcharhinus sp.
All speices of lemon shark	Negaprion sp.
Blue shark	Prionace glauca
All speices of thresher shark	Alopias sp.
All speices of hammerhead shark	Sphyrnidae
Class of Osteichthyes Order of Scorpaeniformes	
Rock fish over 1.5 meters long	Sebastes sp.
All speices of devilfish	Synanceiinae
All speices of stargazer	Uranoscopus
Order of Gymnotiformes	
Electric eel	Electrophorus electricus
Order of Siluriformes	
Electric catfishes	Malapterus electricus

Order of Anguilliformes	
Moray eels longer than 1.5 metres	Muraenidae
Class of Arachnida Order of Scorpiones	
Arabian fat-tailed scorpion	Androctonus australis
Fat-tailed scorpion	Androctonus crassicauda
Tityus serrulatus	Leirus quinquestriatus
Brazilian yellow scorpion	Tityus serrulatus
Indian red scorpion	Hottentotta tamulus
Hemiscorpius lepturus	Hemiscorpius lepturus
Hemiscorpius acanthocercus	Hemiscorpius acanthocercus
Order of Araneae	
All species of the genus Latrodectus	Latrodectus sp.
All species of the genus Phoneutria	Phoneutria sp.
All species of the genus Atrax	Atrax sp.
All species of the genus Loxosceles	Loxosceles sp.
All species of the genus Sicarius	Sicarius sp.
Class of Malacostraca Order of Decapodas	
Marbled crayfish	Procambarus virginalis
Faxonius limosus	Faxonius limosus
Class of Bivalvia Order of Unionidae	
Chinese mussel	Sinanodonta woodiana
Class of Gastropoda Order of Littorinimorpha	
Gravel snail	Lithoglyphus naticoides
Aves Order of Apterygiformes – all species Order of Struthioniformes	
Common ostrich	(Struthio camelus)
Order of Casuariiformes – all species Order of Rheiformes – all species Order of Pelecaniformes	
All species of the pelican family (Pelecanidae)	Pelecanidae
Order of Phoenicopteriformes – all species Order of Sphenisciformes – all species Order of Gruiformes	
All species of the crane genus (Gruidae)	Gruidae sp.
All species of the bustard genus (Otididae)	Otididae sp.
Order of Falconiformes , with the exception of hunting birds	
Class of Mammalia	
Infraorder of Cetacea – all species	
Order of Sirenia – all species	
Order of Proboscidea – all species	
Order of Diprotodontia – all species except Feather-Tailed Phalanger (Distoechurus) family, gliding phalangers, possums, mountain pygmy possums, ring-tailed phalangers	
Order of Carnivora	
All species of the Ursidae family	Ursidae
Lion	Panthera leo

Tiger	Panthera tigris
Leopard	Panthera pardus
Jaguar	Panthera onca
Ounce	Panthera uncia
Clouded leopard	Neofelis nebulosa
Sunda clouded leopard	Neofelis diardi
Hunting leopard	Acinonyx jubatus
Cougar	Puma concolor
Eurasian lynx * **	Lynx lynx *
Iberian lynx*	Lynx pardinus*
Serval*	Leptailurus serval*
Caracal*	Caracal caracal
Ocelot*	Leopardus pardalis
Red fox**	Vulpes vulpes
Wolf * **	Canis lupus *
Including the dingo subspecies	Canis lupus dingo
Red wolf	Canis rufus
Maned wolf	Chrysocyon brachyurus
African wild dog	Lycaon pictus
All species of the hyaenidae family, excluding earth wolf species (Proteles)	Hyaenidae
All species of the honey badger	Mellivora
Wolverene	Gulo gulo
All species of the genus Ermine, Weasel, Hori (Mustela)**	
Order of Pinnipedia	
All species of the eared seal family	Otariidae
All species of the true seals family	Phocidae
Walrus	Odobenus rosmarus
Order of Rodentia	
All species of the new world porcupine family	(Erethizontidae)
Order of Primates	
All species of the chimpanzee genus	Pan
All species of the gorilla genus	Gorilla
All species of the orangutan genus	Pongo
All species of the gibbon family	Hylobatidae
All species of the subfamily leaf-eating monkey	Colobinae
All species of the macaque genus, except barbary ape (Macaca sylvanus)	Macaca
All species of the baboons genus	Papio
All specie of the mangabeys genus	Cercocebus
All species of the cebid monkey family	Cebidae
All species of the woolly monkey genus	Lagothrix
All species of the howlers genus	Alouatta
All types of the woolly spider monkeys genus	Brachyteles

* These species are permitted to be kept and (or) bred in captivity in residential houses with adjacent territories provided that the requirements of the Resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of 27 February 2007 No. 16 "On the establishment of requirements for the keeping and (or) breeding of captive wild animals, as well as other requirements for the protection of wildlife" are observed.

** These species are permitted to be kept and (or) bred in captivity in residential houses with adjacent territories on condition of the compulsory vaccination against rabies before acquisition and thereafter in accordance with the legislation on veterinary activities.

Order of Perissodactyla	
All species of the tapir family	Tapiridae
All species of the rhinoceros family	Rhinocerotidae
All species of the equidae family, excluding horses (Equus ferus caballus) and ass (Equus asinus asinus).	Equidae
Order of Artiodactyla	
All species of the hippopotamus family	Hippopotamidae
Pronghorn or prong-horned antelope	Antilocapra americana
All species of the giraffes family	Giraffidae
All species of the bovine subfamily – all wild species, except those kept in a domesticated state	Bovinae
All species of the roan antelope genus	Hippotragus
All species of the oryx genus	Oryx
All species of the gnus genus	Connochaetes
All species of the kongoni genus	Alcelaphus
Musk buffalo	Ovibos moschatus
Golden goat antelope	Budorcas taxicolor
Class of the Insecta	
Order of Hymenoptera	
East African lowland honey bee	Apis mellifera scutellata
Cape honey bee	Apis mellifera capensis
Africanized honey bee (hybride)	Apis mellifera scutellata
Giant hornet	Vespa crabro
Vespa mandarinia	Vespa mandarinia
Tropical hornet	Vespa tropica
Eastern hornet	Vespa orientalis
Order of Coleoptera	
Small hive beetle	Aethina tumida

LIST
of wildlife species permitted to be kept in contact zoos

Name of wildlife species	
In English	In Latin
1	2
Class of Aves	
Order of Anseriformes	
Wild duck, including agricultural breeds or hybrids	Anas platyrhynchos
Graylag goose – domesticated forms, including agricultural breeds or hybrids	Anser anser
Swan goose – domesticated forms, including agricultural breeds or hybrids	Anser cygnoides
Order of Galliformes	
Common pheasant – including hybrids	Phasianus colchicus
Pearl-hen – domesticated forms, including agricultural breeds or hybrids	Numida meleagris
Order of Columbiformes	
Rock dove, including breeds or hybrids	Columba livia
Order of Passeriformes	
The canary is a domesticated subspecies of the canary canary finch (Serinus canaria), including breeds or hybrids	Serinus canaria
Estrildidae Family	
Zebra finch, including breeds or hybrids	Taeniopygia guttata
Order of Psittaciformes	
Shell parakeet, including breeds or hybrids	Melopsittacus undulatus
Cockatiel, including breeds or hybrids	Nymphicus hollandicus
Peach-faced lovebird, including breeds or hybrids	Agapornis roseicollis
Class of Mammalia	
Order of Carnivora	
All species of the genus Ermine, Weasel, Hori (Mustela)	
Order of Rodentia	
Swamp beaver	Myocastor coypus
Restless cavy	Cavia porcellus
Degu	Octodon degus
Spices of the Chinchillidae family	
Spices of the Squirrel family	
Spices of the Muridae family	
Spices of the Cricetidae subfamily of the Cricetidae family	
Order of Lagomorpha of the Leporidae family – all spices	
Order of Eulipotyphla	
Species of the Erinaceidae subfamily of the Erinaceidae family	
Class of Gastropoda	
Order of Stylommatophorans	
Spices of the Achatina family	

Class of Insecta	
Madagascar hissing cockroach	Gromphadorhina portentosa
Archimandrita tesselata	Archimandrita tesselata
Lucihormetica verrucosa	Lucihormetica verrucosa
All spice of the Phasmatidae family	Phasmatidae

Law of the Republic of Belarus
No. 1982-XII of November 26, 1992
[Amended as of December 22, 2011]

On Protection of the Environment

The protection of the environment is a prerequisite of the stable economic and social development of the state. The present Law is aimed at ensuring of the legal principles of protection of the environment, nature management, protection and restoration of biological variety of natural resources and objects, and directed on provision of constitutional rights of citizens to the environment favorable to human life and health.

CHAPTER 1
GENERAL PROVISIONS

Article 1. Main Terms Used in the Present Law

In present Law the following main terms are used:

anthropogenic object - the object, which was created by a man for satisfaction of his social needs and which doesn't have properties of natural objects.

biosphere reserve – a part of the territory of the Republic of Belarus, which includes some protected natural territories (parts thereof), and/or natural territories which are subject to special protection (parts thereof), as well as other territories in which rational (sustainable) management of use of natural resources is stimulated through the implementation of the elements of the economic mechanism of the protection of the environment and nature management in the realization of the environmental protection measures, certain types of business and other activities;

biotope – is a natural object (a plot of a territory or water area) with homogeneous ecological conditions, which is a habitat of the community of various species of wild animals and place of growth of wild plants;

favorable environment - the environment, which quality provides the ecological security, established function of the natural ecological systems, other natural and anthropogenic objects.

damage inflicted on the environment – having pecuniary valuation negative changes in the environment or separate components of the natural environment, in the natural or natural and anthropogenic objects manifested in their pollution, degradation, exhaustion, damage, destruction, illegal seizure and/or other deterioration of their condition incurred from the harmful influence on the environment related to the violation of the requirements in the sphere of the environment protection, other infringements of the legislation of the Republic of Belarus.

harmful influence on the environment- any direct or indirect influence on the environment of the economic and other activities, which results lead to the negative changes of the environment.

state cadastre of natural resources- the systematize summary of the qualitative and quantitative descriptions of natural resources, their economic evaluation and employment.

natural ecological system- the really existing part of nature which has spatial territorial borders and in which alive and lifeless components interact as an integral whole and which are connected with each other by the substance and energy circulation.

pollution of the environment - introduction to the components of the natural environment, being and/or emergence in them in the result of the harmful influence on the environment of a substance, physical factors (energy, noise, radiation and others), microorganisms, which properties, location or quantity cause harmful changes in physical, chemical, biological and other characteristics of the condition of the environment, in particular cause excess of standards in the sphere of the environment protection.

contaminating substance- substance or mixture of substance, the introduction to the environment of which cause its pollution.

quality of the environment- condition of the environment which is characterized by the physical, chemical, biological and/or other indicators or their totality.

components of the environment- ground (including soil), bowels of the earth, waters, atmospheric air, flora and fauna, and ozone layer, cosmos near-ears space providing favorable conditions for the existence of life on the Earth.

control in the sphere of protection of the environment, rational use of natural resources (ecological control) – system of measures which are directed on exposure and putting a stop to abuses the legislation of the Republic of Belarus on protection of the environment, providing the observing demands in the sphere of the protection of the environment by the legal and natural persons who are concerned with economical and other activities;

Red Book of the Republic of Belarus – the list of rare species and species being under the threat of extinction in the territory of the Republic of Belarus, including subspecies, varieties (hereinafter – species) of wild animals and plants;

monitoring of the environment – system of observing the state of the environment, appreciation and prediction of changes of the state of environment under the influence of the natural and anthropogenic factors.

best available techniques – technological processes, methods, order of organization of the production of produce and energy, performance of work or provision of services, design, construction and operation of facilities and equipment, providing the reduction and/or prevention of the dissemination of pollutants in the environment, creation of industrial waste in comparison to the applicable and being the most effective in protecting the environmental quality standards, standards of permissible impact on the environment in the condition of the economic viability and technical feasibility of their use;

national environmental network - a system of functionally related protected natural territories and natural territories, being subject to special protection for the conservation of natural ecosystems, biological and landscape diversity and insurance of the continuity of the habitat of fauna objects;

standards of permissible anthropogenic burden on the environment- standards which are established in conformity with the quantity of permissible combined influence on environment and/or each separately component of the environment in the borders of concrete territories, and observing which established function of the natural ecological systems and biological variety is provided.

standards of permissible emissions and exhausts of chemical and other substance – standards which are established for legal and natural persons who are concerned with economic and other activities in conformity with indicators of the mass of chemical substance, also the radioactive substance, other substance and microorganisms which are permissible for the emission to the environment from the stationary and mobile sources in established regime and with consideration of the technological standards, and following which the standards of quality of environment are provided.

standards of permissible physical influence – standards which are established in conformity with the levels of permissible influence of physical factors on the environment, and following which the standards of quality of environment are provided.

standards of maximum permissible concentration of microorganisms – standards which are established in conformity with the indicators of the maximal permissible content of microorganisms in the environment, non-observance of which leads to infliction of ecological damage;

standards of maximal permissible concentrations of chemical and other substance- standards which are established in conformity with the indicators of the maximal permissible chemical and other substance content in the environment, non-observance of which leads to infliction of ecological damage;

standards of maximal permissible physical influence- standards which are established in conformity with the indicators of the maximal permissible influence on the environment of the warms, noise, vibration, ionizing radiation, voltage of electromagnetic fields and other physical influence, non-observance of which leads to infliction of ecological damage;

owner of ecological information – a state body, another state organization, another legal person, their officials, an individual entrepreneur who carry out activities which result in creation of ecological information;

environment – combination of components of the nature, natural and natural anthropogenic objects, and also anthropogenic objects;

protection of the environment (activity of nature's protection) – activity of a state body, public associations and other legal persons, which are directed on saving and rehabilitation of nature, rational (sustainable) use of natural resources and their reproduction, prevention of pollution, degradation, damage, run thin, destruction and other harmful influence the environment by the economic and other activity and liquidation of its results;

evaluation of the effect on the environment – determining, while elaborating project documentation, a possible impact on the environment at implementation of the project decisions, estimated changes of the environment, as well as forecasting of its condition in the future in order to make a decision on the possibility or impossibility of implementing the project decisions;

provision of ecological information – actions of the owners of ecological information aiming at its transfer to state bodies, other legal persons and citizens, including individual entrepreneurs, under obligations imposed on the owners of such information by the legislation of the Republic of Belarus or under the contract on provision of specialized ecological information;

natural environment – combination of components of natural environment, natural and natural anthropogenic objects;

natural anthropogenic object – natural object modified by the economic and other activity and/or object created by a human with properties of natural objects and with recreating and protecting importance.

natural resources – components of natural environment, natural and natural anthropogenic objects which are used or can be used for realization of economical or other activity as sources of energy, ware and objects of utility, and which have a consumer value;

natural complex – natural objects functionally and naturally connected with each other, and joined by geographical and other corresponding characteristics;

natural landscape – a natural object, which consists of interacting components of the natural environment being formed in the uniform natural and climatic conditions;

natural object – natural ecological system, natural landscape, biotope and components of natural environment conserved their natural quality;

nature management- economical and other activity during which the natural resources are used and influence on the environment is caused;

infliction of damage on the environment – harmful influence on the environment related to the violation of requirements in the sphere of environment protection, other infringements of the legislation of the Republic of Belarus, in particular emission of contaminating substances to the atmospheric air, effluent discharge into the water objects, if standards of permissible emissions and exhausts of chemical and other substances established in compliance with the legislation of the Republic of Belarus are exceeded at one or more contaminating substances, or if such standards have not been established while their establishment is required according to the legislation of the Republic of Belarus; illegal removal of wild-growing plants and/or their parts, wild animals, other natural resources;

dissemination of ecological information – actions of the owners of ecological information aiming at its communication to the state bodies, other state organizations, other legal persons and citizens, including individual entrepreneurs, by its publication in printed editions, other mass media, on their official web-sites in the global computer network Internet, or by other open means;

rational (sustainable) use of the water resources – use of the natural resources in such a way and at such a pace which do not lead in the long-term perspective to their depletion and hereby allows to protect their ability to satisfy economic, esthetic and other needs of the present and future generations;

specialized ecological information – ecological information for provision of which preliminary preparation is needed, including collection, processing and analysis of information, because the preparation of it is not required by the legislation of the Republic of Belarus, and it is not contained in the State Data Fund on the State of the Environment and Influence on it;

fixed rate for evaluation of the compensation of damage inflicted on the environment – a standard unit for pecuniary evaluation of the compensation of damage inflicted on the environment;

technological standard – standard of permissible emissions and exhausts of substances and microorganisms that is established for stationary, mobile and other sources, technological processes, equipment, and which determines the permissible mass of emissions and exhausts of substances and microorganisms to the environment considering the output goods;

requirements in the sphere of protection of the environment (requirements of nature protection, requirements of ecological security)- obligatory conditions to economic and other activity, limitations or their totality, established by the law, including technical normative legal acts, other standards;

ecological safety – state of protection of the environment, human life and health from possible harmful influence of economical and other activity, extraordinary situations of natural and man-caused nature;

ecological information – recorded information that contains data about the condition of the environment, influence on it and measures on its protection, as well as about the influence of the environment on a human being, and the content of which is specified by the present law, other legislative acts of the Republic of Belarus and international treaties of the Republic of Belarus;

ecological information of general purpose – ecological information intended for being publicly used by virtue of fulfilling by the owners of ecological information of obligations imposed on them by the legislation of the Republic of Belarus, and which is disseminated or provided free of charge in accordance with the present law;

ecologically dangerous activity – construction, exploitation, dismantlement or demolition of objects, other activities that cause or may cause a situation of stable negative changing of the environment and of threat to the life, health and property of citizens, including individual entrepreneurs, to the property of legal persons and the property owned by the state;

ecological audit – independent complex documentary control of maintenance by the legal persons and individual entrepreneur realizing economic and other activity of the requirements including standards and technical standard acts in the sphere of protection of the environment, requirements of international standards, and preparation of recommendations on lowering (prevention) harmful influence of such activity on the environment;

ecological damage – damage inflicted on the environment, as well as damage, inflicted on the life, health and property of citizens, including individual entrepreneurs, on the property of legal persons and the property owned by the state in the result of the harmful influence on the environment;

ecological risk – probability of occurrence which has negative consequence for the environment and which was caused by the harmful influence of economic and other activity, extraordinary situations of natural and man-caused nature.

Article 2. Legislation of the Republic of Belarus on Protection of the Environment

Legislation of the Republic of Belarus on protection of the environment is based on the Constitution of the Republic of Belarus and consist of the present Law, acts of legislation on specially protected natural territories, state ecological expert, hydro-meteorological activity, protection of the ozone layer, wastes handling and other legislative acts of the Republic of Belarus, including norms which regulate relations in the sphere of protection of the environment and nature management.

Legal status of natural resources and other components of the natural environment is regulated by the legislation of the Republic of Belarus on protection of the environment, unless otherwise provided by the legislation of the Republic of Belarus on protection and use of lands, on protection and use of water resources, on use, care and protection of forestry , on the bowels , on protection and use of fauna, on flora, and other legislation of the Republic of Belarus.

During the preparation of drafts of the acts of legislation of the Republic of Belarus the inclusion of regulations, the realization of which can entail increase of harmful influence on the environment, shall not be allowed.

Article 3. Main Goals of Legislation of the Republic of Belarus on Protection of the Environment

The main goals of legislation of the Republic of Belarus on the protection of the environment are:

- to provide favorable environment;
- to regulate the relations in the sphere of the protection of natural resources, their utilization and reproduction;
- to prevent harmful influence on the environment by the economic and other activity;
- to improve the human environment;
- to provide rational (sustainable) use of natural resources.

Article 4. Main Principles of Protection of the Environment

Economic and other activity of legal and natural persons influencing the environment shall be conducted on the basis of the following principles of:

- observance of human right on favorable environment and compensation of injury applied by the violation of this right;
- providing favorable conditions for human life and health;
- scientifically well-grounded combination of ecological, economic and social concerns of citizens, society and state in the aim of providing favorable environment.
- protection, rational (sustainable) use of natural resources and their reproduction as necessary conditions for providing favorable environment and ecological security;
- preventive disposition of measures on protection of the environment and on prevention of harm to the environment;
- state regulation of protection of the environment and nature management;
- payable special natural management and recovery of damages inflicted on the environment;
- economic stimulation of the rational (sustainable) usage of natural resources;
- independence of control in the sphere of protection of the environment, rational use of natural resources;
- consideration of natural and socio-economic peculiarities of the territories, including the regime of the protection and usage of highly protected natural territories, natural territories being subject to special protection, and biosphere reserves, at planning and realization of the economic and other activity;
- priority of saving natural ecological systems, typical and rare natural landscapes, biotopes and natural complexes;
- permissibility of influence of economic and other activity the environment with taking into account requirements in the sphere of protection of the environment;
- obligatory participation in the activity on protection of the environment of state bodies, public associations, other legal and natural persons;
- protection of biological variety;
- provision of integrated and individual methods to the establishment of requirements in the sphere of protection of the environment for the legal and natural persons, which carry out economic and other activity;
- presumption of ecological danger of planned economic and other activity;
- decreasing harmful influence of economic and other activity to the environment on the basis of use of the best available technological methods and technologies provided implementation of requirements in the sphere of protection of the environment with consideration of economic and social factors;
- prohibition of economic and other activity which can lead to degradation of natural ecological systems, changes or destruction of genetic fund of objects of flora and fauna, exhaustion of natural resources, and other negative changes of the environment;
- publicity in the activity of state bodies, public associations on the problem of protection of the environment, and providing citizens with complete authentic opportune ecological information;

non-admission of holding functions of state regulation, administration and control in the sphere of protection of the environment, rational use of natural resources with function of nature management; responsibility for violation of legislation of the Republic of Belarus of protection of the environment; ensuring propagating the knowledge in the sphere of protection of the environment and nature management and forming ecological culture; international cooperation in the sphere of protection of the environment.

Article 5. Objects of Relations in the Sphere of Protection of the Environment

Objects of relations in the sphere of protection of the environment are earth including soils, bowels, waters, atmospheric air, ozone layer, cosmos near-earth space, forests, flora and fauna, specially protected natural territories and natural territories being subject to special protection, national ecological network, biosphere reserves, typical and rare natural landscapes and biotopes, climate, natural ecological systems, other natural objects, and also right of nature management.

Article 6. Subjects of Relations in the Sphere of the Protection of the Environment

Subjects of relations in the sphere of the environment protection are:

the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, specially authorized republican bodies of state administration in the sphere of protection of the environment, the local Councils of Deputies, executive and administrative bodies, as well as other state bodies, bodies of territorial public self-government within their authority;

public associations, 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).

The rules established by this Law are applied to the relations with participation of foreign citizens, persons without citizenship, foreign and international legal persons (organizations that are not legal persons), foreign states, if otherwise is not provided by the Constitution of the Republic of Belarus and international agreements of the Republic of Belarus.

Article 7. Main Directions of the State Policy of the Republic of Belarus in the Sphere of Protection of the Environment

The main directions of state policy of the Republic of Belarus in the sphere of protection of the environment are:

provision of rights of citizens on favorable environment and compensation of harm caused by the violation of these rights;

improvement of state administration in the sphere of protection of the environment;

scientific provision of protection of the environment;

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

rational (sustainable) use of natural resources;

improvement of system of protection of the environment and nature management;

formation and maintenance of functioning of a system of specially protected natural territories, as well as natural territories being subject to special protection, national ecological network and biosphere reserves;

provision of protection of biological and landscape variety;

provision of permanent functioning of the National system of monitoring of the environment of the Republic of Belarus;

realization of state ecological expert examination;

provision and dissemination of ecological information;

propagating the knowledge in the sphere of protection of the environment and nature management and forming ecological culture;

rendering assistance to public associations, realizing their activity in the sphere of protection of the environment;

engaging citizens, public associations to protection of the environment ;

international cooperation in the sphere of protection of the environment.

CHAPTER 2

STATE ADMINISTRATION IN THE SPHERE OF THE PROTECTION OF THE ENVIRONMENT

Article 8. Bodies Carrying Out the State Administration in the Sphere of Protection of the Environment

The state administration in the sphere of the protection of the environment is carried out by the President of the Republic of Belarus, by the Council of Ministers of the Republic of Belarus, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and its territorial bodies, by other specially authorized republican bodies of state administration and their territorial bodies, by local Councils of Deputies, executive and administrative bodies within the limits of their competence.

The specially authorized republican bodies of state administration are the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus, Ministry of Health of the Republic of Belarus, Ministry of Emergency Situations of the Republic of Belarus, Ministry of Forestry, State Committee on Property and other republican bodies of state administration in accordance with the legislation of the Republic of Belarus.

Article 8¹. Competence of the President of the Republic of Belarus in the Sphere of Protection of the Environment

The President of the Republic of Belarus in the sphere of protection of the environment:

determines unified state policy;

approves state programs of rational (sustainable) usage of natural resources and protection of the environment;

establishes the procedure of granting natural resources for usage and takes decisions on granting them for usage in the cases provided by legislative acts of the Republic of Belarus;

takes decisions on declaring, transformation and discontinuing to function of reserves, national parks and also preserves of republican importance in the case of withdrawal of land plots from land users for these purposes;

approves the scheme of a national ecological network;

declares the zones of ecological disaster;

establishes the period of suspension of the work of industrial and other objects located in the zone of ecological disaster;

carries out other powers entrusted to him/her by the Constitution of the Republic of Belarus and legislative acts of the Republic of Belarus.

Article 9. Competence of the Council of Ministers of the Republic of Belarus in the Sphere of Protection of the Environment

The Council of Ministers of the Republic of Belarus in the sphere of protection of the environment:

provides realization of the unified state policy of the Republic of Belarus;

adopts the normative legal acts in the sphere of protection of the environment;

provides the drafting and execution of the state programs of rational (sustainable) usage of natural resources and protection of the environment;

establishes the procedure of working out and approval of territorial complete schemes of rational (sustainable) use of natural resources and protection of the environment and their financing;

determines the measures on protection of the environment, on scientifically grounded usage of natural resources and improvement of the quality of the environment;

establishes the order of use of natural resources if other is not provided by the legislative acts of the Republic of Belarus;

establishes the list of officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial organs which have the right to carry out control in the sphere of the protection of the environment, rational use of natural resources;

determines the order of activities of the public ecologists;

submits to the President of the Republic of Belarus proposals on establishing privileges to single categories of legal and physical bodies in the order established by the legislation of the Republic of Belarus;

establishes the order of conducting the state cadastres of natural resources and also the order of record keeping in the sphere of the protection of the environment;

establishes a list of measures for protection of the environment and restoration of natural resources, financed at the expense of the the environmental protection republican and local budgets;

establishes the order of transmission of the places of habitation of wild animals and the places of growth of wild growing plants which are referred to the species included into the Red Book of the Republic of Belarus of typical and rare natural landscapes and biotopes under the protection of the users of land plots and/or water objects, forms of the passports of the places of habitation of wild animals and the places of growth of wild growing plants which are referred to the species included into the Red Book of the Republic of Belarus and the protective obligation, as well as the order and conditions of its issuance;

establishes the order and conditions of the issuance of permissions for withdrawal of wild animals and plants, which belong to the types included into the Red Book of the Republic of Belarus, from their habitat, unless otherwise provided by the President of the Republic of Belarus;

determines the order of formation and maintenance of the State Data Fund on the State of the Environment and Influences on It;

establishes requirements with the consent of the President of the Republic of Belarus to the content of the scheme of the national ecological network and criteria of the selection of the territories for the inclusion into the national ecological network;

takes decisions on declaring, transformation and discontinuing to function of preserves of republican importance in the case there is no need to withdraw land plots from land users for these purposes; declares, if necessary, the certain parts of territory of the Republic of Belarus as the zones of ecological risk and zones of ecological crisis; establishes the order of conducting the National system of monitoring of environment in the Republic of Belarus; determines the order of conducting and usage of data on monitoring of environment; establishes the order of carrying out the analytical (laboratory) control; in the sphere of protection of the environment establishes the order of financial incentive of the officials of the Ministry of Natural Resources and Protection of Environment and their territorial bodies that revealed the offences in the sphere of protection of the environment; determines the content of ecological information of general purpose subject to obligatory dissemination, the owners of such information who are obliged to disseminate it, and the periodicity of its dissemination; determines the form and the order of drawing up an act on establishment of the fact of infliction of damage on the environment; determines the order of calculating the sum of compensation of damage inflicted on the environment; carries out the international cooperation in the sphere of protection of the environment; carries out other powers entrusted by the present Law, other laws of the Republic of Belarus and by the acts of the President of the Republic of Belarus.

Article 10. Competence of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus in the Sphere of Protection of the Environment

The Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus carries out the entrusted powers directly and through its territorial bodies.

The Ministry of Natural Resources and Protection of the environment of the Republic of Belarus in the sphere of protection of the environment:

realizes the unified state policy of the Republic of Belarus in the sphere of protection of the environment; within its competence drafts and adopts (issues) the normative legal acts, drafts and establishes (enters into force) technical normative legal acts in the sphere of protection of the environment; carries out the state administration in the sphere of protection of the environment; organizes the working out of territorial complete schemes of protection of the environment and rational (sustainable) usage of natural resources and provides the scientific methodic guidance of this activity; establishes categories of national conservation importance and criterion of attribution to them of rare and endangered species of wild animals and plants on the territory of the Republic of Belarus; implements in the established order the rationing and standardization, technical standardization in the sphere of protection of the environment and usage of the natural resources; carries out the state regulation of the activity on certification in the sphere of the protection of the environment (hereinafter – ecological certification); ensures within the scope of its authority the uniformity of measurements in the sphere of the environment protection; carries out the licensing of activities connected with influence on the environment according to the legislation of the Republic of Belarus; coordinates the activity of the republican bodies of state administration in the sphere of protection of the environment and usage of natural resources; within its competence determines the order of using means of state special purpose budget republican fund of nature protection;

carries out control in the sphere of protection of the environment, rational use of natural resources in the order established by the legislation of the Republic of Belarus on the control (supervisory) activity in the Republic of Belarus and by the present Law;

issues orders obligatory for implementation according to the results of the field activities;

submits claims to legal persons and citizens inflicted damage on the environment,; asks and receives without charge information necessary to carry out the tasks entrusted from the republican bodies of state administration, local executive and administrative bodies, legal persons and individual entrepreneurs; organizes the registration and estimation of natural resources; conducts together with the relevant republican bodies of state administration the following state cadastres of natural resources: of bowels, water, air, flora, fauna and also of wastes and other cadastres and coordinates the activity of these bodies on their conduction;

organizes the conduction of National system of monitoring of environment in the Republic of Belarus in established order;

forms the state data base of the state of environment and influences on it;

conducts the Red Book of the Republic of Belarus,

carries out the work on revelation of the habitat of wild animals and plants, which belong to the species included into the Red Book of the Republic of Belarus, typical and rare natural landscapes and biotopes and their accountability;

provides the elaboration and approves plans of management of the populations of wild animals and wild plants which belong to the species included into the Red Book of the Republic of Belarus, as well as to the species being under protection by international treaties of the Republic of Belarus, plans of action on preservation of such species of wild animals and wild plants and other activities on the protection of wild animals and wild plants which belong to the species included into the Red Book of the Republic of Belarus, as well as to the species being under protection of the international treaties of the Republic of Belarus, plans of management of typical and/or rare natural landscapes and biotopes, organizes the realization of such activities and carries out the control over their implementation;

elaborates together with the National Academy of Sciences of Belarus, regional executive and administrative bodies and other interested state bodies and organizations the project of the scheme of national ecological network;

prepares with the consent of the National Academy of Sciences of Belarus, other interested state bodies and organizations proposals on announcement and termination of the functioning of the biosphere reserves;

issues permits for withdrawal of wild animals and wild growing plants referred to the species included into the Red Book of the Republic of Belarus from the environment of their habitat and growth;

takes decisions on declaring, transformation and discontinuing to function of natural monuments of republican importance;

organizes the ecological passportization of objects;

establishes the order of conduction of ecological passports of enterprises;

provides and disseminates ecological information in accordance with the present Law, other acts of legislation of the Republic of Belarus including international treaties of the Republic of Belarus;

informs the bodies of state administration, legal persons and citizens on the state of the environment and measures of its protection;

cooperates with the public associations carrying out their activity in the sphere of protection of the environment, organizes the net of public ecologists;

organizes the propaganda of knowledge in the sphere of protection of the environment and nature management and forming the ecological culture;

carries out the international cooperation in the sphere of protection of the environment;

studies, generalizes and spreads the experience of foreign countries in the sphere of protection of the environment and rational (sustainable) usage of natural resources;

coordinates the implementation of international treaties of the Republic of Belarus in the sphere of protection of the environment;

carries out other powers according to the present Law and other acts of legislation of the Republic of Belarus.

The Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus works out and introduces in order established by the legislation of the Republic of Belarus the following to the Council of Ministers of the Republic of Belarus:

drafts of acts of legislation of the Republic of Belarus on protection of the environment;

drafts of state programs on rational (sustainable) usage of the natural resources and protection of the environment, concepts, strategies, schemes and plans of actions in this field;;

proposals on questions of protection of the environment and rational (sustainable) usage of natural resources for their introduction into the drafts of prognoses and programs of social and economic development of the Republic of Belarus;

proposals on fixing of the list of activities on the protection of the environment and reproduction of the natural resources financed from the republican and local budgets;

presentations on declaring, transforming and withdrawal of functioning of particularly protected natural territories of the republican importance;

proposals on declaring the certain parts of territory of the Republic of Belarus as zones of ecological risk and zones of ecological crisis;

proposals on forming and usage of state special purpose budget funds of protection of the environment;

proposals on establishing privileges to single legal and physical bodies.

Article 11. Competence of Local Councils of Deputies and Executive and Administrative Bodies in the Sphere of Protection of the Environment

The local Councils of Deputies in the sphere of protection of the environment:
approve the territorial programs and activities on sustainable use of natural resources and protection of the environment;
in the territory under their jurisdiction dispose of the natural resources in the cases and in the order provided by the legislation of the Republic of Belarus in environment protection and rational usage of natural resources;
abolish the decisions of local executive and administrative bodies on withdrawal and granting the pieces of land in usage, under rent, life-long heritable possession, on their transmission to ownership, that are not in compliance with the legislation of the Republic of Belarus on protection and usage of lands in force;
carry out other powers according to the legislation of the Republic of Belarus.

Local executive and administrative bodies in the sphere of protection of the environment:
elaborate and present to the local Councils of Deputies the territorial programs and activities on rational (sustainable) usage of natural resources and protection of the environment and take measures on their execution;
take measure on protection of rights and legal interests of citizens of the Republic of Belarus in the sphere of protection of the environment;
carry out on the territory within their jurisdiction the state control over usage and protection of lands in the order established by the legislation of the Republic of Belarus on the control (supervisory) activity of the Republic of Belarus;
in the territory under their jurisdiction dispose of the natural resources in the cases and in the order provided by the legislation of the Republic of Belarus in environment protection and rational usage of natural resources;
take decisions on reserving the territories which are planned to be declare particularly protected natural territories;
take decisions on declaring, transforming and discontinuing to function of reserves and natural monuments of local importance;
take decisions on announcing and termination of the functioning of the biosphere reserves;
takes decisions on the transfer in the established order of the revealed habitats of wild animals and/or growth of wild plants, which belong to the species included into the Red Book of the Republic of Belarus, typical and/or rare natural landscapes and biotopes for the protection by users of the land plots and/or water objects;
determine the sites of wastes placement;
organize the collection, transportation, storage and neutralization of communal wastes, that appear on their territory;

submit claims to legal persons and citizens inflicted damage on the environment,;
participate in formation of ecological culture;
consider the proposals of legal persons also of public associations and citizens on the questions of protection of the environment and rational (sustainable) usage of natural resources;
carry out other powers according to the legislation of the Republic of Belarus.

CHAPTER 3

RIGHTS AND DUTIES OF CITIZENS AND PUBLIC ASSOCIATIONS AND PUBLIC ECOLOGISTS IN THE SPHERE OF PROTECTION OF THE ENVIRONMENT

Article 12. Rights and Duties of Citizens in the Sphere of Protection of the Environment

Every citizen has the right to favorable environment and to compensation of harm caused by the infringement of this right and also to receive, store and distribution of full and trustworthy and timely ecological information.

The citizens have the right to:

create according to legislation the public associations carrying out their activity in the sphere of protection of the environment and also public funds of the protection of nature;
turn to bodies of state administration and other organizations, to the officials for the reception of full, trustworthy and timely ecological information in order established by the legislation of the Republic of Belarus;
take part in discussion of materials on estimation of influence on the environment;
introduce the proposals o conduction of public ecological expert examination and participate in its conduction in order established by the legislation of the Republic of Belarus;
assist the state bodies in the decision of questions of protection of the environment;

turn to the state bodies, other organizations in written, electronic or verbal form, as well as make reprimands and/or proposals to individual entrepreneurs to the book of reprimands and proposals on the issues of the protection of the environment and receive grounded answers ;

submit to court the claims on compensation of harm caused to their lives, health, property as the result of harmful influence on environment, and on suspension (prohibition) of the economic or other activities of legal persons and individual entrepreneurs that cause a harmful influence on the environment.

The citizens are obliged to:

observe the legislation of the Republic of Belarus on protection of the environment;

increase the ecological culture, aid the up-bringing in this sphere of the up-growing generation;

preserve and protect the natural environment and rationally use natural resources;

carry out the requirements in the sphere of waste management;

carry out the requirements of the fire security;

observe the rules of hunting and fishing;

carry out the requirements established for the purposes of fighting the everyday noise in the buildings, on streets, yards, on the territory of gardening partnership (cooperative society), in places of rests and other public places;

carry out the requirements (instructions) of the state bodies and officials executing the state control in the sphere of protection of the environment, rational use of the natural resources;

compensate in order established by the legislation of the Republic of Belarus the harm to environment caused by their activities.

The legislation of the Republic of Belarus can set forth other rights and duties of the citizens in the sphere of protection of the environment.

Article 13. Provision of the Citizens' Right to Favorable Environment

The right of citizens to favorable environment is provided:

by planning and rationing of the quality of the environment, measures on prevention of harmful influence on the environment and its improvement, prevention and liquidation of the consequences of accidents, catastrophes and natural disasters;

by compensating in the established order the harm caused to life, health and property of citizens in the result of harmful influence on environment;

by presenting full, trustworthy and timely ecological information in the order established by the present law and other acts of legislation of the Republic of Belarus including the treaties of the Republic of Belarus;

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

by judicial protection, self-protection and reception of qualified legal aid;

by control in the sphere of protection of the environment, rational use of the natural resources;

by taking measures provided in the present Law and other acts of legislation of the Republic of Belarus.

Article 14. Protection of the Right to Favorable Environment

The right to favorable environment belongs to every citizen since birth and is subject to protection as a personal non-property right that is not connected with property in order established by the legislation of Republic of Belarus.

The moral harm caused to the citizen by the infringement of his right to favorable environment is subject to compensation in accordance with the legislation of the Republic of Belarus.

Article 15. Rights and Duties of Public Associations that Carry Out Activity in the Sphere of Protection of the Environment

Public associations that carry out the activity in the sphere of protection of the environment have the right to:

elaborate, propagandize and realize programs of rational (sustainable) usage of natural resources and protection of the environment, protect the right and legal interests of citizens in the sphere on protection of the environment, attract voluntary the citizens to carry out the activity in the sphere of protection of the environment in established order;

take part in elaboration of projects of state, departmental, local and other programs and measures on rational (sustainable) usage of natural resources and protection of the environment and assist their execution;

carry out at the expense of own and attracted assessments the measures on restoration of natural resources and provision of ecological security;

introduce in the state bodies and direct to the officials the proposals on question of protection of the environment and rational (sustainable) usage of natural resources;

take part in discussion of materials on estimation of influence on environment;

organize and conduct in established order the public ecological expert examination;

create according to the legislation of the Republic of Belarus the public funds of the protection of the environment and spend the assessments on conducting the measures on protection of the environment;
assist the state bodies in decision of question of protection of the environment;

turn to bodies of state administration and other organizations and to officials for the reception of full, trustworthy and timely ecological information order established by the legislation of the Republic of Belarus;

turn to the state bodies and other organizations in written, electronic or verbal form on the issues of the protection of the environment and receive grounded responses ;

submit to court the claims on compensation of harm caused to life, health, property of their members (participants) as the result of harmful influence on environment, and suspension (prohibition) of the economic or other activities of legal persons and individual entrepreneurs that cause a harmful influence on the environment;

speak up in mass media on the questions of protection of the environment.

The legislation of the Republic of Belarus can determine other rights of the public associations that carry out their activity in the sphere of protection of the environment.

The public associations that carry out the activity in the sphere of protection of the environment carry out the work on propaganda and cultivation of solicitous attitude to nature, raising ecological culture of citizens, inform the territorial bodies of the Ministry of natural resources and protection of the environment, local executive and administrative bodies on established cases of irrational usage of natural resources, infringements of the legislation of the Republic of Belarus on the protection of the environment and also on accidents and other emergency situations, infringements of technological processes, as the result of which the contamination of the environment or other harmful influence on environment has taken place of can take place.

Public associations at carrying out the activity in the sphere of protection of the environment are obliged to observe the requirements in the sphere of protection of the environment.

15¹. Public ecologists

Public ecologists are legally capable citizens of the Republic of Belarus who expressed a desire voluntary and gratuitously support the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies in the implementation of the protection of the environment and rational of natural resources.

Public ecologists are entitled to:

support the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies in carrying out of the activities on protection of the environment;

participate in the proliferation of the ecological information;

support the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies in the promotion and education among the citizens of the respect for nature, improvement of their environmental culture. The legislation of the Republic of Belarus may determine other rights for public ecologists.

Public ecologists shall:

know the legislation of the Republic of Belarus on the protection of the environment and sustainable use of the natural resources and follow its provisions;

report on the facts of violation of the legislation of the Republic of Belarus on the protection of the environment and sustainable use of the natural resources to the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus or its territorial bodies;

account for the work performed to the territorial bodies of the Ministry of the Natural Resources and Protection of the Environment of the Republic of Belarus.

The Ministry of the Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies:

organize the work of the public ecologists;

organize the work on education of the public ecologists;

provide public ecologists with ecological information;

perform the control over the work of public ecologists, evaluate their work and elaborate activities on improvement of its effectiveness;

provide security for the public ecologists at carrying out of the activities on protection of the environment.

The order of the activity of public ecologists is established by the Council of Ministers of the Republic of Belarus.

CHAPTER 4 NATURE MANAGEMENT

Article 16. Right of Nature Management

Natural resources may be granted for use in the order established by the legislation of the Republic of Belarus.

The citizens are guaranteed the right of general use of natural resources for the satisfaction of their needs without a charge without securing other rights for them and without reception of relevant permissions, excluding cases provided by the legislation of the Republic of Belarus (right of general nature management).

Carrying out the management of nature at the process of economic activity (special nature management) is allowed to the legal persons and individual entrepreneurs with a charge, if other is not established by the legislative acts of the Republic of Belarus, on the basis of decisions of state bodies competent to make those decisions on lease contract, complex permission on protection of the environment in cases established by the acts of the president of the Republic of Belarus, and on other bases provided by the legislation of the Republic of Belarus.

Article 17. Licensing in the Field of Protection of the Environment

Licensing in the field of protection of the environment is carried out by specially authorized republican bodies of state administration in accordance with the legislation of the Republic of Belarus on licensing.

CHAPTER 5**REGULATION, ENSURING THE UNIFORMITY OF MEASUREMENTS, TECHNICAL STANDARDIZATION AND STANDARDIZATION IN THE SPHERE OF THE ENVIRONMENT PROTECTION, ECOLOGICAL CERTIFICATION****Article 18. Regulation in the Sphere of Protection of the Environment**

Regulation in the sphere of protection of the environment is carried out for the purposes of state regulation of influence of economic and other activity on the environment guaranteeing the preservation of favorable environment and provision of ecological security.

Regulation in the sphere of protection of the environment consists in establishing the norms of quality of the environment, norms of permissible influence on environment, limits on nature management and also other norms in the sphere of protection of the environment.

Norms of quality of environment, norms of permissible influence on environment and also other norms in the sphere of protection of the environment are elaborated, fixed and introduced on the basis of modern achievements of science and technology with consideration of international rules and standards in the sphere of protection of the environment.

Norms of quality of environment and norms of permissible influence on environment and also other norms in the sphere of protection of the environment are established by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus, Ministry of Health of the Republic of Belarus and other specially authorized republican bodies of state administration according to their competence.

Article 19. Main Requirements to Elaboration of the Norms in the Sphere of Protection of the Environment

The main requirements to elaboration of norms in the sphere of protection of the environment are the following:

- establishing the grounds of their elaboration;
- conducting the scientific research works on their grounding;
- estimation and prediction of ecological, social, economic consequences of their application;
- other requirements established by the legislation of the Republic of Belarus.

Article 20. Norms of Quality of the Environment

Norms of quality of the environment are established on the level providing the ecological security and are applied for the estimation of the state of the environment and rationing the permissible influence on it.

The following are included into the norms of quality of environment:

- norms of limit permissible concentration of chemical and other substances;
- norms of limit permissible physical influences;
- norms of limit permissible concentration of micro-organisms;
- other norms of the quality of the environment.

Norms of quality of the environment are approved and brought into effect by the Ministry of Health of the Republic of Belarus under agreement with the Ministry of natural resources and protection of the environment of the Republic of Belarus, other state bodies according to the legislation of the Republic of Belarus.

Stricter standards of quality of the environment than those operating in other territories may be established in the specially protected natural territories, natural territories being subject to special protection, and territories of the biosphere reserves.

Article 21. Norms of Permissible Influence on Environment

For purpose of prevention of harmful influence on environment of economic and other activity for the legal persons and individual entrepreneurs (nature-users) the following kinds of norms of permissible influence on environment are established:

norms of permissible exhausts and effluents of chemical and other substances;

norms of creation of industrial wastes;

norms of permissible physical influences (amount of heat, levels of noise, vibration, ionizing radiation, electro-magnetic field strength and of other physical influences);

norms of permissible extraction of natural resources;

norms of permissible anthropogenic burden on environment;

norms of other permissible influence on environment at carrying out economic and other activity established by the legislation of the Republic of Belarus.

Norms of permissible influence on environment shall provide the observance of norms of quality of environment with consideration of peculiarities of territories.

Article 22. Norms of Permissible Exhausts and Effluents of Chemical and Other Substances

Norms of permissible exhausts and effluents of chemical and other substances are established for stationary and mobile sources of influences on environment based on norms of permissible anthropogenic burden on environment, norms of quality of environment and also technological norms.

Technological norms are established for stationary and mobile sources on the base of the best available technical methods and technologies providing the fulfillment of the requirements in the sphere of environment with the consideration of economic and social factors.

At impossibility of observance of norms of permissible exhausts and effluents of chemical and other substances the temporary norms on such exhausts and effluents can be established on the basis of permissions issued by the Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies and being in effect only in condition of simultaneous conducting of measures on protection of the environments, introduction of technologies providing the fulfillment of requirements in the sphere of protection of the environment and/or realization of other nature protection measures with consideration of step-by-step achievement of the fixed norms of permissible exhausts and effluents of chemical and other substances.

Article 23. Norms of Creation of Industrial Wastes

Norms of creation of industrial wastes are established for the purposes of prevention of their harmful influence on the environment in accordance with the legislation of the Republic of Belarus on wastes handling.

Article 24. Norms of Permissible Physical Influence

Norms of permissible physical influence (amount of heat, levels of noise, vibration, ionizing radiation, electro-magnetic field strength and other physical influences) are established for every source of such influence on the basis of the norms of quality of environment and with consideration of influence of other sources of physical influences.

Article 25. Norms of Permissible Extraction of Natural Resources

Norms of permissible extraction of natural resources are the norms established in accordance with the limits of volume of their extraction for the purposes of preservation of natural and nature-anthropogenic objects, provision of stable functioning of natural ecological systems and prevention of their degradation.

Norms of permissible extraction of natural resources and order of their establishment are determined by the legislation of the Republic of Belarus on protection of the environment and rational usage of natural resources.

Article 26. Norms of Permissible Anthropogenic Burden on Environment

Norms of permissible anthropogenic burden on environment are established for the legal persons and individual entrepreneurs carrying out economic and other activity for the purposes of regulation of total influence of all stationary and mobile sources of influence on environment placed within the concrete territory.

Norms of permissible anthropogenic burden on environment are established on every kind of influence of economic and other activity o environment and total influence of all sources situated on these territories.

At establishing the limits of permissible anthropogenic burden on environment the natural peculiarities of concrete territories are considered.

Article 27. Limits on Nature Management

The limits on nature management are the established for the nature-users for a certain period of time, volumes of limit usage (extraction, mining) of natural resources, exhausts and effluents of contaminating substances, storage and burial of wastes and other kinds of harmful influence on the environment.

The limits on nature management shall be established in accordance with the legislation of the Republic of Belarus on the treatment of waste as well as in the area of sustainable use of natural resources.

Article 28. Other Norms in the Sphere of Protection of the Environment

For the purposes of state regulation of influence of economic and other activity on the environment, estimation of quality of environment in compliance with the present Law and other normative legal acts of the Republic of Belarus other norms in the sphere of protection of the environment can be established.

Article 29. Measurements in the Sphere of the Protection of the Environment

The measurements in the sphere of the in the sphere of the protection of the environment shall be exercised:

at carrying out of the control in the sphere of the protection of the environment, sustainable use of natural resources, as well as analytical (laboratory control in the sphere of the protection of the environment;

to receive ecological information;

to evaluate influence on the environment of the objects at their placement, projecting, construction, start-up and exploitation;

to establish normative in the sphere of the protection of the environment and sustainable use of natural resources;

to evaluate the effectiveness of the activities on protection of the environment;

for other purposes connected with the protection of the environment and sustainable use o natural resources.

The measurements in the sphere of the protection of the environment shall be performed by the test laboratories (centers), accredited in the order established by the legislation of the Republic of Belarus on the evaluation of compliance of objects with the requirements of technical normative legal acts in the sphere of technical measurement and standardization, and carrying out activities in accordance with the legislation of the Republic of Belarus in the sphere of the insurance of the uniformity of measurements.

Article 30. Technical Normative Legal Acts in the Sphere of Protection of the Environment

Technical normative legal acts in the sphere of protection of the environment establish the requirements (norms, rules) in the sphere of protection of the environment to the goods (works, services), technological processes and relevant methods of control.

Technical normative legal acts in the sphere of protection of the environment are elaborated with consideration of scientific technical achievements and requirements of international rules and standards.

In the technical normative legal acts on new machines, technology, materials, substances and other production, technological protection, storage, transportation, usage of these productions in particular after their transmission to the category of wastes, the requirements, norms and rules in the sphere of protection of the environment are considered.

Article 31. Ecological Certification

Ecological certification is carried out in accordance with the legislation of the Republic of Belarus by certification bodies accredited in the National system of accreditation of the Republic of Belarus.

Objects of the ecological certification are:

system of the management of environment;

production;

competence of the personnel in performing works, services in the field of the protection of the environment

rendering of services in the field of the protection of the environment

other objects in the sphere of the protection of the environment in accordance with the legislation of the Republic of Belarus .

State regulation in the field of ecological certification is carried out by the President of the Republic of Belarus, Council of Ministers of the Republic of Belarus, State committee on standardization of the Republic of Belarus and Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus.

The scientific and methodical management on ecological certification in the Republic of Belarus is carried out by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus.

CHAPTER 6

REQUIREMENTS IN THE SPHERE OF PROTECTION OF THE ENVIRONMENT

Article 32. General Requirements in the Sphere of Protection of the Environment at Placing, Projecting, Building, Reconstruction, Introduction into Exploitation, Exploitation, Conservation, Dismantling and Demolition and of Buildings, Constructions and Other Objects

At placing, projecting, building, reconstruction, introduction into exploitation, exploitation, conservation, dismantling and demolition of buildings, constructions and other objects the legal persons and individual entrepreneurs are obliged to provide the favorable state of the environment and to provide:

preservation, renewal and/or improvement of the environment;

reduction (prevention) of harmful influence on environment;

implementation of the best available technical methods, low-waste, energy and resources spare technologies;

rational (sustainable) use of natural resources;

prevention of accidents and other emergency situation;

material, financial and other assessments on compensation of possible harm to the environment;

financial guarantees of carrying out of planned measures on protection of the environment.

Article 33. Requirements in the Sphere of Protection of the Environment at Placing Buildings, Constructions and Other Objects

At placing buildings, constructions and other objects the fulfillment of requirements in the sphere of protection of the environment with consideration of closest and further ecological, economic, demographic and other consequences of exploitation of the mentioned objects and observance of priority of preservation of favorable environment, biological and landscape diversity, rational (sustainable) usage of natural resources and their restoration shall be provided.

The choice of sites of placing of buildings, constructions and other objects is carried out with the observance of requirements of legislation of the Republic of Belarus.

Article 34. Requirements in the Sphere of Protection of the Environment at Elaboration of Projects of Building, Reconstruction, Conservation, Dismantling and Demolition of Buildings, Constructions and Other Objects

At elaboration of projects of building, reconstruction, conservation, dismantling and demolition of buildings, constructions and other objects the norms of permissible anthropogenic burden on environment shall be considered, the measures on prevention and liquidation of contamination of environment and also methods of waste management shall be provided, resources-economy, the best available technical methods, low-waste and wasteless technologies contributing to protection of the environment, to restoration of natural environment, rational (sustainable) usage of natural resources and their restoration shall be used.

The reduction of cost or exclusion from the project works and from the approved project of the planned measures on protection of the environment at projecting the building, reconstruction, conservation, dismantling and demolition of buildings, constructions and other objects is prohibited.

The project of building, reconstruction, conservation, dismantling or demolition of buildings, constructions and other objects subject to state ecological expert examination and having not received the positive resolution is not subject to approval and works on its realization are not financed, unless otherwise provided by the President of the Republic of Belarus.

Article 35. Requirements in the Sphere of Protection of the Environment at Building and Reconstruction of Buildings, Constructions and Other Objects

Building and reconstruction of buildings, constructions and other objects shall be fulfilled under the approved in the established order project, unless otherwise provided by the President of the Republic of Belarus, and also of sanitary, anti-fire, building and other requirements of legislation of the Republic of Belarus.

Building and reconstruction of building, construction and other objects before the approval of project and before the allocation of the land in kind, unless otherwise provided by the President of the Republic of Belarus, and also changing the approved project to the detriment to requirements in the sphere of protection of the environment is prohibited.

At fulfillment of building and reconstruction of buildings, constructions and other objects all the measures on protection of the environment, improvements of territory, protection of historico-cultural values,

collection and other management of wastes and other measures on prevention of harmful influence of environment provided in project are taken.

Article 36. Requirements in the Sphere of Protection of the Environment at Introduction of Buildings, Constructions and Other Objects into Exploitation

Introduction into exploitation of buildings, constructions and other objects is carried out in condition of fulfillment of all works on protection of the environment, improvement of territories provided in the project in compliance with the legislation of the Republic of Belarus.

Introduction into exploitation of buildings, constructions and other objects not equipped with the devices of registration and control, with technical means on purifying, neutralizing of exhausts and effluents of contaminating substances, usage or neutralizing the wastes providing the fulfillment of requirements established in the sphere of protection of the environment is prohibited.

The chiefs and members of the commissions on acceptance of buildings, constructions and other objects to exploitation bear responsibility for the acceptance of buildings, constructions and other objects not meeting the requirements in the sphere of protection of the environment according to the legislation of the Republic of Belarus.

Article 37. Requirements in the Sphere of Protection of the Environment at Exploitation of Buildings, Constructions and Other Objects

Legal persons and citizens that carry out the exploitation of buildings, constructions and other objects are obliged to observe the technological norms and other requirements in the sphere of protection of the environment.

Legal persons and citizens that carry out the exploitation of buildings, constructions and other objects shall provide the observance of norms of quality of the environment on the basis of implementation of technological means and technologies of neutralization and usage of wastes of manufacturing, neutralization of exhausts and effluents of contaminating substances and also other technologies providing the fulfillment of requirements in the sphere of protection of the environment.

At exploitation of buildings, constructions and other objects the legal persons and individual entrepreneurs are obliged to conduct the ecological passport of enterprise. Ecological passport of enterprise is considered to be a document including the data on usage of resources (natural and derivative) by the legal person or individual entrepreneurs that carry out the economic and other activity, and estimation of influence of the manufacturing on the environment. The order of conduction of ecological passport of enterprise is established by the Ministry of natural resources and protection of the environment.

Article 38. Requirements in the Sphere of Protection of the Environment at Liquidation of Legal Person or Liquidation of Legal Person or Termination of Activity of the Individual Entrepreneurs

At liquidation of a legal person or termination of activity of an individual entrepreneur, including as a result of their being recognized insolvent (bankrupt), which carry out activity connected with harmful influence on environment, the ecological audit and estimation of harm caused to the environment as the result of activity of such legal person or individual entrepreneur are conducted in an obligatory manner, measures on compensation of harm caused to the environment are taken, and also measures on restoration of the environment according to the legislation of the Republic of Belarus are elaborated and taken.

Article 39. Requirements in the Sphere of Protection of the Environment at Placing, Projecting, Building, Reconstruction, Introducing into Exploitation and Exploitation of Objects of Power Engineering

At projecting and building of heat power plants their equipment with the means of purifying of exhausts and effluents of contaminating substances providing the fulfillment of requirements in the sphere of protection of the environment, usage of ecological safe kinds of fuel and safe placement of wastes of industry and also measures on reduction of creation and ejection of gases influencing the climate into the environment shall be provided.

At placing, projecting, building, reconstruction, introduction into exploitation and exploitation of hydropower plants the peculiarities of relief shall be considered, the measures on maximal perseverance of water objects, water collectors, land (including soils), forests, inhabited localities, natural ecological systems, biological and landscape diversity, functioning of the highly protected natural territories, natural territories being subject to special protection, and biosphere reserves shall be provided, and also measures on timely stoking-up and export of timber, taking down the fertile layer of soil at cleaning and sinking the bed of water storages and other necessary measures on non-admission of harmful changes of environment, saving the water regime providing more favorable conditions for restoration of water biological resources shall be taken.

At placing, projecting, building, reconstruction, introduction into exploitation and exploitation of nuclear plants the protection of the environment from the radiation influence of this plant shall be provided, the established order and technological norms, requirements of specially authorized republican bodies of state administration that carry out the state inspection in the sphere of provision of nuclear and radiation security shall be observed, and also the measures on provision of full radiation security of the environment and population according to the legislation of the Republic of Belarus and generally accepted principles and norms of international law shall be taken, the training and improving the qualification of workers' of nuclear plants shall be provided.

Placing the nuclear plants is carried out at presence of positive resolutions of state ecological expert examination and other state expert examination provided under the legislation of the Republic of Belarus and confirming the ecological and radiation safety of nuclear plants for the projects and other grounding materials.

Projects of placing and building of nuclear plants shall contain the decisions providing the safe withdrawal from exploitation and safe management with the radioactive wastes.

Article 40. Requirements in the Sphere of Protection of the Environment at Placing, Projecting, Building, Reconstruction, Introduction into Exploitation, Exploitation, Conservation and Liquidation of Military and Defense Objects, Armament and Military Machines

The requirements in the sphere of protection of the environment at placing, projecting, building, reconstruction, introduction into exploitation, exploitation, conservation and liquidation of buildings, constructions and other objects are fully expanded to military and defense objects, armament and military machines.

Article 41. Requirements in the Sphere of Protection of the Environment at Exploitation of Objects of Agriculture

Legal persons and citizens that carry out the exploitation of objects of agriculture are obliged to carry out the measures on protection of lands (including soils), bowels, waters, free air, forests, objects of flora and fauna, comply with the regime of the protection and usage of the highly protected natural territories, natural territories being subject to special protection, and biosphere reserves.

Legal persons and individual entrepreneurs that carry out the production, stoking-up and processing of agricultural products and also the service and repair of agricultural machines, storage of combustive-lubricating materials, organic and mineral fertilizers, means of plants' protection, stimulators growth and other preparations shall have sanitary protective zones around the industrial objects and purifying constructions providing the fulfillment of requirements in the sphere of protection of the environment.

Article 42. Requirements in the Sphere of Protection of the Environment at Melioration of Lands, Placing, Projecting, Building, Reconstruction, Introduction into Exploitation and Exploitation of Melioration Systems and Hydro-Technical Constructions Located Separately

At carrying out the melioration of lands, placing, projecting, building, reconstruction, introduction into exploitation and exploitation of melioration systems and hydro-technical constructions located separately the legal persons and individual entrepreneurs shall take measures on providing the hydro-economic balance and economical usage of waters, protection of lands (including soils), forests, preservation of the biological and landscape diversity, adherence to the regime of the protection and usage of highly protected natural territories, natural territories being subject to special protection, and biosphere reserves, and also prevention of other harmful influence on environment at carrying out the melioration measures. Melioration of lands shall not lead to worsening the state of environment, breach of stable functioning of natural ecological systems.

Article 43. Requirements in the Sphere of Protection of the Environment at Placing, Projecting, Building and Reconstruction of Inhabited Localities

At placing, projecting, building and reconstruction of inhabited localities the requirements in the sphere of protection of the environment providing the favorable environment for life and health of citizens shall be observed, as well as preservation of the natural ecological systems, biological and landscape diversity.

Objects of economic and other activity shall be placed with the consideration of requirements in the sphere of protection of the environment and also sanitary, anti-fire, building and other requirements of the legislation of the Republic of Belarus and complying with the regime of the protection and usage of the highly protected natural territories, natural territories being subject to special protection, and biosphere reserves.

At panning and building of inhabited localities the measures on preservation and restoration of environment shall be provided, the requirements in the sphere of protection of the environment shall be observed, measures on purifying of sewages, sanitary cleaning, collection, transportation, usage and/or

neutralization of wastes, observance of norms of permissible exhausts and effluents of chemical and other substances and also on re-cultivation of lands, improvement of territories and other measures providing the ecological safety shall be taken.

Around the inhabited localities the green zones are created, the legal regime of which is established by the legislation of the Republic of Belarus. The sizes of green zones are determined at elaboration of schemes and projects of regional planning of administrative-territorial units, general plans, projects of detailed planning and building, projects of improvements of inhabited localities and other projects with consideration of number of citizens and natural-climate conditions.

Organization of inhabited localities and territories shall be carried out according to the architectural and town-planning projects where the measures on greening and other management with the objects of fauna providing the favorable environment for live and health of citizens shall be carried out.

The management with the objects of flora located on lands of inhabited localities is carried out in compliance with the legislation of the Republic of Belarus on flora, housing and communal services, in the sphere of architectural, urban planning and construction activity.

Liquidation (removal) including felling without relevant permission and/or damaging the objects of flora in the inhabited localities, green zones around the inhabited localities, town woods and sanitary-protective zones is prohibited.

Article 44. Requirements in the Sphere of Protection of the Environment to the Movable Sources

Legal persons and citizens at projecting, production, exploitation, repair and technical service of mobile sources are obliged to elaborate and carry out measures on reduction of toxicity, smoggy of processed gases, purifying or neutralization of exhausts and effluents of contaminating substances into the environment, transition to less toxic kinds of fuels and other measures directed to prevention and reduction of harmful influence on environment.

The production and/or exploitation of mobile sources, where the content of the contaminating substances in the exhausts and levels of other harmful physical influences on environment exceed the fixed norms are prohibited.

Article 45. Requirements in the Sphere of Protection of the Environment at Placing, Projecting, Building, Reconstruction, Introduction into Exploitation, Exploitation and Liquidation of Objects of Extraction, Processing, Transportation, Storage and Realization of Oil, Gas and Products of their Processing

Placing, projecting, building, reconstruction, introduction into exploitation, exploitation and liquidation of objects of extraction, processing, transportation, storage and realization of oil, gas and products of their processing shall be carried out in compliance with the requirements in the sphere of protection of the environment, sanitary, anti-fire and other requirements of the legislation of the Republic of Belarus and in compliance with the regime of the protection and usage of the highly protected natural territories, natural territories being subject to special protection, and biosphere reserves.

At placing, projecting, building, reconstruction, introduction into exploitation, exploitation and liquidation of, of the objects of extraction, processing, transportation, storage and realization of oil, gas and products of their processing the measures on purifying and neutralization of wastes of industry and collection of oil (accompanying) gas and accompanying waters, re-cultivation of lands, decreasing the harmful influence on environment and also on compensating the harm to the environment caused in the process of building and/or exploitation of mentioned objects in the result of infringement of legislation of the Republic of Belarus on protection of the environment shall be provided.

Building and exploitation of the objects of extraction, processing, transportation, storage and realization of oil, gas and products of their processing (including those on the surface water objects) are allowed at presence of projects of restoration of contaminated lands, positive resolutions of state ecological expert examination and financial guarantees of realization of these projects.

Article 46. Requirements in the Sphere of Protection at the Production of Dangerous Chemical Substances, Their Management and Their Neutralization

Production of dangerous chemical substances and their management is allowed on the territory of the Republic of Belarus after conducting the necessary toxic-hygienic and toxicological research of these substances, establishment of order of their management with observance of requirements in the sphere of protection of the environment and state registration of these substances in order established by the legislation of the Republic of Belarus.

Neutralization of dangerous chemical substances is carried out at presence of project and technological documentation, agreed in order established by the legislation of the Republic of Belarus.

Article 47. Requirements in the Sphere of Protection of the Environment at Usage of Radioactive Substances

Legal persons and individual entrepreneurs are obliged to observe the rules of production, storage, transportation, usage, burial of radioactive substances (sources of ionizing radiation), not to allow the exceeding of norms of limit permissible level of radiation influence and in case of their exceeding to inform the specially authorized republican bodies of state administration, local executive and administrative bodies on exceeding level of radiation dangerous to the environment and health of citizens without delay, take measures on liquidation of center of radiation contamination.

Legal persons and individual entrepreneurs that do not provide the observance of rules of management with the radioactive substances and also with radioactive wastes bear responsibility in compliance with the legislation of the Republic of Belarus.

Import of the sources of ionizing radiation on the territory of the Republic of Belarus from other states for the purposes of their storage, utilization or burial is prohibited. Transit or import of sources of ionizing radiation for other purposes is carried out in order established by the legislation of the Republic of Belarus.

Burial of sources of ionizing radiation on surface of land and in bowels without taking measures on exclusion of possibility of accidental ingress of sources of ionizing radiation or their separate components into the environment is prohibited.

Burial of sources of ionizing radiation in water objects, on highly protected territories, on territories being subject to special protection, and territories of biosphere reserves is prohibited.

Article 48. Requirements in the Sphere of Protection of the Environment at Usage of Chemical Substances in Agriculture and Forestry

Legal persons and citizens are obliged to carry out the rules of production, storage, transportation and usage of chemical substances used in agriculture and forestry, and also the requirements in the sphere of protection of the environment and take measures on prevention of harmful influence of economic and other activity and liquidation of its negative consequences for provision of quality of environment, stable functioning of natural ecological systems and preservation of biological and landscape diversity, functioning of the highly protected natural territories, natural territories being subject to special protection, and biosphere reserves.

The usage of toxic chemical substances not exposed to the decay is prohibited.

Article 49. Requirements in the Sphere of Protection of the Environment to the Activity That Has or May Have Harmful Biological Influence on Environment

Introduction, acclimatization, growing, cultivation of plants, animals not peculiar to the ecological systems and also created in artificial way without elaboration of measures on prevention of their harmful influence on natural ecological systems, reception of positive resolutions of relevant expert examination and/or permissions in compliance with the legislation of the Republic of Belarus.

At placing, projecting, building, reconstruction, introduction in exploitation, exploitation and liquidation of dangerous industrial objects, application of technologies connected to harmful influence of micro-organisms on environment the requirements and norms in the sphere of protection of the environment including the norms of limit permissible concentrations of micro-organisms, technical normative legal acts in the sphere of protection of the environment shall be observed.

Legal persons and individual entrepreneurs that carry out activity connected with possibility of harmful influence of micro-organisms on environment are obliged to provide ecologically safe production, transportation, usage, storage, placing and neutralization of micro-organisms, elaborate and carry out measures on prevention of accidents and catastrophes, prevention and liquidation of consequences of harmful influence of micro-organisms on environment.

Requirements in the sphere of management with the genetic changeable organisms are established by the legislation of Republic of Belarus in the sphere of biological safety and genetic engineering activity.

Article 50. Requirements in the Sphere of the Environment Protection at Management of Wastes

Legal persons and citizens, economic and other activity of which is connected with wastes management, are obliged to observe the requirements in the sphere of protection of the environment and also sanitary, anti-fire and other requirements established by the legislation of the Republic of Belarus.

The relations appearing in the process of wastes management are regulated by the legislation on wastes handling and by other legislation of the Republic of Belarus.

Article 51. Requirements in the Sphere of Protection of the Environment to the Sources Having Harmful Physical Influence

Legal persons and citizens, activity of which is connected with usage of sources of physical influences and also local executive and administrative bodies are obliged to take necessary measures on prevention and liquidation of harmful influence of noise, vibration, electric, electro-magnet, magnet fields and other harmful physical influences on environment, including in industrial, public and dwelling buildings, on the

streets, in the yards, on the squares of towns and other inhabited localities, in zones of recreation and other public places, in sites of habitation of wild animals, including in the sites of their reproduction, on natural ecological systems and typical and rare natural landscapes and biotopes.

For these purposes the following shall be carried out:

improvement of constructions of automobile, railroad, air, sea and river transportation means, agricultural, road and building machines and other movable means and plants equipped with the rotary-piston engines and means of their exploitation and also the quality of maintenance of railroads and tramways, automobile roads and street network of the inhabited localities;

placing the airdromes, airports and other objects, exploitation of equipment that are the sources of noise, on the distance providing ecological safety of the inhabited localities;

special noise protection measures.

Exploitation of buildings, constructions, and other objects having the sources of physical influence that exceed the norms of permissible physical influences is prohibited.

Article 52. Requirements in the Sphere of Protection of the Environment at Conducting of Scientific Research, Experimental Constructional and Technological Works

At conducting fundamental and applied scientific research, experimental constructional and technological works the requirements in the sphere of protection of the environment shall be considered.

Usage of inventions and usage of machines, equipment, material and technologies leading to the infringement of the requirements in the sphere of protection of the environment is prohibited.

Article 53. Requirements in the Sphere of Protection of the Environment at Establishing the Safety and Protection Zones

For the purposes of provision of stable functioning of natural ecological systems, protection of natural complexes, natural landscapes and biotopes, and particularly protected natural territories from the contamination and other harmful influence of economic and other activity the safety and protection zones can be established.

The order of establishment, creation of safety and protection zones, their legal regime is determined by the legislation of the Republic of Belarus.

Article 54. Requirements in the Sphere of Protection of the Environment at Privatization of Enterprises as Property Complexes of State Unitary Enterprises

At privatization of enterprises having the harmful influence on environment as property complexes of state unitary enterprises, conducting measures on protection of the environment and compensation of harm caused to the environment is provided shall be ensured.

At privatization of enterprises as property complexes of state unitary enterprises the plants and equipment designed for the protection of the environment are considered indivisible with the object of privatization.

CHAPTER 7

PROTECTION OF THE OZONE LAYER. REGULATION OF INFLUENCE ON CLIMATE

Article 55. Provision of Protection of the Ozone Layer

The protection of the ozone layer from the ecologically dangerous change of its state is provided:

by organization of observance, registration and control of change of the state of the ozone layer under the influence of the economic and other activity;

by limiting or full stoppage of usage of substances destroying the ozone layer;

by application of the economic mechanism of protection of ozone layer;

by application of measure of responsibility for the infringement of the legislation of the Republic of Belarus on the protection of the ozone layer.

The protection of the ozone layer is carried out in compliance with the legislation of the Republic of Belarus.

Article 56. Responsibility of Legal Persons and Individual entrepreneurs that Carry Out Economic and Other Activity Connected with Exhausts of Greenhouse Gases into the Free Air

Legal persons and individual entrepreneurs carrying out the economic and other activity connected with the exhausts of greenhouse gases in free air are obliged to reduce the number of exhausts of these gases and/or other substances contributing to their creation, accumulation of which in the atmosphere can lead to the change of the climate.

Article 57. Regulation of the Influence on Climate

Any economic and other activity, the consequences of which lead or can lead to the change of climate, shall be carried out with the observance of the legislation of the Republic of Belarus on protection of the environment.

The fulfillment of measures on regulation of influence on the climate shall not lead to the harmful influence on environment.

CHAPTER 8 ESTIMATION OF INFLUENCE ON ENVIRONMENT. ECOLOGICAL EXPERT EXAMINATION

Article 58. Evaluation of Impact on the Environment

The evaluation of impact on the environment shall be carried out at the elaboration of the project documentation on the planned economic and other activity towards the objects in the list established by the legislation of the Republic of Belarus on the state ecological expert examination.

The order of the performance of the evaluation of impact on the environment, list of materials attached to the report on the evaluation of the impact on the environment, requirements to the materials and content of the report on the results of the carrying out of such evaluation shall be established by the legislation of the Republic of Belarus on state ecological expert examination.

Article 59. Ecological Expert Examination

Ecological expert examination is conducted for the purposes of determination of compliance or noncompliance of the project or other documentation on the planned economic and other activity with the requirements of the legislation of the Republic of Belarus on the protection of the environment and rational usage of natural resources.

In the Republic of Belarus the state ecological expert examination and public ecological expert examination are conducted.

Article 60. State Ecological Expert Examination

State ecological expert examination is organized and conducted by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus or by regional (Minsk city) committees of natural resources and protection of the environment.

The list of objects of the state ecological expert examination and order of its conduct shall be defined by the legislation of the Republic of Belarus on state ecological expert examination.

Article 61. Public Ecological Expert Examination

Public ecological expert examination is organized and conducted on the initiative of public associations and citizens by the independent specialists, who in order established by the legislation of the Republic of Belarus have the right to receive from the customer (initiator of the planned economic and other activity) documentation subject to public ecological expert examination including the material on estimation of influence on environment and also other materials necessary for conducting of the public ecological expert examination.

The resolution of the public ecological expert examination can be send to bodies that conduct the state ecological expert examination, local executive and administrative bodies and also to other interested persons and has the recommendation character.

The financing of the public ecological expert examination is accomplished at the expense of its initiators—public associations and/or citizens.

The order of the conduct of the public ecological expert examination shall be established by the Council of Ministers of the Republic of Belarus.

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

Article 62. Specially Protected Natural Territories

Unique, model or other valuable natural complexes and objects having a special ecological, scientific and/or esthetic importance are subject to special protection. For the protection of such natural complexes and objects the specially protected natural territories are declared.

Declaring, transformation or discontinuing of functioning of specially protected natural territories are carried out in accordance with the legislation of the Republic of Belarus on specially protected natural territories.

Article 63. Natural Territories Being Subject to Special Protection

For the purposes of preservation of the useful qualities of the environment in the Republic of Belarus the following territories being subject to special protection shall be distinguished:

- resort zones,
- zones of rest,
- parks, squares and boulevards;
- water protection zones and coastal strips of rivers and water bodies,
- zones of sanitary protection of deposits of medicinal mineral waters and medicinal silts,
- zones of sanitary protection of water objects used for the economic and drinking water supply, zones of sanitary protection in the places of water scoop,
- forests of the first group, specially protective forest plots of the second group;
- typical and rare natural landscapes and biotopes;
- bogs, swamps, being the sources of water streams;

- places of habitat of wild animals and places of growth of wild plants, belonging to the types included into the Red Book of the Republic of Belarus,
- natural territories important for breeding, feeding, wintering and/or the migration of wild animals,
- protection zones of highly protected natural territories;
- other territories for which the special regime of protection and usage is established.

On the natural territories being subject to special protection, restrictions and limitations can be established over carrying out certain types of economic and other activity, being indicated in the documents, certifying the rights to use a land plot, forest fund plot, water object (its part), plot of subsoil, hunting and/or fishing grounds. These restrictions and limitations are taken into account for development and implementation of:

- projects and projects and land management schemes;
- urban development projects;
- sectoral allocation schemes and development of production and objects of transport and engineering infrastructure;
- land reclamation projects;
- projects on water protection zones and coastal strips of water bodies;
- republican complex scheme of placement of fishing grounds;
- biological and economic feasibility of fishing grounds;
- fish breeding and biological studies;
- forest management projects;
- hunt management projects;
- biological and economic feasibility of hunting grounds;
- planning of recreation areas.

The legal regime of a special protection of territories, listed in the part one of this Article, shall be established by the legislation of the Republic of Belarus.

Article 63¹. National Ecological Network

The formation and functioning of the national ecological network is carried out based on watersheds (pools of water bodies), the requirements for the formation and functioning of ecological networks established by international treaties of the Republic of Belarus, and in accordance with the scheme of the national ecological network.

The requirements to the content of the scheme of the national ecological network and criteria of the selection of the territories for the inclusion into the national ecological network shall be established by the Council of Ministers of the Republic of Belarus with the consent of the President of the Republic of Belarus.

The project of the scheme of the national ecological network of the Republic of Belarus shall be elaborated by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus together with the National Academy of sciences of Belarus, regional executive and regulatory bodies, other interested state bodies, other state organizations.

The scheme of the national ecological network shall be approved by the President of the Republic of Belarus.

The approved scheme of the national ecological network shall be taken into consideration at the elaboration and realization of the scheme of the rational placing of the highly protected natural territories of the republican importance, regional schemes of the rational placing of the highly protected natural territories of the local importance, projects and schemes of the land management, city building projects, field schemes of placing and development of the industry and objects of transport and engineer infrastructure, projects of the land development, projects of water protection zones and coastal strips of

water objects, republican complex layout of placing of fishing grounds, forest management projects, hunting projects, and planning of recreation areas.

Article 63². Elements of the National Ecological Network

The national ecological network consists of the zones of the core, ecological corridors and protected zones.

The zones of the core include separate highly protected natural territories (their parts) and/or natural territories subject to special protection (their parts), providing the preservation of the natural ecological systems, biological and landscape diversity.

The ecological corridors include separate natural territories, being subject to special protection (their parts), not included into the zones of the core, providing the connection between the zones of the core. The ecological corridors may include as well separate highly protected natural territories or their parts, if they are important for the settlement and/or migration of wild animals.

The protected zones include separate natural territories, being subject to special protection, not being included into the zones of the core and ecological corridors, providing the prevention or smoothing the harmful impact on the natural complexes and objects, situated in the zones of the core and ecological corridors.

Specially protected natural territories and natural territories being subject to special protection, included into the national ecological network function under the regime of the protection and usage, established for these territories at their announcement (separation) or transformation.

Article 63³. Biosphere Reserves

The announcement of the biosphere reserve is carried out on the decision of the regional executive and regulatory body, the territories of which are to be included into the content of the biosphere reserve, on the base of the proposal of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus, concordant with the National Academy of sciences of Belarus, other interested state bodies, other state organizations. In case if in the content of the biosphere reserve it is planned to include the territories of the two or more regions, the announcement of the biosphere reserve shall be performed on the joint decision of the regional executive and regulatory bodies, the territories of which it is planned to include. The decision (joint decision) on the announcement of the biosphere reserve shall establish as well the borders, area and content of land of the biosphere reserve, its zones and the provision on the biosphere reserve.

The provision on the biosphere reserve shall determine the regime of the protection and usage of the biosphere reserve. The highly protected natural territories and natural territories being subject to special protection, included into the content of the biosphere reserve, function under the regime of the protection and usage, established for these territories at their announcement (separation) or transformation.

Functioning of the biosphere reserve shall be terminated upon the decision of the regional executive and regulatory body, taken such a decision on its announcement. In case if the content of the biosphere reserve includes the territories of two or more regions, the functioning of the biosphere reserve shall be terminated on the joint consent of the regional executive and regulatory bodies, taken decision on its announcement.

The biosphere reserves can be included into the world network of the biosphere reserves in accordance with the international treaties of the Republic of Belarus.

Article 63⁴. Structure of the Biosphere Reserve

Within the borders of the biosphere reserve there is a main, buffer and transfer zones.

The main zone includes separate highly protected natural territories (their parts) and/or natural territories being subject to special protection (their parts), which provide the preservation of the natural ecological systems. biological and landscape diversity.

The buffer zone includes separate highly protected territories (their parts) and/or natural territories being subject to special protection (their parts), not being included into the content of the main zone, providing the prevention or smoothing of the harmful impact on the main zone. The buffer zone is situated around the main zone or is adjusted to it.

The structure of the transfer zone includes the territories not being included into the structure of the main and buffer zones, which being specifically stimulated by rational (sustainable) use of natural resources by means of the implementation of the elements of the economic mechanism of the protection of the environment and nature management as provided by the Chapter 14 of this law, in order to ensure reforestation and afforestation, protection of waters and objects of flora and fauna, use in economic and other activities of the renewable energy sources, the implementation of other best available technical methods, development of the agroecotourism, implementation in the agriculture of the crop rotation schemes, excluding the need for chemical fertilizers and pesticides, as well as for other purposes, to

ensure environmental safety, conservation and restoration of the biological diversity, natural resources and objects.

Each of the zones of the biosphere reserve may be territorially separated and consist of several plots, situated in different places of the biosphere reserve.

Article 63⁵. Management of the Biosphere Reserve

In order to manage the biosphere reserve on the decision of the regional executive and regulatory body, taken the decision on the announcement of the biosphere reserve, it is necessary to create a coordinating council on the biosphere reserve management. In case if the structure of the biosphere reserve includes the territories of two or more regions, regional executive and regulatory bodies, the territories of which are included into the structure of the biosphere reserve, shall be taken a joint decision on creation of the coordinating council on the biosphere reserve management. The decision of the regional executive and regulatory body (joint decision of the regional executive and regulatory bodies) on creation of the coordinating council on the biosphere reserve management also establishes the regulations of this council and its personnel structure.

The structure of the coordinating council on the biosphere reserve management includes the representatives of the state bodies, other state organizations, which possess in management highly protected natural territories, and other interested state bodies, other state organizations.

Article 63⁶. Typical and Rare Natural Landscapes and Biotopes and Their Protection

The typical and rare natural landscapes and biotopes are natural landscapes and biotopes included into the list of typical and rare natural landscapes and biotopes, approved by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus in accordance with the established criterion.

In order to protect the typical and rare natural landscapes and biotopes the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus organizes the work on their identification and recognition.

Local executive and administrative organs on submission of relevant territorial authority of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus, as agreed with the National Academy of Sciences of Belarus, shall take a decision on the transfer of the typical and/or rare natural landscapes and biotopes to put it under protection of users of land plots and/or water objects.

Users of land plots and/or water objects, who receive for the protection typical and/or rare natural landscapes and biotopes, shall be given passports of the typical and/or rare natural landscapes and biotopes and protective obligation, foreseeing special regime of their protection and use.

The order of transfer of typical and/or rare natural landscapes and biotopes to the protection by users of land plots and/or water objects, forms of passports of typical and/or rare natural landscapes and biotopes and protective obligation, as well as the order and conditions of their issuance shall be established by the Council of Ministers of the Republic of Belarus.

In case of necessity to take measures on restoration of typical and/or rare natural landscapes and biotopes, the Ministry of Natural Resources and Protection of the Environment provides the elaboration, approves and organizes the realization of plans of management of typical and/or rare natural landscapes and biotopes, as well as performs control over their implementation.

Article 64. Rare and Being under the Threat of Disappearance in the Territory of the Republic of Belarus Species of Wild Animals and Wild Growing Plants. The Red Book of the Republic of Belarus

Rare species and species being under the threat of disappearance on the territory of the Republic of Belarus of wild animals and wild plants are species of wild animals and wild plants towards to which there is a monitoring data of flora and fauna, state register of fauna, scientific and other investigations, showing at least one of the following grounds:

annual within last 10 years or three generations (from two cases there shall be chosen the one of a longer interval period) decrease of their population and/or habitat;
adverse changes in the conditions of their environment, habitat;
limited distribution and small size of their populations.

Rare species and species being under the threat of disappearance in the territory of the Republic of Belarus of wild animals and wild plants shall be included into the Red Book of the Republic of Belarus. Inclusion of rare species and species being under the threat of disappearance in the territory of the Republic of Belarus of wild animals and wild plants into the Red Book of the Republic of Belarus shall be implemented by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus on the basis of the proposals of the National Academy of Sciences of the Republic of Belarus.

At the inclusion of rare species and species being under the threat of disappearance in the territory of the Republic of Belarus of wild animals and wild plants into the Red Book of the Republic of Belarus they shall be given categories of national nature conservation importance.

The categories of the national nature conservation importance and criterion of attribution to them of rare species and species being under the threat of disappearance in the territory of the Republic of Belarus of

wild animals and wild plants shall be established by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus.

If the grounds, mentioned in the part one of this article, according to which rare species and species being under the threat of disappearance in the territory of the Republic of Belarus of wild animals and wild plants were included into the Red Book of the Republic of Belarus, have fallen away, such species shall be excluded from the Red Book of the Republic of Belarus.

The Red Book of the Republic of Belarus contains the names of rare species and species being under the threat of disappearance in the territory of the Republic of Belarus of wild animals and wild plants, information on their dissemination, habitats and places of growth, biology (including a brief summary of these species), population and tendencies of its changes, on the principal factors of threats and protection measures, as well as on categories of national nature conservation importance. The Red Book of the Republic of Belarus is liable to be published at list once per each ten years period of time.

Article 64¹. Protection of Wild Animals and Wild Plants, belonging to the Species Included into the Red Book of the Republic of Belarus, as well as to the Species of Wild Animals and Wild Plants, being under Protection of the International Treaties of the Republic of Belarus

In order to protect wild animals and wild plants, belonging to the species included into the Red book of the Republic of Belarus, the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus carries out the work on determination of habitats of wild animals and places of growth of wild plants, belonging to the species included into the Red Book of the Republic of Belarus, and accountability of such places.

Local executive and administrative bodies on the presentation of a relevant territorial body of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus, being coordinated with the National Academy of Sciences of Belarus, take decisions on the transfer of the ascertained habitats of wild animals and/or places of growth of wild plants, belonging to the species included into the Red Book of the Republic of Belarus, under the protection by users of the land plots and/or water objects. Users of the land plots and/or water objects, which receive under their protection the habitats of wild animals and places of growth of wild plants, belonging to the species included into the Red Book of the Republic of Belarus, shall be given passports of habitats of wild animals and/or places of growth of wild plants, belonging to the species included into the Red Book of the Republic of Belarus, and protective obligation, foreseeing a special regime of protection and use of such places.

The order of transfer of habitats of wild animals and/or places of growth of wild plants, belonging to the species included into the Red Book of the Republic of Belarus, under the protection of users of land plots and/or water objects, forms of passports of habitats of wild animals and/or places of growth of wild plants, belonging to the species included into the Red Book of the Republic of Belarus, and of the protective obligation, as well as the order and conditions of their submission shall be established by the Council of Ministers of the Republic of Belarus.

The Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus shall provide the elaboration and adoption of plans on management of the populations of wild animals and wild plants, belonging to the species included into the Red Book of the Republic of Belarus, as well as to the species being under the protection of the international treaties of the Republic of Belarus, plans of action on the conservation of such species of wild animals and wild plants and other activities on the protection of wild animals and wild plants, belonging to the species included into the Red Book of the Republic of Belarus, as well as to the species being under protection of the international treaties of the Republic of Belarus. The organization of the realization of such activities and control over their implementation shall be carried out by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus.

The Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus may establish the limits, prohibitions and other measures towards the protection, withdrawal, maintenance, storage, exhibition of wild animals and wild plants, belonging to the species included into the Red Book of the Republic of Belarus, and of their parts and/or derivatives and their trade, towards the storage, protection and restoration of the environment of their habitat and places of growth, as well as towards the implementation of the economic and other activity, during which they are used as materials, for other aims of consumption or realization.

Import to the Republic of Belarus and export from the Republic of Belarus of wild animals and wild plants, belonging to the species, included into the Red Book of the Republic of Belarus, their parts and/or derivatives, species of animals and plants, their parts or their derivatives, being under the protection of international treaties of the Republic of Belarus, shall be carried out in accordance with the international

treaties of the Republic of Belarus, customs legislation of the Republic of Belarus and legislation of the Republic of Belarus on foreign economic activity.

The present Article shall not apply to the cultivated plants and captive wild animals belonging to rare or endangered species in the territory of the Republic of Belarus.

Article 64². Withdrawal of Wild Animals and Wild Plants, Belonging to the Species Included into the Red Book of the Republic of Belarus, from Their Habitat and Place of Growth

Withdrawal of wild animals and wild plants, belonging to the species included into the Red Book of the Republic of Belarus, from their habitats and places of growth shall be allowed in scientific purposes, on purposes of moving (including settlement), introduction, reintroduction, acclimatization, crossing and/or breeding in captivity. Wild animals, belonging to the species included into the Red Book of the Republic of Belarus, may be exempted from their habitat in cases when they suffer illness which is dangerous for their life, life or health of citizens, as well as in cases of the necessity of helping to these wild animals in their illness, wounds, traumas, threat of extinction.

Withdrawal of wild animal and wild plants, belonging to the species included into the Red Book of the Republic of Belarus, from their habitat and places of growth is carried out on the basis of a permission, issued by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus, in the order and on conditions, established by the Council of Ministers of the Republic of Belarus unless otherwise is established by the President of the Republic of Belarus.

Unauthorized withdrawal of wild animals and wild plants belonging to the species included into the Red Book of the Republic of Belarus, from their habitat and places of growth, their illegal turnover as well as commitment of other actions which can lead to their death, reduction of the population or violation of the habitat or place of growth, is prohibited.

The present Article shall not apply to the cultivated plants and captive wild animals belonging to rare or endangered species in the territory of the Republic of Belarus.

CHAPTER 10

ECOLOGICALLY UNFAVORABLE TERRITORIES

Article 65. Zones of Ecological Risk

Certain parts of territory of the Republic of Belarus, where as the result of economic and other activity there is unfavorable ecological situation, the stable negative changes of environment began to occur that threaten the safety of life and health of citizens, to components of natural environment and ecological systems are declared by the Council of Ministers of the Republic of Belarus to be the zones of ecological risk.

In the zones of ecological risk the measures on prevention of harmful influence on environment and on its restoration are conducted.

Financing the measures on improvement of zones of ecological risk is conducted first of all at the expense of legal persons and individual entrepreneurs as the result of which economic and other activity the unfavorable ecological situation appeared, and stable negative changes of the environment began to occur and also at the expense of the republican and local budgets and other sources according to the legislation of the Republic of Belarus.

Article 66. Zones of Ecological Crisis

Certain parts of territory of the Republic of Belarus, where as the result of economic or other activity, accidents, catastrophe, natural disaster or other emergency or unpredictable at these conditions circumstances the stable negative changes of environment threatening the safety of life and health of citizens, the components of natural environment and natural ecological systems have occurred, are declared by the Council of Ministers of the Republic of Belarus to be the zones of ecological crisis.

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

economic and other activity of the legal persons and individual entrepreneurs causing the harmful influence on environment can be suspended;

the usage of certain kinds of natural resources can be limited;

reconstruction or re-profiling of industrial and other objects causing the harmful influence on environment can take place;

measures on restoration of the environment can be conducted.

The financing of the measures on improvement of zones of ecological crisis is conducted in order established by the part three article 65 of the present Law.

Article 67. Zones of Ecological Disaster

Certain parts of the territory of the Republic of Belarus, where as the result of economic and other activity the irreversible changes of the environment threatening the safety of life and health of citizens and

leading to violation of natural balance, destruction of natural ecological systems, degradation of components of natural environment have occurred, are declared by the President of the Republic of Belarus to be the zones of ecological disaster.

In the zones of ecological disaster:

work of the industrial and other objects (excluding objects connected with the service of citizens living on this territory) is suspended on the period established by the President of the Republic of Belarus;

building, reconstruction and introduction into exploitation of new buildings, constructions and other objects for the exception of those that are necessary for liquidation of consequences of ecological disaster are prohibited;

nature management is limited;

operational measures on restoration of environment are taken.

The financing of measures on improvement of zones of ecological disaster is conducted in order established by part three of the article 65 of the present Law.

CHAPTER 11 OBSERVATION OF STATE OF THE ENVIRONMENT

Article 68. National System of Monitoring of Environment

For the purposes of providing the cooperation of systems of observation over the state of the environment, estimation and prediction of changes of state of environment under the influence of natural and anthropogenic factors, reception and provision of full, trustworthy and timely ecological information the National system of monitoring of the environment in the Republic of Belarus.

Conducting the National system of monitoring of environment in the Republic of Belarus is carried out in order established by the legislation of Republic of Belarus.

Coordination of conducting the National system of monitoring of environment in the Republic of Belarus is carried out by the Ministry of natural resources and protection of the environment of the Republic of Belarus.

Article 69. Monitoring of Environment

Monitoring of environment is carried out for the purposes of observation over the state of environment (including over state of environment in the regions of location of sources of harmful influence and influence of these sources on environment), providing the state bodies, legal persons and citizens with the full, trustworthy and timely information necessary for management and control in the sphere of protection of environment, rational use of natural resources.

Monitoring of environment is a part of National system of monitoring of the environment of the Republic of Belarus.

Monitoring of environment is conducted by the Ministry of natural resources and protection of the environment of the Republic of Belarus, other bodies of the state government and the National academy of sciences, in the order established by the legislation of Republic of Belarus. Conducting the monitoring of environment by other bodies of state administration is conducted under the agreement with the Ministry of natural resources and protection of the environment.

Bodies of the state government and other legal persons in order established by the legislation of Republic of Belarus give free of charge to the Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies the materials on observation over the state of environment.

Republican bodies of state administration, local executive and administrative bodies, legal persons at elaboration of prediction of social and economic development and taking the appropriate decisions, elaboration of programs and measures on rational (sustainable) usage of natural resources and protection of the environment, placing the industrial and other objects shall consider the data of monitoring of environment and also use it for informing the citizens on the state of environment and measures on its protection.

The order of conducting and usage of data of monitoring of environment is established by the Council of Ministers of the Republic of Belarus.

CHAPTER 12 REGISTRATION IN THE SPHERE OF PROTECTION OF THE ENVIRONMENT. STATE DATABASE ON THE STATE OF ENVIRONMENT AND INFLUENCE ON IT. ECOLOGICAL INFORMATION

Article 70. State Registration in the Sphere of Protection of the Environment

Legal persons and individual entrepreneurs the economic or other activities of which cause a harmful influence on the environment, including the ecologically dangerous activity, kinds and quantity of exhausts and effluents of contaminating substances into the environment, kinds and value of harmful

physical and other influences on environment are subject to state registration conducted by the territorial bodies of the Ministry of natural resources and protection of the environment of the Republic of Belarus and also other specially authorized republican bodies of state administration in order established by the legislation of the Republic of Belarus.

State registration in the sphere of protection of the environment is conducted in the order established by the Council of Ministers of the Republic of Belarus for the purposes of state regulation of nature protection activity and also current and perspective planning of measures on reduction of harmful influence of the economic and other activity on environment.

Criteria for classifying the economic and other activities which cause a harmful influence on the environment as ecologically dangerous are established by the President of the Republic of Belarus or by the state body authorized by him.

The state registration in the sphere of the environment protection conducted by the territorial bodies of the Ministry of natural resources and the environment protection of the Republic of Belarus includes the maintenance of the State register of legal persons and individual entrepreneurs the economic and other activities of which cause a harmful influence on the environment.

At the state registering in the sphere of the environment protection each legal person and individual entrepreneur the economic and other activities of which cause a harmful influence on the environment receive a registration number of a user of natural resources at the place they carry out their economic and other activities.

Article 71. Registration of Used Natural Resources and Harmful Influences on Environment

Legal persons and individual entrepreneurs at carrying out the economic and other activity are obliged to conduct the registration of used natural resources, exhausts and effluents of contaminating substances into the environment, wastes management, and also registration of other kinds of harmful influence on environment in order established by the Ministry of Natural resources and protection of the environment of the Republic of Belarus and other specially authorized republican bodies of state administration in compliance with their powers.

Data on usage of natural resources, exhausts and effluents of contaminating substances into the environment, wastes management, and also on other kinds of harmful influence on environment are subject to registration in the ecological passport of the enterprise and to state statistics registration in order established by the legislation of the Republic of Belarus.

Article 72. State Cadastres of Natural Resources

State cadastres of natural resources are conducted for the registration of quantity, quality and other characteristics of natural resources, and also for registration of volume, character and regime of their usage.

In the Republic of Belarus the following state cadastres of natural resources are conducted: land, bowels, water, free air, forests, flora, fauna, climate and wastes.

The acts of legislation of the Republic of Belarus can provide also the conducting of other state cadastrs of natural resources.

Conducting the state cadastres of natural resources is carried out by the Ministry of natural resources and protection of the environment of the Republic of Belarus and other specially authorized republican bodies of state administration in compliance with their competence.

Coordination of conducting of state cadastres of natural resources is carried out by the Ministry of natural resources and protection of the environment of the Republic of Belarus.

Article 73. State Data Fund on the State of the Environment and Influence on It

The State data fund on the state of the environment and influence on it includes ecological information, collected in the result of activities specified in part 2 of article 74 of the present law conducted by the owners of the ecological information, and accumulated by the Ministry of natural resources and the environment protection of the Republic of Belarus, other state bodies and other state organizations by virtue of exercising functions charged on them by acts of the legislation of the Republic of Belarus.

The Ministry of natural resources and the environment protection of the Republic of Belarus, other state bodies and other state organizations, which accumulate ecological information collected in the result of conducting by the owners of the ecological information activities specified in part 2 of article 74 of the present law, conduct the Registers of ecological information of the State data fund on the state of the environment and influence on it.

The Ministry of natural resources and the environment protection of the Republic of Belarus, other state bodies and state organizations which conduct the Registers of ecological information of the State data fund on the state of the environment and influence on it post the content of information contained in the above Registers in the publicly accessible place (on the information boards, panels) and on their official web-sites in the global computer network Internet.

The order of formation and conduct of the State data fund on the state of the environment and influence on it is established by the Council of Ministers of the Republic of Belarus.

Provision and dissemination of information contained in the Registers of ecological information of the State data fund on the state of the environment and influence on it are carried out in accordance with articles 74-74⁷ of the present law.

Article 74. Content, Sources and Kinds of Ecological Information, Forms of Its Provision and Dissemination

The ecological information includes the following data:

on the state of the environment, including atmospheric air, waters, grounds (including soils), flora and fauna in their biological diversity, natural landscapes, biotopes, other natural objects, and on interaction between these objects, as well as on the genetically engineered organisms and microorganisms;

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

on decisions of the state bodies, on the economic and other activities of legal persons and individual entrepreneurs, connected to the harmful influence on the environment or its protection, as well as justification of necessity of their fulfillment, including financial and economic reasoning;

on acts of the legislation of the Republic of Belarus, on territorial complex schemes, programs and measures on rational (sustainable) use of natural resources and the environment protection, concepts, strategies, schemes, plans of actions, programs and measures which realization influences or may influence the environment, as well as justification of necessity of their adoption, including financial and economic reasoning;

on the state of health and security of citizens, their living conditions, on the condition of objects of culture, buildings and constructions that relate to the influence or possible influence on them by the environment or through the environment factors, activities and measures specified in indents 3-5 of the present part.

The ecological information provided or disseminated by the owners of the ecological information in accordance with the present law is collected in the result of:

monitoring the environment;

measuring in the sphere of the environment protection;

conducting the state registration in the sphere of the environment protection;

conducting the state registration of natural resources in use and influence on the environment;

issue of special permissions (licenses) to carry out activity connected with influence on the environment, other permissions and documents, on the ground of which the natural resources are used, bringing amendments and/or alterations in these permissions and other documents, suspension, resumption, prolongation of term of their validity, termination of their validity or annulment;

evaluation of influence on the environment ;

ecological examination;

exercising control in the sphere of the environment protection, rational use of natural resources;

ecological auditing;

ecological certification;

standardization in the sphere of the environment protection;

development and realization of territorial complex schemes, programs and measures on rational (sustainable) use of natural resources and the environment protection.

The ecological information, collected in the result of activities not specified in part 2 of the present article is provided and disseminated in accordance with the legislative acts of the Republic of Belarus on the financial and credit system, the state statistics, health care, security of the genetic engineering, hydrometeorological activities, the state system of prevention and liquidation of emergency situations, on historical and cultural heritage, information and informatization, other legislative acts.

The ecological information is provided and disseminated in oral, written, electronic, audiovisual or other forms.

The ecological information collected in the result of the activities specified in part 2 of the present article is divided on the ecological information of general purpose and the specialized ecological information.

Classification of the ecological information related to the fact of inflicting ecological damage as the specialized ecological information is forbidden.

Article 74¹. Access to the Ecological Information

Access of the state bodies, other state organizations, other legal persons and citizens to the ecological information of general purpose is guaranteed by means of providing or disseminating the ecological information of general purpose by the owners of the ecological information.

Access of the state bodies, other state organizations, other legal persons and citizens to the specialized ecological information is guaranteed on the basis of a contract on provision of the specialized ecological information concluded with the owners of the ecological information.

Article 74². Restriction of Access to the Ecological Information

The ecological information shall not be provided or disseminated in the following cases:

the information is classified as the state secrets in accordance with the legislation of the Republic of Belarus on the state secrets;

the disclosure of information will lead to the infringement of the rules of judicial procedure, preliminary investigation, administrative process;

the disclosure of information will cause damage to the environment or threaten to cause damage;

in other cases established by the legislative acts, 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 the ecological information may be denied in the following cases:

a state body or another state organization do not have enquired information and such information can not be obtained from other owners of the ecological information because of its unavailability;

a legal person other than a state body or a state organization, or an individual entrepreneur do not have enquired ecological information;

a request to provide information concerns the documents that are related to the internal document management of the owner of the ecological information.

In the case provided for in indent 4 of part 2 of the present article the owner of the ecological information is obliged if it is possible to extract the information contained in such documents without prejudice to the confidentiality thereof and provide it to an applicant.

Access to the following ecological information shall not be restricted:

about the state of the environment;

about the emission of contaminating substances to the atmospheric air and discharge of effluents into the water objects with exceeding the standards in the sphere of the environment protection or in the absence of such standards if their determination is required according to the legislation of the Republic of Belarus;

about exhausts into the water object of chemical and other substances, their compositions, items or waste products;

about applying of chemical and other substances to the ground (soil) that led to the deterioration of its quality or the quality of subsurface waters;

about ionizing and electromagnetic radiation, noise or other physical influence with exceeding the standards in the sphere of the environment protection or in the absence of such standards if their determination is required according to the legislation of the Republic of Belarus.

Article 74³. Providing the Ecological Information to the State Bodies and Other State Organizations

The ecological information of general purpose is provided to the state bodies and other state organizations by the owners of the ecological information in accordance with the present law and other acts of legislation of the Republic of Belarus upon their request by means of exchange of such information or its mailing.

The specialized ecological information is provided to the state bodies free of charge. The specialized ecological information is provided to other state organizations in the order, established in article 74⁵ of the present law.

Article 74⁴. Providing the Ecological Information to Citizens and Legal Persons Other Than State Bodies and State Organizations

The ecological information of general purpose is provided by the owner of the ecological information upon request of a citizen or a legal person other than a state body or a state organization (hereinafter – an applicant) free of charge.

The ecological information of general purpose is provided by the owner of the ecological information within 10 working days from the date of receiving a request.

If the request on providing the ecological information of general purpose is not in conformity with the requirements of article 74⁶ of the present law the owner of the ecological information shall notice in writing an applicant about the information that is not available in the request within 3 working days from the date of receiving the request.

The ecological information of general purpose is provided in the form, amount and content that are specified in the request on providing the ecological information of general purpose, and if the owner of the ecological information has no technical facilities to provide it in the enquired form and amount – in the available form and amount with indicating of relevant reasons.

If the request on providing the ecological information of general purpose concerns the ecological information that is preparing and shall be provided or disseminated after its preparation in terms established by the legislation of the Republic of Belarus the owner of the ecological information shall

notice an applicant in writing within 5 working days from the date of receiving the request and indicate the term and mode of possible obtaining of such information.

If the applicant of the ecological information of general purpose is a legal person other than a state body or a state organization, or an individual entrepreneur, the state body or other state organization, which receive the request and are to comply the request within the scope of their authority, shall enquire by themselves the ecological information at the owner of the ecological information and notice the applicant about it in writing within 5 working days from the date of receiving the request.

After receiving the request from the state body or other state organization on providing the ecological information of general purpose the owner of the ecological information named in part 6 of the present article shall provide the enquired information within 10 working days from the date of receiving the request or inform, within 3 working days, about a denial of providing such information, and specify the reasons of such denial provided for in the present law and other legislative acts of the Republic of Belarus.

The state body or other state organization which have received the ecological information of general purpose in accordance with part 7 of the present article shall provide this information to the applicant within 1 month from the date of receiving the applicant's request. If the owner of the ecological information has informed about a denial of providing the ecological information of general purpose the state body or other state organization inform about it the applicant and specify the reasons of a denial within 3 working days.

If it is outside the competent authority of the state body or other state organization to comply a request on providing the ecological information of general purpose, they shall refer it, within 5 working days from the date of receiving a request, to other state body or state organization that are competent to comply such request, and notice the applicant about it in writing.

If the enquired ecological information is classified as the specialized ecological information, the owner of the ecological information shall, within 5 working days from the date of receiving a request on providing the ecological information, offer the applicant to conclude a contract on providing the specialized ecological information and submit the considerable terms and conditions of such a contract.

The applicant is not obliged to inform about the reasons he/she/it needs the ecological information.

If the owner of the ecological information has the reasons specified in the present law and other legislative acts of the Republic of Belarus for denial of providing the ecological information, he/she/it informs the applicant, within 3 working days, in writing about denial of providing the ecological information, specifies the reasons of denial, and explains the terms and order for appealing the decision.

The denial of providing the ecological information may be appealed to the superior state body or other state organization (superior official) and/or to the court.

Article 74⁵. Order of Providing the Specialized Ecological Information

The specialized ecological information is provided to the state organizations, legal persons other than the state bodies, and to the citizens at the price, in terms and on conditions specified in a contract on providing the specialized ecological information. The price for provision of such information shall not exceed economically reasoned costs related to the collection, processing and analyzing the specialized ecological information.

Article 74⁶. Request on Providing the Ecological Information

A request on providing the ecological information shall include:

data about the owner of the ecological information (a name of the state body or other state organization, another legal person, a full name of an official or an individual entrepreneur);

data about the applicant (a full name and a place of residence of a citizen, a full name of an individual entrepreneur, his/her registration number and a name of the registering body, a name and a place of residence of a legal person);

specification of the enquired ecological information to determine its amount and a content;

data about the form of providing the ecological information.

The request on providing the ecological information is registered by the owner of the ecological information on the day of its receiving.

Article 74⁷. Dissemination of the Ecological Information of General Purpose

The ecological information of general purpose is subject to dissemination by the owners of the ecological information by means of its publication in printed editions, other mass media, on their official web-sites in the global computer network Internet or by other publicly accessible means in accordance with the legislation of the Republic of Belarus on information and informatization.

The content of the ecological information of general purpose subject to obligatory dissemination, the owners of such information obliged to disseminate it, and the periodicity of its dissemination are established by the Council of Ministers of the Republic of Belarus.

CHAPTER 13

EDUCATION, ENLIGHTENMENT AND SCIENTIFIC RESEARCH IN THE SPHERE OF PROTECTION OF THE ENVIRONMENT

Article 75. Education in the Sphere of Protection of the Environment and Nature Management

Education of citizens in the sphere of protection of the environment and nature management is ensured through inclusion into curriculum documentation of educational programs of basics of knowledge in the sphere of protection of the environment and nature management.

Article 76. Requirements to the Employees, Whose Activity is Connected with Usage of Natural Resources and Influence on Environment

Employees, whose activity is connected with the usage of natural resources and influence of environment shall have the necessary knowledge in the sphere of protection of the environment, nature management and regularly improve them. At appointing the officials and specialists, their attestation and re-attestation the presence of necessary knowledge in the sphere of protection of the environment is considered.

Article 77. The Enlightenment in the Sphere of Protection of the Environment

For the purposes of forming the ecological culture of citizens, up-bringing the solicitous attitude toward nature the enlightenment in the sphere of protection of the environment is carried out by means of spreading the ecological information, including those contained data about the ecological security, as well as the knowledge on the content of the ecological information, the order of its collection, dissemination and provision to the subjects of relations in the sphere of the environment protection.

The enlightenment in the sphere of protection of the environment including informing the citizens about legislation of the Republic of Belarus on protection of the environment is carried out by the Ministry of Natural Resources and Protection of the environment of the Republic of Belarus and its territorial bodies, republican bodies of state administration, bodies of local government and self-governance, public associations, mass media and also by the establishments of healthcare, museums, libraries and other establishments of culture, nature protection establishments, organizations of sport and tourism, other legal persons.

Article 78. Scientific Research in the Sphere of Protection of the environment

Scientific research in the sphere of protection of the environment is conducted for the purposes of:
improving the legislation of the Republic of Belarus on protection of the environment;
elaboration of concepts, scientific prognosis, programs and measures on rational (sustainable) usage of natural resources and protection of the environment;
elaboration of programs of rehabilitation of territories of ecological risk, zones of ecological crisis, zones of ecological disasters, improvement of means and methods of restoration of ecologically unfavorable territories;
elaboration and improvement of indexes of complete estimation of influence on environment, means and methods of their determination;
elaboration of technologies in the sphere of protection of the environment and rational (sustainable) usage of natural resources;
elaboration of requirements in the sphere of protection of the environment;
and other purposes in the sphere of protection of the environment.

Scientific research in the sphere of protection of the environment is conducted in order established by the legislation of the Republic of Belarus on scientific activity.

CHAPTER 14

ECONOMIC MECHANISM OF PROTECTION OF THE ENVIRONMENT AND NATURE MANAGEMENT

Article 79. Elements of Economic Mechanism of Protection of the Environment and Nature Management

Economic mechanism of protection of the environment and nature management includes the following elements:

elaboration of state prognosis and programs of socially economic development of the Republic of Belarus in the part of rational (sustainable) usage of natural resources and protection of the environment;
financing the programs and measures on rational (sustainable) usage of natural resources and protection of the environment;
creation of funds of protection of nature;
fixing the payments for nature management;
conducting economic estimation of natural objects;
conducting economic estimation of influence of economic and other activity on environment;

taking measures of economic stimulating in the sphere of protection of the environment;
compensating in the established order the harm caused to the environment;
ecological insurance;
other measures directed on protection of the environment;

Article 80. Territorial Complex Schemes, Programs and Measures on Rational (Sustainable) Usage of Natural Resources and Protection of the environment

For the purposes of elaboration of long-term prognosis in the sphere of protection of the environment the territorial complex schemes of rational (sustainable) usage of natural resources and protection of the environment that define the complex of measures on restoration, preservation and improvement of quality of the environment, rational (sustainable) usage of natural resources, preservation of natural ecological systems, biological and landscape diversity, natural complexes and objects, situated on the highly protected natural territories, natural territories being subject to special protection, and territories of the biosphere reserves, shall be developed.

Territorial complex schemes of rational (sustainable) usage of natural resources and protection of the environment are elaborated for the concrete territories with consideration of the scheme of national ecological network, scheme of the rational placing of the highly protected natural territories of the republic significance and regional schemes of rational placing of the highly protected natural territories of local importance.

The order of elaboration and approve of territorial complex schemes of rational (sustainable) usage of natural resources and protection of the environment, their financing is established by the Council of Ministries of the Republic of Belarus.

Elaboration of programs of rational (sustainable) usage of natural resources and protection of the environment is carried out in the whole republic within the borders of administrative territorial units and also by the branches of economy for the purposes of provision of favorable environment on the basis of scientifically grounded combination of ecological, economic and social interests, choosing the means of nature management providing the minimal probable level of harmful influence on environment, prevention and reducing the harmful influence on environment of economic and other activity and also preservation and restoration of natural resources.

Elaboration of branch programs of rational (sustainable) usage of natural resources and protection of the environment is carried out by the relevant republican bodies of state administration and associations (establishments) accountable of Council of Ministries of the Republic of Belarus upon the agreement with the Ministry of natural resources and protection of the environment of the Republic of Belarus.

Elaboration of measures on rational (sustainable) usage of natural resources and protection of the environment is carried out on the basis of approved state programs of social economic development of the Republic of Belarus, state and branch programs of rational usage of natural resources and protection of the environment, republican, oblast and other complex schemes of protection of the environment. The mentioned programs and schemes are agreed with the Ministry of natural resources and protection of the environment of the Republic of Belarus or its territorial bodies.

Elaboration of programs and measures on rational (sustainable) usage of natural resources and protection of the environment within the borders of administrative territorial units is carried out by the relevant local Councils of Deputies, executive and administrative bodies upon the agreement with the territorial bodies of the Ministry of natural resources and protection of the environment.

Legal persons and individual entrepreneurs carrying out the economic and other activity causing harmful influence on the environment are obliged to plan, elaborate and carry out the measures on protection of the environment in order established by the legislation of the Republic of Belarus.

Article 81. Financing the Programs and Measures on Rational (Sustainable) Usage of Natural Resources and Protection of the Environment

Financing the programs and measures on rational (sustainable) usage of natural resources and protection of the environment is conducted at the expense of:

means of republican and/or local budgets, including means of state special purpose budget funds of nature protection;
means of legal persons and individual entrepreneurs;
means of citizens including foreign;
bank credits;
foreign investments;
other non-budget sources not prohibited by the legislation of the Republic of Belarus and attracted for fulfillment of these programs and measures.

Article 82. Economic Stimulation of Protection of the Environment

Economic stimulation of protection of the environment may be carried out on the basis of:

establishing by the President of the Republic of Belarus and/or laws of the Republic of Belarus, unless otherwise provided by the President of the Republic of Belarus, tax privileges and other preferences for separate categories of legal persons and natural persons if they comply with the regimes of protection and usage of the highly protected natural territories, natural territories being subject to special protection, and rational (sustainable) usage by them of the natural resources on the territory of the transfer zones of the biosphere reserves as well as at introduction by legal persons and natural persons of the best available technical methods, low-waste, energy- and resource-saving technologies, special equipment, reducing the harmful impact on the environment, at usage of wastes as secondary raw-materials and carrying out other nature protection activity;

accelerated amortization of equipment and other objects designed for the protection and improvement of the environment.

Legislation of the Republic of Belarus can also establish other kinds of economic stimulation in the sphere of protection of the environment.

Article 83. Nature Management Payments

The common nature management is free of charge and special nature management is executed on a paid basis if other is not provided by the legislative acts of the Republic of Belarus.

Payments for special nature management are taken in accordance with the legislative acts of the Republic of Belarus in the form of taxes, duties (dues), other obligatory payments and rent.

The rent rate for natural resources usage, procedure, conditions and terms of its payment shall be determined in the rent agreement in accordance with the legislation on protection of the environment and rational usage of natural resources and civil legislation. In accordance with the legislative acts of the Republic of Belarus the Council of Ministers of the Republic of Belarus may establish minimum rent rates for usage of single natural resources.

The payments for special nature management do not exempt the user of nature from execution of measures on protection of the environment and compensation of harm made in the result of illegal usage (extraction, mining) of nature resources, other harmful effect on environment.

Article 84. Funds of Protection of Nature

For financing the state, branch and other program and measures on rational (sustainable) usage of natural resources and protection of the environment and other purposes in the sphere of protection of the environment in the Republic of Belarus the republican and, in the cases provided for by the legislative acts of the Republic of Belarus, local funds of protection of nature, which are the state special purpose budget funds, are created.

The sources of forming the state special purpose budget funds of protection of nature can be: payments for special nature management if other is not provided by the legislation of the Republic of Belarus;

assets received as compensation of harm caused to the environment;

finances for contamination of environment, irrational usage of natural resources and other infringements of legislation of the Republic of Belarus on protection of the environment;

assets from the realization of confiscated tools of hunting and fishing and other water animals prey or those reverted to the state profit by other means, and also assets from sale of production illegally received with the help of other means;

voluntary fees of legal persons and individual entrepreneurs including the foreign;

other assets in compliance with the legislation of the Republic of Belarus.

Income and expenditure of the republican fund of nature protection are approved by the law on republican budget for the next financial year. Income and expenditure of local funds of nature protection are approved by the decisions of local Councils of Deputies on the budget for the next financial year. The procedure and directions of using means of republican and local funds of nature protection are established by the legislation of the Republic of Belarus.

At the expense of voluntary fees of legal persons, citizens and other sources not contrary to the legislation of the Republic of Belarus in order established by the legislation of the Republic of Belarus the public funds of protection of the environment that are spent on conducting the measures on protection of the environment and forming the ecological culture of citizens can be created.

Article 85. Ecological Insurance

Ecological insurance is an insurance of civil liability of legal persons and individual entrepreneurs aimed at protection of property interests of citizens and organizations, as well as the Republic of Belarus and its territorial administrative units in the case of inflicting ecological damage.

Ecological insurance is carried out in order established by the legislation of the Republic of Belarus on insurance.

CHAPTER 15
CONTROL IN THE SPHERE OF PROTECTION OF THE ENVIRONMENT, RATIONAL USE OF
NATURAL RESOURCES

Article 86. Main Purposes of Control in the Sphere of Protection of the environment, Rational Use of Natural Resources

The control in the sphere of protection of the environment the protection of the environment, rational use of natural resources shall be performed to ensure the implementation of the legislation of the Republic of Belarus in the field of protection of the environment, observance of the requirements in the sphere of protection of the environment, as well as to ensure environmental safety by republican bodies of state administration, local executive and administrative bodies, legal persons and citizens.

Article 87. Control in the Sphere of Protection of the environment, Rationale use of Natural Resources

Control in the sphere of protection of the environment, rational use of natural resources shall be carried out in the order, established by the legislation of the Republic of Belarus on control (supervisory) activity in the Republic of Belarus and by the present Law.

Control in the sphere of the protection of the environment, rational use of natural resources is carried out by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies, other specially authorized republican bodies of state government, the State inspection for protection of flora and fauna under the President of the Republic of Belarus, local executive and administrative bodies (hereinafter – the state bodies exercising control in the sphere of the protection of the environment, rational use of natural resources) within their competence.

The list of officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies, who possess the right to implement the control in the sphere of the protection of the environment, rational use of natural resources, shall be established by the Council of Ministers of the Republic of Belarus.

Article 88. Rights of the Officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and Its Territorial Bodies Carrying Out the Control in the Sphere of Protection of the Environment, Rational Use of Natural Resources

Officials of the Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies carrying out the control in the sphere of protection of the environment, rational use of natural resources within their competence have the right:

to draw the acts on the results of checks, to pass within their rights requirements (prescriptions) that are obligatory for execution;

in compliance with the legislation of the Republic of Belarus to make-up the protocols on administrative offences, to receive the explanations from the persons called to administrative responsibility because of the infringement of legislation of the Republic of Belarus on protection of the environment, to consider cases on administrative offences and to impose administrative penalty for the infringement of legislation of the Republic of Belarus on protection of the environment;

to issue recommendations on elimination and nonadmission of defects, discovered in the result of a monitoring;

to pass requirements (prescriptions) on suspension (prohibition) of economic and other activity of legal persons and individual entrepreneurs, which makes a harmful impact on the environment;

to draw up acts on establishment of the fact of infliction of damage on the environment;

to receive without any charge the data and documents necessary for the execution of control in the sphere of protection of the environment, rational use of natural resources from the legal persons and individual entrepreneurs;

to summon the citizens for the consideration of materials on facts of infringement of legislation of the Republic of Belarus on protection of the environment;

to conduct in cases and order provided by the legislative acts of the Republic of Belarus the search of the stuff;

to seize the illegally received objects of fauna and flora and its products also the tools used at their reception;

to pass the material on conducted checks and other material to the relevant state bodies for the decision of the question calling the persons, who broke the legislation of the Republic of Belarus on protection of the environment, to the account in the established order;

to introduce the suggestions on taking measures of disciplinary penalty to the employees guilty of infringement of the legislation of the Republic of Belarus on protection of the environment to the employers;

in order, established by the legislative acts of the Republic of Belarus to deliver the persons perpetrated the offence in the sphere of protection of the environment to the law enforcement bodies.

For the prevention, disclosure and suppression of the offences in the sphere of protection of the environment the officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies have the right to material incentive pay in order established by the Council of Ministers of the Republic of Belarus.

Legislative acts of the Republic of Belarus can determine other rights of the officials that carry out the control in the sphere of protection of the environment, rational use of natural resources.

Article 89. Duties of the Officials of the Ministry of Natural Resources and Protection of the environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the Control in the Sphere of Protection of the Environment, Rational Use of Natural Resources

The officials of the Ministry of natural resources and protection of the environment protection of the environment and its territorial bodies that carry out the control in the sphere of protection of protection of the environment, rational use of natural resources are obliged to:

timely and fully use the given authority on prevention, disclosure and suppression of infringement of legislation of the Republic of Belarus on protection of the environment;

to clear out to the citizens the requirements of the legislation of the Republic of Belarus on protection of the environment;

to carry out other duties provided by the legislative acts of the Republic of Belarus.

Article 90. Responsibility of the Officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the Control in the Sphere of Protection of the Environment, Rational Use of Natural Resources

The officials of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies that carry out the control in the sphere of protection of the environment protection of the environment, rational use of natural resources, in case of violation of the legislation of the Republic of Belarus on the control (supervisory) activity in the Republic of Belarus shall bear responsibility in the order established by the legislation of the Republic of Belarus.

Article 91. Appeal of the Actions (Inactions) of the Official of the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and Its Territorial Bodies

Actions (inactions) of the officials of the ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies can be appealed in higher body (higher official) and/or to the court.

Article 92. Main Guarantees of the Officials of the Ministry of the Natural Resources and Protection of the Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the Control in the Sphere of Protection of the Environment, Rational Use of Natural Resources

The officials of the ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies that carry out the control in the sphere of protection of protection of the environment, sustainable use of natural resources at fulfillment of their official duties are the representatives of the state power and are under the protection of the state.

Any influence in any form on the officials of the Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies that carry out the control in the sphere of protection of the environment, sustainable use of natural resources that impede the fulfillment of their official duties, or the interference into their activity are prohibited.

The state protection of the officials of the Ministry of natural resources and protection of the environment of the Republic of Belarus and its territorial bodies is carried out in compliance with the legislation of the Republic of Belarus on state protection of judges, officials of the law enforcement and controlling bodies and other acts of legislation of the Republic of Belarus.

Article 93. Provision of Uniform and Special Weapon of the Officials of the Ministry of the Natural Resources and Protection of the Environment of the Republic of Belarus and Its Territorial Bodies that Carry Out the Control in the Sphere of Protection of the Environment, Rational Use of Natural Resources

The officials of the Ministry of natural resources and protection of the environment protection of the environment and its territorial bodies that carry out the control in the sphere of protection of the

environment, rational use of natural resources have the right to wear the uniform with the badges of rank, have and use the special weapon at time of fulfillment of the official duties.

The order of giving out the uniform and special weapon and also the order of carrying, use and storage of special weapon is established by the legislation of the Republic of Belarus.

Article 94. Departmental and Industrial Control in the Sphere of Protection of the Environment, Rational Use of Natural Resources

Departmental control in the sphere of protection of the environment, rational use of natural resources, is carried out in the order established by the legislation of the Republic of Belarus on the control (supervisory) activity in the Republic of Belarus and by the present Law.

Legal persons and individual entrepreneurs at carrying out of the economic and other activity having the harmful influence on the environment must provide the conduct of the industrial control in the sphere of protection of the environment the protection of the environment, rational use of natural resources, including the organization of places for taking tests and measurements, in accordance with the requirements established by the normative legal acts of the Republic of Belarus protection of the environment including technical normative legal acts.

The head of a legal person, whose economic or other activity has the harmful influence on environment, shall appoint the official responsible for conducting the industrial control in the sphere of protection of the environment, rational use of natural resources, and in case of the necessity create a division which shall perform the industrial control in the sphere of protection of the environment, rational use of natural resources protection of the environment.

The industrial control in the sphere of the protection of the environment, rational use of natural resources shall be performed at the own expense and at the expense of other sources of financing in accordance with the instruction, elaborated and approved by a legal person or individual entrepreneur in the order established by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus.

Article 95. Excluded.

Protection of the environment protection of the environmentle 96. Analytic (Laboratory) Control in the Sphere of Protection of the Environment

Analytic (laboratory) control in the sphere of protection of the environment (hereinafter – analytic control) is carried out in order to perform the control in the sphere of the protection of the environment, rational use of natural resources.

Analytic (laboratory) control in the sphere of protection of the environment includes the following:

sampling and measurements in the sphere of protection of the environment;

assessment of compliance with environment quality standards;

assessment of compliance with standards of allowable emissions and discharges of chemicals and other substances into the environment;

assessment of the effectiveness of conservation measures;

comprehensive assessment of the environmental impact of economic and other activities carried out on the basis of integrated environmental permits;

assessment of the compliance of the actual parameters of functioning of sewage treatment plants, machinery, tools parameters, approved in the content of the design documentation;

assessment of compliance with the requirements for waste management;

assessment of compliance with the technical requirements for the composition of fuel;

assessment of the effectiveness of production control in the sphere of protection of the environment, rational use of natural resources;

assessment of compliance with other requirements and standards in the sphere of protection of the environment and rational use of natural resources.

protection of the environmentprotection of the environmentprotection of the environmentSampling and measurements in the sphere of the protection of the environment shall be held:

by the authorized by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus subordinate organization which possesses accredited test laboratories (centers) in its composition;

by the accredited test laboratories (centers) of legal entities and individual entrepreneurs.

The Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus and its territorial bodies carry out the analytical control in the sphere of the environment, provided by the paragraphs three-eleven of the part two of this Article.

The results of the sampling and measurements in the sphere of the protection of the environment shall be documented in the relevant acts and protocols according to forms established by the Ministry of Natural Resources and Protection of the Environment of the Republic of Belarus. The protocol of measurements in the sphere of the protection of the environment is the basis for the confirmation of compliance or non-

compliance by legal entities and individual entrepreneurs of the requirements of the legislation of the Republic of Belarus on protection of the environment and the rational use of natural resources.

The order of the implementation of the analytical (laboratory) control in the sphere of the protection of the environment shall be established by the Council of Ministers of the Republic of Belarus.

Article 97. Ecological Audit

Ecological audit is conducted for the purposes of the provision of ecological safety, determining the ways and means of reduction of risk of harmful influence on the environment of the economic and other activity on compliance with the requirements in the sphere of protection of the environment and other indexes established by the legislation of the Republic of Belarus.

Ecological audit is conducted by legal persons and individual entrepreneurs in order established by the legislation of the Republic of Belarus. Persons conducting the ecological audit can render services in elaboration of solutions on increasing the ecological safety of the production process on the checked objects.

Ecological audit of the economic and other activity of the legal persons and individual entrepreneurs can be conducted in voluntary or obligatory order at the expense of the own assets of this legal persons or individual entrepreneurs.

At privatization of the enterprises as property complexes of state unitary enterprises, and also in other cases established by the present Law and other legislative acts of the Republic of Belarus, the ecological audit is conducted in an obligatory manner in accordance with the legislation of the Republic of Belarus.

The order of conducting the ecological audit is established by the legislation of the Republic of Belarus.

CHAPTER 16

LIABILITY FOR THE INFRINGEMENT OF THE LEGISLATION OF THE REPUBLIC OF BELARUS ON PROTECTION OF THE ENVIRONMENT

Article 98. [Excluded]

Article 99. Liability for the Infringement of the Legislation of the Republic of Belarus on Protection of the environment

Infringement of the legislation of the Republic of Belarus on protection of the environment entails the liability in compliance with the legislative acts of the Republic of Belarus.

Calling the persons to the account for the infringement of the legislation of the Republic of Belarus on protection of the environment does not free them from the compensating harm caused to the environment, and carrying out the measures on its protection.

Article 100. Suspension (Prohibition) of the Economic and Other Activities Exerted Harmful Influence on the Environment

In case of violation of the legislation of the Republic of Belarus, which creates a threat of harm to the environment, economic and other activities of legal persons and individual entrepreneurs having harmful effects on the environment may be suspended (prohibited) by a state body exercising control in the sphere of protection of the environment, sustainable use of natural resources, in the order established by the legislation of the Republic of Belarus on the control (supervisory) activity in the Republic of Belarus.

Public associations operating in the sphere of protection of the environment, and citizens have the right to bring a court action to suspend (prohibit) economic and other activities which have a harmful effect on the environment, if as a result of such activities the requirements in the sphere of the protection of the environment are violated, environmental harm is caused or risks of environmental damage may take place in the future.

Article 100¹. Renovation of the Suspended (Prohibited) Economic and Other Activities of Legal Persons and Individual Entrepreneurs

Renovation of suspended (prohibited) economic and other activities of legal persons and individual entrepreneurs shall be carried out in the order established by the legislation of the Republic of Belarus on control (supervisory) activity in the Republic of Belarus.

Article 101. Compensation of Harm Caused to the Environment and Establishment the Fact of Its Infliction

Harm caused to the environment is subject to compensation in full, unless otherwise established by the present article, voluntary or upon the decision of the court by the person inflicted it.

The fact of infliction of harm to the environment established in the result of the control in the sphere of the protection of the environment, rational use of natural resources is recorded by the state body exercising the state control in the sphere of the environment protection in the act on establishment of the fact of

infliction of harm to the environment which drawn up in the order established by the Council of Ministers of the Republic of Belarus.

The act on establishment of the fact of infliction of harm to the environment includes:

data about the state body (an official) who established the fact of infliction of harm to the environment (a name and a place of residence of the state body, a full name and a position of the official);

time, place, circumstances of infliction of harm to the environment with a reference to the normative legal acts, including technical ones, which are not observed;

results of measurements in the sphere of the protection of the environment, rational use of natural resources (if they were done), evidencing the fact of infliction of harm to the environment;

the amount of compensation of harm caused to the environment.

The act on establishment of the fact of infliction of harm to the environment shall be signed by the official who established this fact.

The fact of infliction of harm to the environment established by the state body at exercising the control in the sphere of protection of the environment, rational use of natural resources shall not be proved, but evidence to the opposite may be submitted.

Measurements in the sphere of the protection of the environment, rational use of natural resources proved the fact of infliction of harm to the environment is conducted in compliance with the requirements of article 29 of the present law.

The fact of infliction of harm to the environment may be recorded by the bodies of inquest, preliminary investigation, by the public prosecutor's office, other state bodies, which do not exercise the state control in the sphere of the environment protection, in accordance with the legislation on the criminal procedure, the administrative procedure and enforcement, and other legislation of the Republic of Belarus.

Claims on compensation of harm caused to the environment and entailed its pollution is not submitted by the state body exercising the state control in the sphere of the environment protection if the amount of such compensation is not exceeded 3 base units.

If the economic and other activities exerted a harmful influence on the environment and entailed the infliction of the ecological damage threaten to inflict the ecological damage in the future, the court is entitled to oblige legal persons or individual entrepreneurs not only to compensate the ecological damage, but also to suspend till the discovered infringement is eliminated, or prohibit such activities.

Article 101¹. Amount, Methods and Terms of Compensation of Harm Caused to the Environment

The amount of compensation of harm caused to the environment is evaluated in accordance with fixed rates for calculation of the amount of compensation of harm caused to the environment, determined by the President of the Republic of Belarus, and if they are not available – under fact costs on restoration of the state of the environment with consideration of losses, including the lost profits.

The order of calculation of the amount of compensation of harm caused to the environment is 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 broken state of the environment at his/her/its own expenses and in accordance with the instructions of the state body exercising the control in the sphere of the protection of the environment, rational use of natural resources, contained in the claim on compensation of harm caused to the environment, or upon the court decision with consideration of the facts of a matter. The sum paid for restoration of the broken state of the environment shall not be less than the amount of the compensation of harm calculated in accordance with the fixed rates for calculation of the amount of compensation of harm caused to the environment.

Restoration of the broken state of the environment at the expenses of person inflicted harm to the environment is exercised in terms required for carrying out works on restoration the broken state of the environment and determined in the instructions of the state body exercising the control in the sphere of the protection of the environment, rational use of natural resources, and contained in the claim on compensation of harm caused to the environment, or in the court decision in accordance with the legislation of the Republic of Belarus.

Article 101². Compensation of Harm Caused to the Environment in the Result of Carrying Out Ecologically Dangerous Activities

Legal persons and individual entrepreneurs carried out ecologically dangerous activities shall compensate harm caused to the environment in the result of such activities unless they prove the harm have been caused in the result of force majeure.

If the damage to the environment was inflicted in the result of the activities which meet the criteria of classification of the economic and other activities exerted a harmful influence on the environment as the ecologically dangerous activities but legal persons and individual entrepreneurs carrying out such activities have not accomplished the state registration in the sphere of the environment protection, a court may oblige such persons to compensate harm caused to the environment in accordance with part 1 of the present article.

Article 101³. Claims on Compensation of Harm Caused to the Environment

Before bringing an action on compensation of harm caused to the environment to the court, the state body exercising the control in the sphere of the protection of the environment, rational use of natural resources, another state organization submit, within the scope of its authority, a claim on compensation of harm caused to the environment to the person who inflicted harm on the environment.

The claim on compensation of harm caused to the environment contains:

data about the state body submitted the claim (a name and a place of residence of the state body);

data about the person who inflicted harm (a full name and a place of residence, a full name of an individual entrepreneur, his/her registration number and a name of the registering body, a name and a place of residence of a legal person);

circumstances on which the claim submitted by the state body is grounded with reference to the normative legal acts including technical ones which have not been observed;

calculation of the amount of harm caused to the environment, methods and terms of its compensating, requisites of the bank account whereto the compensation of harm caused to the environment shall be transferred.

If harm caused to the environment is compensated in the monetary form the term of its compensating shall not exceed 2 months from the date of submission of the claim.

The claim on compensation of harm caused to the environment shall be adjoined with the act on establishment of the fact of infliction of harm on the environment.

Article 101⁴. Claims on Compensation of Harm Caused to the Environment

If the claim on compensation of harm caused to the environment has not been allowed fully or partially, the state body exercising the control in the sphere of the protection of the environment, rational use of natural resources, another state organization, within the scope of its authority, or the public prosecutor bring an action on compensation of harm caused to the environment to a court.

Limitation of action terms are not applied to the actions on compensation of harm caused to the environment. Actions brought after expiration of the 3-years period from the date of establishment of the fact of harm infliction shall be allowed for the period not exceeding 3 years preceding submission of the action on compensation of harm caused to the environment.

Article 102. Compensation of Harm to the Life, Health and Property of Citizens, to the Property of Legal Persons and to the Property Owned by the State Caused in the Result of the Harmful Influence on the Environment

Harm to the life, health and property of citizens, to the property of legal persons and to the property owned by the state caused in the result of the harmful influence on the environment is subject to the full compensation by the person inflicted harm in accordance with the civil legislation of the Republic of Belarus.

Harm to the life, health and property of citizens, to the property of legal persons and to the property owned by the state caused in the result of the transboundary influence on the environment is compensated in accordance with the international treaties of the Republic of Belarus in the sphere of the environment protection.

Article 102¹. Compensation of the Ecological Damage by the Person Who Insured His/Her/Its Liability

Legal persons and individual entrepreneurs who insured his/her/its civil liability for infliction of damage in the order established for the ecological insurance shall compensate the difference between the insurance payments and the fact amount of the inflicted damage, if the insurance money is not sufficient for the full compensation of the inflicted ecological damage.

Article 103. Resolving the Disputes in the Sphere of Protection of the Environment

Disputes in the sphere of protection of the environment are resolved by the Ministry of natural resources and protection of the environment of the Republic of Belarus or its territorial bodies and/or by court in order established by the legislation of the Republic of Belarus.

CHAPTER 17

INTERNATIONAL COOPERATION IN THE SPHERE OF PROTECTION OF THE ENVIRONMENT

Article 104. International Cooperation in the Sphere of Protection of the environment

Republic of Belarus carry out international cooperation in the sphere of protection of the environment in compliance with the general principles and norms of the international law and international treaties of the Republic of Belarus in the sphere of protection of the environment.

Republic of Belarus takes part in international cooperation in the sphere of protection of the environment in compliance with the legislation of the Republic of Belarus.

Article 105. Treaties

If a treaty of the Republic of Belarus establishes other rules of protection of the environment than those provided by the present Law, the rules of the treaty should be applied.

* unofficial translation *

Text of the Convention

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Convention on International Trade in Endangered Species of Wild Fauna and Flora

Signed at Washington, D.C., on 3 March 1973

Amended at Bonn, on 22 June 1979

Amended at Gaborone, on 30 April 1983

The Contracting States,

Recognizing that wild fauna and flora in their many beautiful and varied forms are an irreplaceable part of the natural systems of the earth which must be protected for this and the generations to come;

Conscious of the ever-growing value of wild fauna and flora from aesthetic, scientific, cultural, recreational and economic points of view;

Recognizing that peoples and States are and should be the best protectors of their own wild fauna and flora;

Recognizing, in addition, that international co-operation is essential for the protection of certain species of wild fauna and flora against over-exploitation through international trade;

Convinced of the urgency of taking appropriate measures to this end;

Have agreed as follows:

Article I

Definitions

For the purpose of the present Convention, unless the context otherwise requires:

- (a) "Species" means any species, subspecies, or geographically separate population thereof;
 - (b) "Specimen" means:
 - (i) any animal or plant, whether alive or dead;
 - (ii) in the case of an animal: for species included in Appendices I and II, any readily recognizable part or derivative thereof; and for species included in Appendix III, any readily recognizable part or derivative thereof specified in Appendix III in relation to the species; and
 - (iii) in the case of a plant: for species included in Appendix I, any readily recognizable part or derivative thereof; and for species included in Appendices II and III, any readily recognizable part or derivative thereof specified in Appendices II and III in relation to the species;
 - (c) "Trade" means export, re-export, import and introduction from the sea;
 - (d) "Re-export" means export of any specimen that has previously been imported;
 - (e) "Introduction from the sea" means transportation into a State of specimens of any species which were taken in the marine environment not under the jurisdiction of any State;
 - (f) "Scientific Authority" means a national scientific authority designated in accordance with Article IX;
 - (g) "Management Authority" means a national management authority designated in accordance with Article IX;
 - (h) "Party" means a State for which the present Convention has entered into force.
-

Article II

Fundamental principles

1. Appendix I shall include all species threatened with extinction which are or may be affected by trade. Trade in specimens of these species must be subject to particularly strict regulation in order not to endanger further their survival and must only be authorized in exceptional circumstances.
 2. Appendix II shall include:
 - (a) all species which although not necessarily now threatened with extinction may become so unless trade in specimens of such species is subject to strict regulation in order to avoid utilization incompatible with their survival; and
 - (b) other species which must be subject to regulation in order that trade in specimens of certain species referred to in sub-paragraph (a) of this paragraph may be brought under effective control.
 3. Appendix III shall include all species which any Party identifies as being subject to regulation within its jurisdiction for the purpose of preventing or restricting exploitation, and as needing the co-operation of other Parties in the control of trade.
 4. The Parties shall not allow trade in specimens of species included in Appendices I, II and III except in accordance with the provisions of the present Convention.
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Article III

Regulation of trade in specimens of species included in Appendix I

1. All trade in specimens of species included in Appendix I shall be in accordance with the provisions of this Article.
2. The export of any specimen of a species included in Appendix I shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
 - (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora;
 - (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
 - (d) a Management Authority of the State of export is satisfied that an import permit has been granted for the specimen.
3. The import of any specimen of a species included in Appendix I shall require the prior grant and presentation of an import permit and either an export permit or a re-export certificate. An import permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of import has advised that the import will be for purposes which are not detrimental to the survival of the species involved;
 - (b) a Scientific Authority of the State of import is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
 - (c) a Management Authority of the State of import is satisfied that the specimen is not to be used for primarily commercial purposes.

4. The re-export of any specimen of a species included in Appendix I shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:
 - (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention;
 - (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment; and
 - (c) a Management Authority of the State of re-export is satisfied that an import permit has been granted for any living specimen.
 5. The introduction from the sea of any specimen of a species included in Appendix I shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved;
 - (b) a Management Authority of the State of introduction is satisfied that the proposed recipient of a living specimen is suitably equipped to house and care for it; and
 - (c) a Management Authority of the State of introduction is satisfied that the specimen is not to be used for primarily commercial purposes.
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Article IV

Regulation of trade in specimens of species included in Appendix II

1. All trade in specimens of species included in Appendix II shall be in accordance with the provisions of this Article.
2. The export of any specimen of a species included in Appendix II shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of export has advised that such export will not be detrimental to the survival of that species;
 - (b) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (c) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
3. A Scientific Authority in each Party shall monitor both the export permits granted by that State for specimens of species included in Appendix II and the actual exports of such specimens. Whenever a Scientific Authority determines that the export of specimens of any such species should be limited in order to maintain that species throughout its range at a level consistent with its role in the ecosystems in which it occurs and well above the level at which that species might become eligible for inclusion in Appendix I, the Scientific Authority shall advise the appropriate Management Authority of suitable measures to be taken to limit the grant of export permits for specimens of that species.
4. The import of any specimen of a species included in Appendix II shall require the prior presentation of either an export permit or a re-export certificate.

5. The re-export of any specimen of a species included in Appendix II shall require the prior grant and presentation of a re-export certificate. A re-export certificate shall only be granted when the following conditions have been met:
 - (a) a Management Authority of the State of re-export is satisfied that the specimen was imported into that State in accordance with the provisions of the present Convention; and
 - (b) a Management Authority of the State of re-export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
 6. The introduction from the sea of any specimen of a species included in Appendix II shall require the prior grant of a certificate from a Management Authority of the State of introduction. A certificate shall only be granted when the following conditions have been met:
 - (a) a Scientific Authority of the State of introduction advises that the introduction will not be detrimental to the survival of the species involved; and
 - (b) a Management Authority of the State of introduction is satisfied that any living specimen will be so handled as to minimize the risk of injury, damage to health or cruel treatment.
 7. Certificates referred to in paragraph 6 of this Article may be granted on the advice of a Scientific Authority, in consultation with other national scientific authorities or, when appropriate, international scientific authorities, in respect of periods not exceeding one year for total numbers of specimens to be introduced in such periods.
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Article V

Regulation of trade in specimens of species included in Appendix III

1. All trade in specimens of species included in Appendix III shall be in accordance with the provisions of this Article.
 2. The export of any specimen of a species included in Appendix III from any State which has included that species in Appendix III shall require the prior grant and presentation of an export permit. An export permit shall only be granted when the following conditions have been met:
 - (a) a Management Authority of the State of export is satisfied that the specimen was not obtained in contravention of the laws of that State for the protection of fauna and flora; and
 - (b) a Management Authority of the State of export is satisfied that any living specimen will be so prepared and shipped as to minimize the risk of injury, damage to health or cruel treatment.
 3. The import of any specimen of a species included in Appendix III shall require, except in circumstances to which paragraph 4 of this Article applies, the prior presentation of a certificate of origin and, where the import is from a State which has included that species in Appendix III, an export permit.
 4. In the case of re-export, a certificate granted by the Management Authority of the State of re-export that the specimen was processed in that State or is being re-exported shall be accepted by the State of import as evidence that the provisions of the present Convention have been complied with in respect of the specimen concerned.
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Article VI

Permits and certificates

1. Permits and certificates granted under the provisions of Articles III, IV, and V shall be in accordance with the provisions of this Article.

2. An export permit shall contain the information specified in the model set forth in Appendix IV, and may only be used for export within a period of six months from the date on which it was granted.
 3. Each permit or certificate shall contain the title of the present Convention, the name and any identifying stamp of the Management Authority granting it and a control number assigned by the Management Authority.
 4. Any copies of a permit or certificate issued by a Management Authority shall be clearly marked as copies only and no such copy may be used in place of the original, except to the extent endorsed thereon.
 5. A separate permit or certificate shall be required for each consignment of specimens.
 6. A Management Authority of the State of import of any specimen shall cancel and retain the export permit or re-export certificate and any corresponding import permit presented in respect of the import of that specimen.
 7. Where appropriate and feasible a Management Authority may affix a mark upon any specimen to assist in identifying the specimen. For these purposes "mark" means any indelible imprint, lead seal or other suitable means of identifying a specimen, designed in such a way as to render its imitation by unauthorized persons as difficult as possible.
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Article VII

Exemptions and other special provisions relating to trade

1. The provisions of Articles III, IV and V shall not apply to the transit or transshipment of specimens through or in the territory of a Party while the specimens remain in Customs control.
2. Where a Management Authority of the State of export or re-export is satisfied that a specimen was acquired before the provisions of the present Convention applied to that specimen, the provisions of Articles III, IV and V shall not apply to that specimen where the Management Authority issues a certificate to that effect.
3. The provisions of Articles III, IV and V shall not apply to specimens that are personal or household effects. This exemption shall not apply where:
 - (a) in the case of specimens of a species included in Appendix I, they were acquired by the owner outside his State of usual residence, and are being imported into that State; or
 - (b) in the case of specimens of species included in Appendix II:
 - (i) they were acquired by the owner outside his State of usual residence and in a State where removal from the wild occurred;
 - (ii) they are being imported into the owner's State of usual residence; and
 - (iii) the State where removal from the wild occurred requires the prior grant of export permits before any export of such specimens;unless a Management Authority is satisfied that the specimens were acquired before the provisions of the present Convention applied to such specimens.
4. Specimens of an animal species included in Appendix I bred in captivity for commercial purposes, or of a plant species included in Appendix I artificially propagated for commercial purposes, shall be deemed to be specimens of species included in Appendix II.
5. Where a Management Authority of the State of export is satisfied that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom, a certificate by that Management Authority to that effect shall be accepted in lieu of any of the permits or certificates required under the provisions of Article III, IV or V.

6. The provisions of Articles III, IV and V shall not apply to the non-commercial loan, donation or exchange between scientists or scientific institutions registered by a Management Authority of their State, of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material which carry a label issued or approved by a Management Authority.
 7. A Management Authority of any State may waive the requirements of Articles III, IV and V and allow the movement without permits or certificates of specimens which form part of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition provided that:
 - (a) the exporter or importer registers full details of such specimens with that Management Authority;
 - (b) the specimens are in either of the categories specified in paragraph 2 or 5 of this Article; and
 - (c) the Management Authority is satisfied that any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or cruel treatment.
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Article VIII

Measures to be taken by the Parties

1. The Parties shall take appropriate measures to enforce the provisions of the present Convention and to prohibit trade in specimens in violation thereof. These shall include measures:
 - (a) to penalize trade in, or possession of, such specimens, or both; and
 - (b) to provide for the confiscation or return to the State of export of such specimens.
2. In addition to the measures taken under paragraph 1 of this Article, a Party may, when it deems it necessary, provide for any method of internal reimbursement for expenses incurred as a result of the confiscation of a specimen traded in violation of the measures taken in the application of the provisions of the present Convention.
3. As far as possible, the Parties shall ensure that specimens shall pass through any formalities required for trade with a minimum of delay. To facilitate such passage, a Party may designate ports of exit and ports of entry at which specimens must be presented for clearance. The Parties shall ensure further that all living specimens, during any period of transit, holding or shipment, are properly cared for so as to minimize the risk of injury, damage to health or cruel treatment.
4. Where a living specimen is confiscated as a result of measures referred to in paragraph 1 of this Article:
 - (a) the specimen shall be entrusted to a Management Authority of the State of confiscation;
 - (b) the Management Authority shall, after consultation with the State of export, return the specimen to that State at the expense of that State, or to a rescue centre or such other place as the Management Authority deems appropriate and consistent with the purposes of the present Convention; and
 - (c) the Management Authority may obtain the advice of a Scientific Authority, or may, whenever it considers it desirable, consult the Secretariat in order to facilitate the decision under subparagraph (b) of this paragraph, including the choice of a rescue centre or other place.
5. A rescue centre as referred to in paragraph 4 of this Article means an institution designated by a Management Authority to look after the welfare of living specimens, particularly those that have been confiscated.
6. Each Party shall maintain records of trade in specimens of species included in Appendices I, II and III which shall cover:
 - (a) the names and addresses of exporters and importers; and
 - (b) the number and type of permits and certificates granted; the States with which such trade occurred; the numbers or quantities and types of specimens, names of species as included

in Appendices I, II and III and, where applicable, the size and sex of the specimens in question.

7. Each Party shall prepare periodic reports on its implementation of the present Convention and shall transmit to the Secretariat:
 - (a) an annual report containing a summary of the information specified in sub-paragraph (b) of paragraph 6 of this Article; and
 - (b) a biennial report on legislative, regulatory and administrative measures taken to enforce the provisions of the present Convention.
 8. The information referred to in paragraph 7 of this Article shall be available to the public where this is not inconsistent with the law of the Party concerned.
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Article IX **Management and Scientific Authorities**

1. Each Party shall designate for the purposes of the present Convention:
 - (a) one or more Management Authorities competent to grant permits or certificates on behalf of that Party; and
 - (b) one or more Scientific Authorities.
 2. A State depositing an instrument of ratification, acceptance, approval or accession shall at that time inform the Depositary Government of the name and address of the Management Authority authorized to communicate with other Parties and with the Secretariat.
 3. Any changes in the designations or authorizations under the provisions of this Article shall be communicated by the Party concerned to the Secretariat for transmission to all other Parties.
 4. Any Management Authority referred to in paragraph 2 of this Article shall, if so requested by the Secretariat or the Management Authority of another Party, communicate to it impression of stamps, seals or other devices used to authenticate permits or certificates.
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Article X **Trade with States not party to the Convention**

Where export or re-export is to, or import is from, a State not a Party to the present Convention, comparable documentation issued by the competent authorities in that State which substantially conforms with the requirements of the present Convention for permits and certificates may be accepted in lieu thereof by any Party.

Article XI **Conference of the Parties**

1. The Secretariat shall call a meeting of the Conference of the Parties not later than two years after the entry into force of the present Convention.
2. Thereafter the Secretariat shall convene regular meetings at least once every two years, unless the Conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the Parties.

3. At meetings, whether regular or extraordinary, the Parties shall review the implementation of the present Convention and may:
 - (a) make such provision as may be necessary to enable the Secretariat to carry out its duties, and adopt financial provisions;
 - (b) consider and adopt amendments to Appendices I and II in accordance with Article XV;
 - (c) review the progress made towards the restoration and conservation of the species included in Appendices I, II and III;
 - (d) receive and consider any reports presented by the Secretariat or by any Party; and
 - (e) where appropriate, make recommendations for improving the effectiveness of the present Convention.
4. At each regular meeting, the Parties may determine the time and venue of the next regular meeting to be held in accordance with the provisions of paragraph 2 of this Article.
5. At any meeting, the Parties may determine and adopt rules of procedure for the meeting.
6. The United Nations, its Specialized Agencies and the International Atomic Energy Agency, as well as any State not a Party to the present Convention, may be represented at meetings of the Conference by observers, who shall have the right to participate but not to vote.
7. Any body or agency technically qualified in protection, conservation or management of wild fauna and flora, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference by observers, shall be admitted unless at least one-third of the Parties present object:
 - (a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
 - (b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located.

Once admitted, these observers shall have the right to participate but not to vote.

Article XII

The Secretariat

1. Upon entry into force of the present Convention, a Secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora.
2. The functions of the Secretariat shall be:
 - (a) to arrange for and service meetings of the Parties;
 - (b) to perform the functions entrusted to it under the provisions of Articles XV and XVI of the present Convention;
 - (c) to undertake scientific and technical studies in accordance with programmes authorized by the Conference of the Parties as will contribute to the implementation of the present Convention, including studies concerning standards for appropriate preparation and shipment of living specimens and the means of identifying specimens;
 - (d) to study the reports of Parties and to request from Parties such further information with respect thereto as it deems necessary to ensure implementation of the present Convention;

- (e) to invite the attention of the Parties to any matter pertaining to the aims of the present Convention;
 - (f) to publish periodically and distribute to the Parties current editions of Appendices I, II and III together with any information which will facilitate identification of specimens of species included in those Appendices;
 - (g) to prepare annual reports to the Parties on its work and on the implementation of the present Convention and such other reports as meetings of the Parties may request;
 - (h) to make recommendations for the implementation of the aims and provisions of the present Convention, including the exchange of information of a scientific or technical nature;
 - (i) to perform any other function as may be entrusted to it by the Parties.
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Article XIII

International measures

1. When the Secretariat in the light of information received is satisfied that any species included in Appendix I or II is being affected adversely by trade in specimens of that species or that the provisions of the present Convention are not being effectively implemented, it shall communicate such information to the authorized Management Authority of the Party or Parties concerned.
 2. When any Party receives a communication as indicated in paragraph 1 of this Article, it shall, as soon as possible, inform the Secretariat of any relevant facts insofar as its laws permit and, where appropriate, propose remedial action. Where the Party considers that an inquiry is desirable, such inquiry may be carried out by one or more persons expressly authorized by the Party.
 3. The information provided by the Party or resulting from any inquiry as specified in paragraph 2 of this Article shall be reviewed by the next Conference of the Parties which may make whatever recommendations it deems appropriate.
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Article XIV

Effect on domestic legislation and international conventions

1. The provisions of the present Convention shall in no way affect the right of Parties to adopt:
 - (a) stricter domestic measures regarding the conditions for trade, taking, possession or transport of specimens of species included in Appendices I, II and III, or the complete prohibition thereof; or
 - (b) domestic measures restricting or prohibiting trade, taking, possession or transport of species not included in Appendix I, II or III.
2. The provisions of the present Convention shall in no way affect the provisions of any domestic measures or the obligations of Parties deriving from any treaty, convention, or international agreement relating to other aspects of trade, taking, possession or transport of specimens which is in force or subsequently may enter into force for any Party including any measure pertaining to the Customs, public health, veterinary or plant quarantine fields.
3. The provisions of the present Convention shall in no way affect the provisions of, or the obligations deriving from, any treaty, convention or international agreement concluded or which may be concluded between States creating a union or regional trade agreement establishing or maintaining a common external Customs control and removing Customs control between the

parties thereto insofar as they relate to trade among the States members of that union or agreement.

4. A State party to the present Convention, which is also a party to any other treaty, convention or international agreement which is in force at the time of the coming into force of the present Convention and under the provisions of which protection is afforded to marine species included in Appendix II, shall be relieved of the obligations imposed on it under the provisions of the present Convention with respect to trade in specimens of species included in Appendix II that are taken by ships registered in that State and in accordance with the provisions of such other treaty, convention or international agreement.
5. Notwithstanding the provisions of Articles III, IV and V, any export of a specimen taken in accordance with paragraph 4 of this Article shall only require a certificate from a Management Authority of the State of introduction to the effect that the specimen was taken in accordance with the provisions of the other treaty, convention or international agreement in question.
6. Nothing in the present Convention shall prejudice the codification and development of the law of the sea by the United Nations Conference on the Law of the Sea convened pursuant to Resolution 2750 C (XXV) of the General Assembly of the United Nations nor the present or future claims and legal views of any State concerning the law of the sea and the nature and extent of coastal and flag State jurisdiction.

Article XV

Amendments to Appendices I and II

1. The following provisions shall apply in relation to amendments to Appendices I and II at meetings of the Conference of the Parties:
 - (a) Any Party may propose an amendment to Appendix I or II for consideration at the next meeting. The text of the proposed amendment shall be communicated to the Secretariat at least 150 days before the meeting. The Secretariat shall consult the other Parties and interested bodies on the amendment in accordance with the provisions of subparagraphs (b) and (c) of paragraph 2 of this Article and shall communicate the response to all Parties not later than 30 days before the meeting.
 - (b) Amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.
 - (c) Amendments adopted at a meeting shall enter into force 90 days after that meeting for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
2. The following provisions shall apply in relation to amendments to Appendices I and II between meetings of the Conference of the Parties:
 - (a) Any Party may propose an amendment to Appendix I or II for consideration between meetings by the postal procedures set forth in this paragraph.
 - (b) For marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties. It shall also consult inter-governmental bodies having a function in relation to those species especially with a view to obtaining scientific data these bodies may be able to provide and to ensuring co-ordination with any conservation measures enforced by such bodies. The Secretariat shall communicate the views expressed and data provided by these bodies and its own findings and recommendations to the Parties as soon as possible.
 - (c) For species other than marine species, the Secretariat shall, upon receiving the text of the proposed amendment, immediately communicate it to the Parties, and, as soon as possible thereafter, its own recommendations.

- (d) Any Party may, within 60 days of the date on which the Secretariat communicated its recommendations to the Parties under sub-paragraph (b) or (c) of this paragraph, transmit to the Secretariat any comments on the proposed amendment together with any relevant scientific data and information.
 - (e) The Secretariat shall communicate the replies received together with its own recommendations to the Parties as soon as possible.
 - (f) If no objection to the proposed amendment is received by the Secretariat within 30 days of the date the replies and recommendations were communicated under the provisions of sub-paragraph (e) of this paragraph, the amendment shall enter into force 90 days later for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
 - (g) If an objection by any Party is received by the Secretariat, the proposed amendment shall be submitted to a postal vote in accordance with the provisions of sub-paragraphs (h), (i) and (j) of this paragraph.
 - (h) The Secretariat shall notify the Parties that notification of objection has been received.
 - (i) Unless the Secretariat receives the votes for, against or in abstention from at least one-half of the Parties within 60 days of the date of notification under sub-paragraph (h) of this paragraph, the proposed amendment shall be referred to the next meeting of the Conference for further consideration.
 - (j) Provided that votes are received from one-half of the Parties, the amendment shall be adopted by a two-thirds majority of Parties casting an affirmative or negative vote.
 - (k) The Secretariat shall notify all Parties of the result of the vote.
 - (l) If the proposed amendment is adopted it shall enter into force 90 days after the date of the notification by the Secretariat of its acceptance for all Parties except those which make a reservation in accordance with paragraph 3 of this Article.
3. During the period of 90 days provided for by sub-paragraph (c) of paragraph 1 or sub-paragraph (l) of paragraph 2 of this Article any Party may by notification in writing to the Depositary Government make a reservation with respect to the amendment.

Until such reservation is withdrawn the Party shall be treated as a State not a Party to the present Convention with respect to trade in the species concerned.

Article XVI

Appendix III and amendments thereto

1. Any Party may at any time submit to the Secretariat a list of species which it identifies as being subject to regulation within its jurisdiction for the purpose mentioned in paragraph 3 of Article II. Appendix III shall include the names of the Parties submitting the species for inclusion therein, the scientific names of the species so submitted, and any parts or derivatives of the animals or plants concerned that are specified in relation to the species for the purposes of sub-paragraph (b) of Article I.
2. Each list submitted under the provisions of paragraph 1 of this Article shall be communicated to the Parties by the Secretariat as soon as possible after receiving it. The list shall take effect as part of Appendix III 90 days after the date of such communication. At any time after the communication of such list, any Party may by notification in writing to the Depositary Government enter a reservation with respect to any species or any parts or derivatives, and until such reservation is withdrawn, the State shall be treated as a State not a Party to the present Convention with respect to trade in the species or part or derivative concerned.

3. A Party which has submitted a species for inclusion in Appendix III may withdraw it at any time by notification to the Secretariat which shall communicate the withdrawal to all Parties. The withdrawal shall take effect 30 days after the date of such communication.
 4. Any Party submitting a list under the provisions of paragraph 1 of this Article shall submit to the Secretariat a copy of all domestic laws and regulations applicable to the protection of such species, together with any interpretations which the Party may deem appropriate or the Secretariat may request. The Party shall, for as long as the species in question is included in Appendix III, submit any amendments of such laws and regulations or any interpretations as they are adopted.
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Article XVII

Amendment of the Convention

1. An extraordinary meeting of the Conference of the Parties shall be convened by the Secretariat on the written request of at least one-third of the Parties to consider and adopt amendments to the present Convention. Such amendments shall be adopted by a two-thirds majority of Parties present and voting. For these purposes "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall not be counted among the two-thirds required for adopting an amendment.
 2. The text of any proposed amendment shall be communicated by the Secretariat to all Parties at least 90 days before the meeting.
 3. An amendment shall enter into force for the Parties which have accepted it 60 days after two-thirds of the Parties have deposited an instrument of acceptance of the amendment with the Depository Government. Thereafter, the amendment shall enter into force for any other Party 60 days after that Party deposits its instrument of acceptance of the amendment.
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Article XVIII

Resolution of disputes

1. Any dispute which may arise between two or more Parties with respect to the interpretation or application of the provisions of the present Convention shall be subject to negotiation between the Parties involved in the dispute.
 2. If the dispute can not be resolved in accordance with paragraph 1 of this Article, the Parties may, by mutual consent, submit the dispute to arbitration, in particular that of the Permanent Court of Arbitration at The Hague, and the Parties submitting the dispute shall be bound by the arbitral decision.
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Article XIX

Signature

The present Convention shall be open for signature at Washington until 30th April 1973 and thereafter at Berne until 31st December 1974.

Article XX

Ratification, acceptance, approval

The present Convention shall be subject to ratification, acceptance or approval. Instruments of ratification, acceptance or approval shall be deposited with the Government of the Swiss Confederation which shall be the Depositary Government.

Article XXI

Accession

1. The present Convention shall be open indefinitely for accession. Instruments of accession shall be deposited with the Depositary Government.
 2. This Convention shall be open for accession by regional economic integration organizations constituted by sovereign States which have competence in respect of the negotiation, conclusion and implementation of international agreements in matters transferred to them by their Member States and covered by this Convention.
 3. In their instruments of accession, such organizations shall declare the extent of their competence with respect to the matters governed by the Convention. These organizations shall also inform the Depositary Government of any substantial modification in the extent of their competence. Notifications by regional economic integration organizations concerning their competence with respect to matters governed by this Convention and modifications thereto shall be distributed to the Parties by the Depositary Government.
 4. In matters within their competence, such regional economic integration organizations shall exercise the rights and fulfil the obligations which this Convention attributes to their Member States, which are Parties to the Convention. In such cases the Member States of the organizations shall not be entitled to exercise such rights individually.
 5. In the fields of their competence, regional economic integration organizations shall exercise their right to vote with a number of votes equal to the number of their Member States which are Parties to the Convention. Such organizations shall not exercise their right to vote if their Member States exercise theirs, and vice versa.
 6. Any reference to "Party" in the sense used in Article I (h) of this Convention to "State"/"States" or to "State Party"/"State Parties" to the Convention shall be construed as including a reference to any regional economic integration organization having competence in respect of the negotiation, conclusion and application of international agreements in matters covered by this Convention.
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Article XXII

Entry into force

1. The present Convention shall enter into force 90 days after the date of deposit of the tenth instrument of ratification, acceptance, approval or accession, with the Depositary Government.
 2. For each State which ratifies, accepts or approves the present Convention or accedes thereto after the deposit of the tenth instrument of ratification, acceptance, approval or accession, the present Convention shall enter into force 90 days after the deposit by such State of its instrument of ratification, acceptance, approval or accession.
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Article XXIII

Reservations

1. The provisions of the present Convention shall not be subject to general reservations. Specific reservations may be entered in accordance with the provisions of this Article and Articles XV and XVI.
 2. Any State may, on depositing its instrument of ratification, acceptance, approval or accession, enter a specific reservation with regard to:
 - (a) any species included in Appendix I, II or III; or
 - (b) any parts or derivatives specified in relation to a species included in Appendix III.
 3. Until a Party withdraws its reservation entered under the provisions of this Article, it shall be treated as a State not a Party to the present Convention with respect to trade in the particular species or parts or derivatives specified in such reservation.
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Article XXIV

Denunciation

Any Party may denounce the present Convention by written notification to the Depositary Government at any time. The denunciation shall take effect twelve months after the Depositary Government has received the notification.

Article XXV

Depositary

1. The original of the present Convention, in the Chinese, English, French, Russian and Spanish languages, each version being equally authentic, shall be deposited with the Depositary Government, which shall transmit certified copies thereof to all States that have signed it or deposited instruments of accession to it.
2. The Depositary Government shall inform all signatory and acceding States and the Secretariat of signatures, deposit of instruments of ratification, acceptance, approval or accession, entry into force of the present Convention, amendments thereto, entry and withdrawal of reservations and notifications of denunciation.
3. As soon as the present Convention enters into force, a certified copy thereof shall be transmitted by the Depositary Government to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

In witness whereof the undersigned Plenipotentiaries, being duly authorized to that effect, have signed the present Convention.

Done at Washington this third day of March, One Thousand Nine Hundred and Seventy-three.

PLANT WORLD LAW OF THE REPUBLIC OF BELARUS
June 14, 2003, N 205-3

Adopted by the Chamber of Representatives on May 13, 2003
Approved by the Council of the Republic on May 29, 2003

(as worded in the Laws of the Republic of Belarus of 29.10.2004 N 319-3,
19.07.2005 N 42-3, 29.06.2006 N 137-3, 20.07.2006 N 162-3, 20.10.2006 N 169-3,
13.06.2007 N 238-3, 10.11.2008 N 444-3, 02.07.2009 N 32-3, 28.12.2009 N 96-3,
17.05.2011 N 260-3, 22.01.2013 N 18-3)

This Law specifies legal bases of conservation, protection, reproduction, upkeep, withdrawal, removal, transplantation of plant world objects and their use as well as landscaping, habitat protection of plant world objects, increase of their environmental, water conservation, protective, sanitary-hygienic, recreative and other functions for ensuring favorable environment for citizens' life and health and sustainable use of plant world resources.

Chapter 1
GENERAL PROVISIONS

Article 1

Main Definitions

The following main definitions are used for the purposes of this Law:

- acclimatization of wild plants – the activity aimed at ensuring adaptation of wild plants to their new or changed habitats;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;
- reproduction of plant world objects – a natural (regulated and unregulated) or artificial process of plant world object resumption, restoration of their quality characteristics;
- wild plants – plants growing in their habitats and capable of forming populations, plant communities or plantations as well as plants grown and used for landscaping and other environmental, water conservation and protective purposes;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- trees and shrubs – individual trees, shrubs and their plantations;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- procurement (purchase) of wild plants and (or) their parts – a kind of a special use of plant world objects carried out by legal entities, individual entrepreneurs;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- withdrawal of plant world objects – separation of wild plants from their habitats and (or) their parts from wild plants associated with use of plant world objects;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- invasive plants – plant world objects, being outside their natural area, spread and abundance of which create a threat to the citizens' life or health, conservation of biological diversity, and harm to some economic sectors;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- introduction of wild plants – the activity aimed at introducing wild plants into places

beyond the boundaries of their occurrence;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

compensatory cost payments for removed, transplanted plant world objects – cost reimbursement of removed, transplanted plant world objects on particular land plot taking into account their species composition, quality status and quantitative parameters;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

compensatory planting – a series of measures for developing plant world objects instead of the removed and transplanted ones;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

plantations – the collection of wild plants, both forming and not forming a plant community, located in a particular area;

standards in the field of handling of plant world objects – standards established in accordance with the parameters of the status and abundance of plant world objects, the level of area landscaping, inobservance of which can result in a poor environmental state;

handling of plant world objects – the activity associated with conservation, protection, reproduction, upkeep, withdrawal or transplantation of plant world objects and their use as well as with landscaping;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

plant world objects – native wild plants, their populations, plant communities or plantations;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

landscaping – a series of measures for developing, keeping and reconstructing plantations which perform sanitary-hygienic, recreative, engineering and technical, cultural, aesthetic and other non-agricultural functions;

protection of plant world objects – a series of measures aimed at conservation of space, species and population integrity of plant world objects, their numbers, resource potential and productivity, prevention of their damage, destruction or other harmful effect on them;

transplantation of plant world objects – separation of wild plants from their habitats followed by maintaining their viability, not associated with the use of plant world objects;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

use of plant world objects – the use of plant world objects or their properties by legal entities or by citizens of the Republic of Belarus during their execution of economic and other activities;

users of land plots or water objects – legal entities or citizens of the Republic of Belarus who have been granted a land plot, either a water object or its part (hereinafter – water object), within the boundaries of which plant world objects are located, under the terms of ownership, use, lease, concession or under other terms in accordance with the procedure established by the legislation of the Republic of Belarus;

a user of plant world objects – a legal entity or a citizen of the Republic of Belarus who has been granted the right to use plant world objects in accordance with the procedure established by the legislation of the Republic of Belarus;

plants – vascular and mossy plants, algae, lichens and fungi;

plant products – withdrawn wild plants, their parts and (or) their waste products which are used as raw materials or for other purposes of production and consumption (hereinafter – consumption purposes);

plant community – a relatively homogeneous collection of wild plants of various species of one or many generations which has formed its own internal environment with own composition and structure capable of natural reproduction or substituted by another plant community as a result of interaction between plants and their habitats;

plant world – a collection of native wild plants, their populations, plant communities and plantations;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

plant world resources – plant world objects or their properties which are used or can be used during the execution of economic and other activities by legal entities or citizens of the Republic of Belarus and have a consumption value;

gathering of wild plants and (or) their parts – a kind of common use of plant world objects by citizens of the Republic of Belarus;

(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

habitat of plant world objects – a habitat of plant world objects in combination with other natural factors creating growth conditions of plant world objects necessary for providing their viability;

removal of plant world objects – separation of wild plants from their habitats and (or) parts from wild plants not associated with the use of plant world objects which results in loss of their viability.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 2

Plant World Legislation of the Republic of Belarus

The plant world legislation of the Republic of Belarus is based on the Constitution of the Republic of Belarus and consists of this Law and other standard legal acts of the Republic of Belarus containing standards regulating relations in handling of plant world objects, unless otherwise provided in this Article.

The relations in handling of plant world objects, included in forest resources, are regulated by the forest legislation of the Republic of Belarus with the exception of cases specified by Articles 18, 19, 24, 26 – 28 of this Law.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The relations associated with withdrawal or removal of trees and shrubs, located outside the boundaries of settlements, are regulated by the forest legislation of the Republic of Belarus.

(Part 3 of Article 2 was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The relations in handling of plants belonging to living modified organisms are regulated by the legislation of the Republic of Belarus on biological safety and genetic engineering activity.

The relations in protection of wild plants are regulated by the legislations of the Republic of Belarus on plant protection, by this Law and by other legislative acts of the Republic of Belarus.

The relations in landscaping are regulated by this Law and by other legislative acts of the Republic of Belarus on plant world, those in the field of architecture, urban planning and construction activities - on municipal services.

(Part 6 of Article 2 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The relations in handling of plant world objects as components of habitat of animal world objects are regulated by the plant world legislation of the Republic of Belarus, unless otherwise provided by the legislation of the Republic of Belarus on protection and use of animal world.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The relations in the field of environmental protection, protection and use of lands (including soils), entrails, waters, air, animal world as components of habitat of plant world objects are regulated by the legislation of the Republic of Belarus on environmental protection, on protection and use of lands, by water legislation of the Republic of Belarus, by the legislation of the Republic of Belarus on entrails, animal world, air protection, respectively, by this Law and by other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 28.12.2009 N 96-3)

The relations in handling of withdrawn or removed wild plants and (or) their parts, including plant products, are regulated by civil legislation of the Republic of Belarus, by this Law and by other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The relations in the field of import into the Republic of Belarus and export from the Republic of Belarus of wild plants, their parts and derivatives are regulated by international treaties of the Republic of Belarus, by customs laws of the Republic of Belarus and by the legislation of the Republic of Belarus on foreign economic activity.

(Part 10 of Article 3 was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3; as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

Article 3

International Treaties of the Republic of Belarus

(as worded in the Laws of the Republic of Belarus of 20.10.2006 N 169-3, of 10.11.2008 N 444-3)

If the rules other than those, prescribed in this Law are established by an international treaty of the Republic of Belarus, the rules of the international treaty are used.

Article 4

Parties to Relations in Handling of Plant World Objects

Parties to relations in handling of plant world objects may be:

the Republic of Belarus represented by State bodies acting within their competence established by the legislative acts of the Republic of Belarus;

administrative-territorial units of the Republic of Belarus represented by local government and self-government bodies acting within their competence established by the legislative acts of the Republic of Belarus;

legal entities of the Republic of Belarus and citizens of the Republic of Belarus, including individual entrepreneurs (hereinafter – legal entities and citizens, respectively) being users of plant world objects, land plots or water objects either carrying out the activities affecting plant world objects or exercising control over handling of plant world objects.

Parties to relations in handling of plant world objects may be legal entities and (or) citizens on behalf of the Republic of Belarus and its administrative-territorial units on their special instructions and their separate subdivisions and (or) citizens – on behalf of legal entities in cases and in accordance with the procedure specified by the legislation of the Republic of Belarus.

The rules, established by the plant world legislation of the Republic of Belarus, are applied to the relations in handling of plant world objects involving foreign citizens, stateless persons, foreign and international organizations regardless of their status of a legal entity, unless otherwise provided by the Constitution of the Republic of Belarus, by other legislative acts of the Republic of Belarus and by international treaties of the Republic of Belarus.

(as worded in the Laws of the Republic of Belarus of 20.10.2006 N 169-3, of 10.11.2008 N 444-3)

Article 5

Objects of Relations in Handling of Plant World Objects

Objects of relations in handling of plant world objects are as follows:
native wild plants, their populations, plant communities or plantations;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
withdrawn or removed wild plants, their parts and (or) waste products;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
derivatives of wild plants;
the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;
habitats of plant world objects;
rights to use plant world objects.
Provisions of this Law, unless otherwise provided, do not apply to:
plant world objects located within the boundaries of land plots being in private property, life-long inheritable possession of citizens, private property of non-governmental legal entities, property of foreign States and international organizations;
plant world objects located within the boundaries of land plots granted to citizens for conducting collective gardening and country house construction;
plant world objects cultivated for obtaining crop products;
trees and shrubs growing on lands of the forest resources.
(Part 2 of Article 5 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 6

Right to Ownership of Plant World Objects and Withdrawn, Removed Wild Plants and (or) their Parts

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Plant world objects located in the territory of the Republic of Belarus are State property with the exception of cases specified by this Article.

Plant world objects located within the boundaries of land plots being in private property, life-long inheritable possession of citizens, private property of non-governmental legal entities, property of foreign States and international organizations are property of these citizens, non-governmental legal entities, foreign States and international organizations.

When granting land plots, within the boundaries of which plant world objects are located, in private property, life-long inheritable possession of citizens, private property of non-governmental legal entities, property of foreign States and international organizations in accordance with the procedure established by the legislation of the Republic of Belarus, the State bodies shall make a decision on the fate of these plant world objects.

Plant world objects planted and cultivated on legal grounds are the property of users of land plots or water objects within the boundaries of which these plant world objects grow.

The Republic of Belarus exercises the right to ownership of plant world objects in the national interest through specially authorized State bodies.

Handling of plant world objects, located within the boundaries of land plots or water objects, not granted to legal entities or citizens, is carried out by local executive and administrative bodies under whose authority these land plots or water objects are or by their specially authorized legal entities. In this case local executive and administrative bodies or their specially authorized legal entities carry out the duties of users of land plots or water objects in

handling of plant world objects.

Wild plants and (or) their parts, withdrawn, removed by legal entities and citizens in accordance with the procedure established by the legislation of the Republic of Belarus are their property, unless otherwise provided by legislative acts of the Republic of Belarus.

Article 7

Handling of Plant World Objects by Users of Land Plots or Water Objects

Handling of plant world objects to the extent which is permitted by the legislation of the Republic of Belarus is free to users of land plots or water objects if it is not contrary to the public use and safety, is not harmful to the environment, historical and cultural values, and does not infringe upon the rights and legally protected interests of citizens, legal entities and the State.

The user of a land plot or a water object is entitled to the right to plant world objects since being granted the given land plot or water object in accordance with the legislation of the Republic of Belarus and ceases with termination of the right to the land plot or water object as well as with destruction or loss of a plant world object.

When granting a land plot or a water object, within the boundaries of which plant world objects are located, to a legal entity or a citizen, the State bodies may impose restrictions and prohibitions in handling of plant world objects in cases provided by this Law and by other laws of the Republic of Belarus.

Article 8

Rights of Users of Land Plots or Water Objects in Handling of Plant World Objects

Users of land plots or water objects in handling of plant world objects have the right to:
the use of plant world objects in accordance with the procedure established by the legislation of the Republic of Belarus exercising the rights and performing the duties of users of plant world objects, unless otherwise provided by the legislation of the Republic of Belarus or follows from the nature of the legal relationship;

removal, transplantation or withdrawal of plant world objects in accordance with this Law and other legislative acts of the Republic of Belarus;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

compensation for damages caused by withdrawal or temporary occupation of land plots, restriction (encumbrance) of rights to land plots, including establishment of land easement as well as for damages caused by termination or modification of water use conditions with the exception of cases when damages were caused by the fault of water user.
(as worded in the Law of the Republic of Belarus of 28.12.2009 N 96-3)

control over the work related to the use of plant world objects by other legal entities and citizens as well as the work exerting harmful impact on the habitat of plant world objects;

involvement of specialized services, users of plant world objects and other legal entities and citizens by their consent in fire extinguishing, elimination of consequences of natural disasters, pest and disease control of plant world objects in cases and in accordance with the procedure established by the legislation of the Republic of Belarus;

requirement of compensation for damages done to them due to illegal withdrawal, removal, replantation, injury or destruction of wild plants and (or) their parts, including by applying to the court with claims for damages.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Users of landplots or water objects may exercise other rights in handling of plant world

objects if their implementation does not contradict the requirements of the legislation of the Republic of Belarus.

Article 9

Duties of Users of Land Plots or Water Objects in Handling of Plant World Objects

In handling of plant world objects, users of land plots or water objects are obliged to:
comply with the requirements of the legislation of the Republic of Belarus on environmental protection and on plant world;

implement measures for rational (sustainable) use of plant world objects;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

comply with the established standards in handling of plant world objects;
(as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

implement conservation of plant world objects against fires, pollution and other deleterious impacts as well as protection of plant world objects;

ensure safety of plant world objects, if their withdrawal, removal or transplantation are not permitted in accordance with this Law and other legislative acts of the Republic of Belarus, and carry out their upkeep and reproduction;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

conserve habitat of plant world objects, including carrying out fire-prevention and sanitary landscaping, providing the places (areas) with special facilities for collection and storage of waste;

keep records and submit State statistical reports on plant world objects and their handling if this is provided by the legislation of the Republic of Belarus;

ensure conservation of biological and landscape diversity, historical and cultural values;

do work on regulating occurrence and abundance of wild plants (a species list of which is specified in accordance with Part 3 of Article 26 of this Law) in cases and in accordance with the procedure established by the legislation of the Republic of Belarus;

suspend the use of plant world objects in case of violation of their reproductive function and make proposals to restrict or suspend the rights of special use of plant world objects in accordance with the procedure established by the legislation of the Republic of Belarus.

Users of land plots or water objects must perform even other duties in handling of plant world objects provided by legislative acts of the Republic of Belarus.

Chapter 2

STATE REGULATION AND MANAGEMENT IN THE FIELD OF HANDLING OF PLANT WORLD OBJECTS

Article 10

Basic Principles of State Regulation and Management in the Field of Handling of Plant World Objects

Basic principles of State regulation and management in handling of plant world objects are as follows:

priority of conservation, protection and reproduction of plant world objects, their rational (sustainable) use;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

conservation of biological diversity and ensurance of compliance with other principles of

environmental protection;
prevention of deleterious impacts on habitat of plant world objects;
economic incentive of conservation, protection and reproduction of plant world objects,
their rational (sustainable) use;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
taking into account peculiarities of plant world objects in establishing a legal order of
lands or water objects within the boundaries of which these plant world objects are located;
availability of execution and validity of the orders of specially authorized Republican
bodies of the State control in handling of plant world objects or of their territorial bodies, local
executive and administrative bodies;
responsibility for violation of the legislation of the Republic of Belarus on plant world;
compensation for damage done to plant world objects, their habitat, the life and health of
citizens, property of citizens and legal entities due to deleterious impacts on plant world objects;
ensurance of access to ecological information in handling of plant world objects in
accordance with legislative acts of the Republic of Belarus.
(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Article 11

Bodies Exercising State Regulation and Management in the Field of Handling of Plant World Objects

State regulation and management in handling of plant world objects are exercised by the President of the Republic of Belarus, the Council of Ministers of the Republic of Belarus, specially authorized Republican bodies of the State management in handling of plant world objects in accordance with the legislation of the Republic of Belarus, by local Councils of Deputies, executive and administrative bodies.

The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, the Ministry of Forestry of the Republic of Belarus, the Ministry of Housing and Communal Services of the Republic of Belarus and other Republican bodies of the State management specified by the President of the Republic of Belarus and the Council of Ministers of the Republic of Belarus are specially authorized Republican bodies of the State management in handling of plant world objects (hereinafter – specially authorized Republican bodies of the State management).

(Part 2 of Article 11 as worded in the Law of the Republic of Belarus of 29.10.2004 N 319-3)

The competence of specially authorized Republican bodies of the State management is determined in accordance with the present Law and other legislative acts of the Republic of Belarus.

Specially authorized Republican bodies of the State management exercise the powers conferred on them directly and through their territorial bodies.

Article 11-1

Competence of the President of the Republic of Belarus in the Field of Handling of Plant World Objects

(introduced by the Law of the Republic of Belarus of 13.06.2007 N 238-3)

The President of the Republic of Belarus in handling of plant world objects implements the following:

specifies the unified State policy;
approves State programs on rational handling of plant world objects;

the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;
specifies powers of the State Inspection of Animal and Plant World Protection under the President of the Republic of Belarus for exercising control in handling of plant world objects;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
establishes a procedure for conversion into the State income of illegally withdrawn, removed, transplanted wild plants and (or) their parts;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
exercises other powers conferred on him by the Constitution of the Republic of Belarus and by legislative acts of the Republic of Belarus

Article 12

Competence of the Council of Ministers of the Republic of Belarus in the Field of Handling of Plant World Objects

The Council of Ministers of the Republic of Belarus in handling of plant world objects carries out the following:

- ensures implementation of the unified State policy;
(as worded in the Law of the Republic of Belarus of 13.06.2007 N 238-3)
- ensures development and implementation of State programs, plans and measures for rational handling of plant world objects;
establishes a procedure for granting the right to special use of plant world objects and for informing local executive and administrative bodies about planned activities for purchase of wild plants and (or) their parts;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- the paragraph was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3
- specifies a procedure for imposing restrictions and bans;
paragraphs 7-11 were excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3
- the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;
- specifies a procedure for issuing a permit to removal of plant world objects in settlements and a permit for transplantation of plant world objects in settlements, unless otherwise provided by the President of the Republic of Belarus;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- establishes a procedure for conducting the State cadastre of plant world and using its information;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- establishes a procedure for monitoring plant world and using its information;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
- establishes a procedure for withdrawing wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, from their habitat, unless otherwise provided by the President of the Republic of Belarus;
(the paragraph was introduced by the Law of the Republic of Belarus of 10.11.2008 N 444-3)
- establishes a procedure for transferring habitats of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, under protection of users of land plots and (or) water objects; forms of habitat certificate of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, and conservation commitment as well as a procedure and terms of their issue;
(the paragraph was introduced by the Law of the Republic of Belarus of 10.11.2008 N 444-3)
- paragraphs 13-14 were excluded. – The Law of the Republic of Belarus of 13.06.2007 N 238-3;
- exercises other powers in accordance with this Law and other legislative acts of the Republic of Belarus.
(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Article 13

Competence of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus in the Field of Handling of Plant World Objects

The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus in handling of plant world objects carries out the following:

pursues the unified State policy;

organizes development and implementation of State programs, plans and measures for rational handling of plant world objects;

regulates handling of plant world objects, with the exception of issues belonging to the competence of other State bodies;

organizes preparation of draft standard legal acts regulating handling of plant world objects;

the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;

issues permits to withdrawal of wild plants belonging to the species included in the Red Data Book of the Republic of Belarus;

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

jointly with the Ministry of Forestry of the Republic of Belarus, approves rules for procurement of wood saps, gathering, procurement (purchase) of wild plants and (or) their parts;

(as worded in the Laws of the Republic of Belarus of 29.10.2004 N 319-3, of 17.05.2011 N 260-3)

in consultation with the National Academy of Sciences of Belarus, specifies a list of wild plant species, occurrence and abundance of which are subject to regulation, as well as a procedure for implementation of measures to regulate their occurrence and abundance;

paragraphs 10-11 were excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3;

imposes restrictions and bans on handling of plant world objects in cases prescribed by this Law and by other legislative acts of the Republic of Belarus;

the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;

the paragraph was excluded. – The Law of the Republic of Belarus of 10.11.2008 N 444-3;

coordinates rules for landscaping;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

decides to restrict or suspend the use of certain species of plant world objects in accordance with this Law and other legislative acts of the Republic of Belarus;

establishes a procedure for using plant world objects for research, training and experimental purposes;

coordinates rules establishing particular handling of plant world objects located on lands of some categories stated in Article 56 of this Law;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

paragraphs 16-17 were excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;

the paragraph was excluded. – The Law of the Republic of Belarus of 10.11.2008 N 444-3;

exercises control in the given field;

(as worded in the Law of the Republic of Belarus 17.05.2011 N 260-3)

establishes a procedure for record-keeping of plant world objects and their handling;

jointly with the interested Republican bodies of the State management and other organizations maintains the State cadastre of plant world;

(as worded in the Law of the Republic of Belarus 17.05.2011 N 260-3)

requests ecological information in the field of handling of plant world objects from Republican bodies of the State management, local executive and administrative bodies, legal

entities and individual entrepreneurs and obtain it from them free of charge;

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

disseminates and submits ecological information on handling of plant world objects in accordance with legislative acts of the Republic of Belarus;

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

makes decisions on complete or partial suspension of economic and other activities of legal entities or citizens exerting deleterious impacts on plant world objects and their habitats till elimination of the revealed violations, in cases and in accordance with the procedure specified by legislative acts of the Republic of Belarus;

(the paragraph was introduced by the Law of the Republic of Belarus of 10.11.2008 N 444-3 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

raises claims to legal entities or citizens, having done harm to plant world objects and their habitats, and lawsuits for damages done to plant world objects and their habitats;

(the paragraph was introduced by the Law of the Republic of Belarus of 10.11.2008 N 444-3)

sues in court for termination of economic and other activities of legal entities or citizens exerting deleterious impacts on plant world objects and their habitats in case of violation of the legislation of the Republic of Belarus on plant world as well as in cases specified by the legislation of the Republic of Belarus on environmental protection;

(the paragraph was introduced by the Law of the Republic of Belarus of 10.11.2008 N 444-3)

issues binding instructions;

(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

exercises other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Article 14

Competence of Local Councils of Deputies, Executive and Administrative Bodies in the Field of Handling of Plant World Objects

The local Councils of Deputies carry out the following in handling of plant world objects:

adopt local programs and plans, approve measures for rational handling of plant world objects;

annul decisions of local executive and administrative bodies not complying with the legislation of the Republic of Belarus on plant world;

the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;

exercise other powers in accordance with the legislation of the Republic of Belarus.

Local executive and administrative bodies carry out the following in handling of plant world objects within their competence:

organize development and implementation of local programs and plans, implementation of measures for rational handling of plant world objects;

upon submission of the relevant regional body of the Ministry of Natural Resources and Environmental Protection agreed with the National Academy of Sciences of Belarus, make decisions on transferring the revealed habitats of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, under protection of users of land plots and (or) water objects;

(the paragraph was introduced by the Law of the Republic of Belarus of 22.01.2013 N 18-3)

handle plant world objects located within the boundaries of land plots or water objects not granted to legal entities, either citizens or identify legal entities specially authorized for these purposes;

make decisions in accordance with the legislation of the Republic of Belarus on granting, restricting, suspending or terminating the right to a special use of plant world objects;

make decisions in accordance with this Law and other legislative acts of the Republic of Belarus on restricting and suspending some types of using plant world objects concerning particular plant world objects in order to conserve biological and landscape diversity and to protect some natural objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

impose restrictions or bans on handling of plant world object in cases specified by this Law and other legislative acts of the Republic of Belarus;

organize the activity related to conservation and protection of plant world objects in accordance with the legislation of the Republic of Belarus;

oblige legal entities and individual entrepreneurs, engaged in a special use of plant world objects for cultural-sanitary, touristic, other recreational and (or) sporting purposes, to carry out measures for land improvement within the boundaries of which plant world objects, used for these purposes, are located;

paragraphs 9-11 were excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3;

inform citizens about the use and planned withdrawal, removal, transplantation of individual plant world objects in cases involving their interests as well as disseminate and provide ecological information on handling of plant world objects in accordance with legislative acts of the Republic of Belarus;

(as worded in the Laws of the Republic of Belarus of 10.11.2008 N 444-3, of 17.05.2011 N 260-3)

organize maintaining plant world objects located on lands of common use;

(as worded in the Law of the Republic of Belarus of 28.12.2009 N 96-3)

specify the dates for gathering, procurement (purchase) of wild plants and (or) their parts in consultation with territorial bodies of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and the Ministry of Forestry of the Republic of Belarus;

(as worded in the Laws of the Republic of Belarus of 29.10.2004 N 319-3, of 17.05.2011 N 260-3)

the paragraph was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3;

establish peculiarities of handling of plant world objects located on lands of settlements and land reserve;

the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;

paragraphs 14-17 were excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3;

exercise other powers in accordance with this Law and other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Article 15

Scientific Support of State Regulation and Management in the Field of Handling of Plant World Objects

Scientific support of State regulation and management in handling of plant world objects is rendered by the National Academy of Sciences of Belarus and by other scientific institutions of the Republic of Belarus.

The National Academy of Sciences of Belarus implements the following in handling of plant world objects:

participates in development and implementation of science and technology policy;
coordinates the scientific activities;
ensures implementation of State programs of scientific investigations and State scientific and technical programs;
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
carries out scientific support in maintaining the State cadastre of plant world;
organizes monitoring of plant world within the framework of the National Environmental Monitoring System in the Republic of Belarus;
(the paragraph was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)
the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;
carries out work on revealing rare and endangered plant species in the territory of the Republic, preparing scientific substantiation and other materials required for including these species in the Red Data Book of the Republic of Belarus or their excluding from it;
(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)
paragraphs 9-11 were excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3;
the paragraph was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3;
makes proposals for financing scientific and innovative activities in accordance with the procedure established by the legislation of the Republic of Belarus;
exercises other powers in accordance with this Law and other legislative acts of the Republic of Belarus.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Chapter 3

INTERACTION BETWEEN CITIZENS, PUBLIC ASSOCIATIONS AND TERRITORIAL PUBLIC SELF-GOVERNMENT BODIES AND BODIES EXERCISING STATE REGULATION AND MANAGEMENT IN THE FIELD OF HANDLING OF PLANT WORLD OBJECTS

Article 16

Participation of Citizens, Public Associations and Territorial Public Self-Government Bodies in Making State Decisions Associated with Plant World Objects

Citizens, public associations and territorial public self-government bodies have the right to participate in making State decision, affecting their interests, concerning handling of plant world objects through local referenda, meetings and other forms of direct participation in government and public affairs.

The State bodies must provide citizens, public associations and regional public self-government bodies with ecological information on handling of plant world objects in accordance with legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

The procedure for participation of citizens, public associations and regional public self-government bodies in making State decisions associated with handling of plant world objects is established by the legislation of the Republic of Belarus.

Article 17

Assistance of Citizens, Public Associations and Territorial Public Self-Government Bodies in Exercising State Management in the Field of Handling of Plant World Objects

Citizens, public associations and territorial public self-government bodies implement the following:

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

carry out work on popularization and education of citizens of the careful attitude to plant world objects, prevention of their illegal withdrawal, removal, transplantation, damage or destruction as well as deterioration of their habitats;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

render assistance to specially authorized Republican bodies of the State management and their territorial bodies, local executive and administrative bodies in making arrangements for landscaping, maintenance, conservation and reproduction of plant world objects.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The procedure of rendering assistance by citizens, public associations and territorial public self-government bodies in exercising the State management in handling of plant world objects is established by the legislation of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Chapter 4

PROTECTION OF PLANT WORLD OBJECTS <*>

<*> The rules specified by this chapter, unless otherwise provided, are applied to plant world objects located on lands of all categories, including lands of the forest stock and land plots in private ownership, lifetime inheritable possession of citizens, private ownership of non-governmental legal entities, ownership of foreign states and international organizations.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 18

Protection of Plant World Objects

Plant world objects located within the boundaries of any land plots and (or) water objects are subject to protection. All plant world objects, on which restrictions and bans are imposed in accordance with the present Law and other legislative acts of the Republic of Belarus, are also subject to protection.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Protection of plant world objects is carried out by specially authorized Republican bodies of the State management and by their territorial bodies, local executive and administrative bodies, by users of plant world objects, users of land plots or water objects as well as by legal entities and citizens engaged in the activities which exert or can exert deleterious impact on plant world objects.

Protection of plant world objects is ensured by:
standardization in handling of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
imposition of restrictions and bans on handling of plant world objects;
imposition of restrictions (encumbrances) of rights to individual land plots;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
imposition of restrictions on water use and forest management;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
prevention and suppression of unauthorized use and other violations of the established procedure for using plant world objects;
maintenance of a favourable condition and protection of habitats of plant world objects;
prevention and suppression of damages or destruction of plant world objects, including due to fires;
reservation of areas which are planned to be declared particularly protected natural areas and declaration of particularly protected natural areas;
determination of peculiarities in handling of wild plants of rare and endangered species;
design of specialized units (botanical gardens and dendrological parks, nurseries, greenhouses, etc.) for breeding of wild plants, conservation of their gene pool and restoration in habitats;

(as worded in the Laws of the Republic of Belarus of 17.05.2011 [N 260-3](#), of 22.01.2013 [N 18-3](#))
organization of scientific investigations aimed at ensuring rational handling of plant world objects;
state ecological examination of objects of the State ecological examination and implementation of other arrangements for preventing groundless damages or destruction of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
development and functioning of the plant world monitoring system, State record keeping and management of the State plant world cadastre, control over handling of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)
access to ecological information in the field of handling of plant world objects in accordance with legislative acts of the Republic of Belarus;

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)
popularization of protection of plant world objects and their habitats, of citizens' education in the spirit of care of them and formation of ecological culture;
establishment of the responsibility of legal entities and citizens for violation of the legislation of the Republic of Belarus on plant world;
other measures to protect plant world objects and their habitats in accordance with the legislation of the Republic of Belarus.

Measures for protection of plant world objects must not do harm to other natural objects, historical and cultural values, citizens' life and health, their property and the property of legal entities, with the exception of cases provided by the legislative acts of the Republic of Belarus.

Article 19

Imposition of Restrictions and Bans on Handling of Plant World Objects

Specially authorized Republican bodies of the State management or their territorial bodies, local executive and administrative bodies may impose restrictions or bans on handling of plant world objects in case if it is necessary for ensuring State security, protection of the environment, historical and cultural values, rights and legitimate interests of citizens and legal entities as well as in other cases specified by this Law and other legislative acts of the Republic

of Belarus.

(Part 1 of Article 19 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

In accordance with Part 1 of this Article, restrictions or bans may be imposed on:

any wild plant for protecting it as a natural monument; promoting conservation of rare or typical landscape and its attractiveness; protecting wild plants of rare and endangered species as well as of species protected for conservation of species diversity, biotopes and natural objects;

populations of any species for conservation of species diversity, biotopes and natural objects; protection of rare or endangered species; promotion of conservation of rare or typical landscape and its attractiveness or prevention of land degradation;

any plantation or plant community for protecting them and their habitats as particularly protected natural area; promoting conservation of rare or typical landscape and its attractiveness or prevention of land degradation; protecting wild plants of rare or endangered species as well as of species protected for conservation of species diversity, biotopes and natural objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

any wild plant species used as an object of special use by plant world objects.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Restrictions or bans on handling of plant world objects are established in accordance with the procedure specified by the Council of Ministers of the Republic of Belarus.

Article 20

Protection of Plant World Objects against Fires

The main tasks of protection of plant world objects against fires are their prevention, detection, limitation on spread and elimination.

A procedure of protection of plant world objects against fires, powers of the Ministry for Emergency Situations of the Republic of Belarus and of its territorial bodies, of local executive and administrative bodies, rights and duties of citizens and legal entities in this field are specified by the legislation on fire safety, on plant world and by forest legislation of the Republic of Belarus.

Users of plant world objects, land plots or water objects are obliged to observe the rules of fire safety and, in case of revealing fire sources of plant world objects, to take measures for their elimination.

Making fires, burning plant residues are allowed in compliance with the requirements for environmental protection and fire safety regulations.

Burning standing dry vegetation (dry wild plants) and its residues is prohibited, unless otherwise provided by the legislation of the Republic of Belarus on environmental protection, protection and use of animal world and on fire safety.

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Article 21

Protection of Plant World Objects when Applying Protective Agents for Plants, their Growth Regulators, Mineral Fertilizers and Other Preparations

Application of protective agents for plants, their growth regulators, mineral fertilizers and other preparations allowed for the use in the area of the Republic of Belarus, must comply with the requirements of the legislation of the Republic of Belarus on environmental protection and on agriculture.

Application of protective agents for plants, their growth regulators, mineral fertilizers

and other preparations which exert or can exert harmful effects on plant world objects should be combined with implementation of agrotechnical, biotechnical, biological and other measures aimed at reducing deleterious consequences of the preparation application.

Article 22

Protection of Habitats of Plant World Objects

Any activities involving changes in habitats of plant world objects, conditions of their vegetation should be carried out in compliance with the standards in handling of plant world objects and with other requirements of the legislation of the Republic of Belarus on plant world and environmental protection

During siting, construction, reconstruction, repair, restoration, improvement of the construction object, demolition, preservation of not completed construction object, including implementation of organizational and technical measures; preparation of approvals and project documentation; fulfilment of construction, installation and commissioning works (hereinafter – construction), acceptance into operation of construction facilities as well as operation, preservation, demolition of other objects; use of entrails; determination of places for cattle grazing and driving; organization of places for mass recreation of citizens; development of tourist routes and carrying out of other types of activities exerting an effect on habitats of plant world objects, measures must be taken for their conservation in accordance with the legislation of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 23

Protection of Plant World Objects in Particularly Protected Natural Areas

The activity of legal entities and citizens, which exerts or can exert an effect on plant world objects located in particularly protected natural areas, is allowed only in case if it does not contradict protection and use conditions of these areas.

(as worded in the Law of the Republic of Belarus of 02.07.2009 N 32-3)

Part 2 of Article 23 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3.

Protection of plant world objects located in particularly protected natural areas is carried out in accordance with the legislation of the Republic of Belarus on particularly protected natural areas and on plant world.

(as worded in the Law of the Republic of Belarus of 02.07.2009 N 32-3)

Article 24

Protection of Wild Plants Belonging to Rare and Endangered Species of Wild Plants as well as to the Species Falling under the Influence of International Treaties of the Republic of Belarus

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Rare and endangered species of wild plants in the territory of the Republic of Belarus are included in the Red Data Book of the Republic of Belarus.

For protecting wild plants belonging to species included in the Red Data Book of the

Republic of Belarus, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus organizes work on identification of habitats of such plants and their inventory-taking.

Upon submission of the relevant regional body of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus agreed with the National Academy of Sciences of Belarus, local executive and administrative bodies make decisions on transfer of the identified habitats of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, under protection of users of land plots and (or) water objects.
(as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

A certificate of a habitat of wild plants, belonging to the species included in the Red Data Book, and a safeguard providing special conditions of protection and use of this habitat are issued to users of land plots and (or) water object, to whom habitats of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus are transferred under protection.

The procedure of transferring habitats of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, under protection of users of land plots and (or) water objects, a certificate form of a habitat of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, and a safeguard as well as the procedure and terms of their issue are established by the Council of Ministers of the Republic of Belarus.

Withdrawal of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, from their habitat is conducted in accordance with the procedure and terms provided by the legislation of the Republic of Belarus on environmental protection.
(Part 6 of Article 24 as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

Unauthorized withdrawal and transplantation of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, from their habitat, their illegal circulation as well as their removal and fulfilment of other actions which can result in their loss, reduction in the number or disturbance of their habitats are prohibited.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

For protecting wild plants belonging to the species included in the Red Data Book of the Republic of Belarus, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus may impose restrictions, bans or take other measures for protection, withdrawal, transplantation, maintenance, storage, exhibition of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, their parts and derivatives and trade in them regarding conservation, protection and restoration of their habitats as well as for carrying out economic and other activities during which they are used as raw materials, for other purposes of consumption or use.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus ensures the development and approves management plans for the populations of wild plants belonging to the species included in the Red Data Book of the Republic of Belarus as well as to the species falling under the influence of International treaties of the Republic of Belarus, action plans for conservation of these wild plant species and other measures for protection of wild plants belonging to the species included in the Red Data Book of the Republic of Belarus as well as to the species falling under the influence of International treaties of the Republic of Belarus. The Ministry of Natural Resources and Environmental Protection of the Republic of Belarus organizes implementation of these measures and control over their execution.
(Part 9 of Article 24 as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

This Article does not apply to cultivated plants belonging to rare or endangered species.

Article 25

Protection of Plant World Objects

On the issue related to the legal, organizational and economic bases of crop protection from pests, diseases and weeds, plant quarantine, handling of crop protection products, see the Law of the Republic of Belarus of 25.12.2005 N 77-3.

Plant world objects are protected by a complex of measures, including quarantine of plants, for prevention of damage or destruction of plant world objects with weeds, pests and diseases in accordance with the legislation of the Republic of Belarus on plant protection and with this Law.

Protection of plant world objects with due account of their biological and other features is carried out by users of land plots or water objects within the boundaries of which these plant world objects are located.

For protecting plant world objects, users of land plots or water objects are obliged to:
take measures for prevention and timely detection of pests and diseases of plant world objects and their control;

carry out activities by methods and in compliance with technologies which provide improvement of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

prevent the spread of pests and diseases of plant world objects;

render assistance to specially authorized Republican bodies of the State management and to their territorial bodies in taking measures for protection of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

timely inform specially authorized State bodies about facts of mass damages or destruction of plant world objects due to the effect of pests or diseases.

Users of land plots or water objects must also perform other duties prescribed by the legislative acts of the Republic of Belarus on plant protection.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Chapter 5

REGULATION OF DISTRIBUTION AND ABUNDANCE OF WILD PLANTS <*>

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

<*> Rules, laid down by this Chapter, are applied to wild plants growing on lands of all types, including lands of the forest stock, or in (on) water objects.

Article 26

Regulation of Distribution and Abundance of Wild Plants of Certain Species

For protection of the life and health of citizens, preservation and protection of animal

world objects and their habitats, plant world objects and their habitats, protection of water objects as well as for protection of the environment as a whole, measures are taken for regulating distribution and abundance of wild plants of certain categories (poisonous, containing narcotic substances, invasive, etc.)

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Distribution and abundance of wild plants should be regulated by methods providing prevention of causing harm to other plant world objects and preservation of their habitats.

A list of wild plant species, distribution and abundance of which are subject to regulation, as well as a procedure for taking measures for regulation of their distribution and abundance, is specified by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus in consultation with the National Academy of Sciences of Belarus.

Article 27

Introduction and (or) Acclimatization of Wild Plants

Based on the results of scientific investigations in the field of introduction and acclimatization of wild plants, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus in consultation with the National Academy of Sciences of Belarus may specify a list of wild plants prohibited for introduction and (or) acclimatization.

(Part 1 of Article 27 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Parts 2-4 of Article 27 were excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3

On the issue related to the safety regulation in genetic engineering activity, see the Law of the Republic of Belarus of 09.01.2006 N 96-3.

Wild plants, prohibited for introduction and (or) acclimatization in the Republic of Belarus, are prohibited for cultivation and sale if this is not associated with conducting scientific research. Scientific research must be conducted in compliance with the requirements of the legislation of the Republic of Belarus on plant world and on biological safety and genetic engineering activities imposed for conducting such scientific research.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Users of land plots or water objects are obliged to prevent conducting introduction and (or) acclimatization of wild plants with violation of the requirements of the legislation of the Republic of Belarus.

Article 28

Hybridization and Breeding of Plants

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Hybridization and breeding of plants are allowed in the Republic of Belarus.

For protection of the life and health of citizens, preservation and protection of animal world objects and their habitats, plant world objects and their habitats, for protection of water objects as well as for protection of the environment as a whole, the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus may impose restrictions or bans on carrying out hybridization and breeding of plants in habitats of plant world objects.

Article 29

Excluded

(Article 29 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Chapter 6 EXCLUDED

(Chapter 6 was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3)

Chapter 7 PLANTING OF GREENERY AND REPRODUCTION OF PLANT WORLD OBJECTS

Article 33

Planting of Greenery

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Users of land plots are obliged to plant greenery in accordance with the legislation of the Republic of Belarus on architectural, town-planning and construction activities, on municipal economy and on plant world.

Planting of greenery is carried out in specially intended places at the dates and with plant world objects with quantitative and qualitative characteristics specified by land management, urban planning and design documentation approved in accordance with the established procedure in compliance with the rules of greenery planting and with standards in this field and for lack of such documentation – on the basis of the rules of greenery planting and standards in this field.

The rules of greenery planting and standards in this field are established by the Ministry of Architecture and Construction of the Republic of Belarus in coordination with the Ministry of Housing and Communal Services of the Republic of Belarus and the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

Article 34

Reproduction of Plant World Objects

Reproduction of plant world objects is provided by the users of land plots or water objects by means of:

creation of a favorable habitat and prevention of its change;

planting and establishment of plantations;

restriction, suspension or prohibition of the activities, exerting a harmful effect on plant world objects and their habitat, in accordance with this Law and other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Amounts of works on reproduction of plant world objects, methods of their fulfilment and a list of the species of the reproducible wild plants are specified in accordance with the rules of greenery planting and standards in this field in the land management, urban planning and

design documentation approved in accordance with the established procedure and for its lack – by prescriptions of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, its regional bodies, other specially authorized Republican bodies of the State management or their territorial bodies, local executive and administrative bodies.
(as worded in the Laws of the Republic of Belarus of 28.12.2009 N 96-3, of 17.05.2011 N 260-3)

Chapter 8

REQUIREMENTS TO IMPLEMENTATION OF THE ACTIVITIES AFFECTING PLANT WORLD OBJECTS

Article 35

Requirements to Urban Planning, Zonation and Development of Settlements and Areas in the Field of Handling of Plant World Objects

Urban planning, zonation and development of settlements and areas must be implemented with due account of the necessity for conservation of biological and landscape diversity.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Development of the areas, where wild plants grow, which belong to the species included in the Red Data Book of the Republic of Belarus, either typical or unique plant world objects protected in accordance with International treaties of the Republic of Belarus, is allowed in case of no decision is made, in accordance with the procedure established by the legislation of the Republic of Belarus, on reservation of these areas, for declaring them particularly protected natural areas; for taking them under protection as habitats of wild plants belonging to the species included in the Red Data Book of the Republic of Belarus; for choosing them as specially protective forest areas with limited regime of forest management, or on establishment of other special conditions of their protection and use.

(as worded in the Laws of the Republic of Belarus of 20.10.2006 N 169-3, of 10.11.2008 N 444-3)

Organization of settlements and areas should be carried out in accordance with urban planning documentation which should include measures for greenery planting and other handling of plant world objects to ensure a favourable environment for citizens.

Article 36

Ecological Safety Requirements to Placement, Construction, Commissioning of Construction Objects as well as to Operation, Preservation, Demolition of other Objects Exerting a Harmful Effect on Plant World Objects

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

During placement, construction, commissioning of construction objects as well as during operation, preservation, demolition of other objects exerting a harmful effect on plant world objects the following should be provided in accordance with the procedure established by the legislation of the Republic of Belarus:

Compensatory plantings or compensatory payments of the cost of removed, transplanted plant world objects, unless otherwise provided by the President of the Republic of Belarus;

Measures ensuring protection of plant world objects against a harmful effect on them with chemical and radioactive substances, waste products and other factors;

Other measures to ensure prevention of a harmful effect on plant world objects and their habitats.

Article 37

Removal, Transplantation of Plant World Objects

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

On the issue related to the procedure of state environmental expertise, see the Resolution of the Council of Ministers of the Republic of Belarus of 19.05.2010 N 755.

Removal, transplantation of plant world objects are allowed only in cases where:
construction is under way;

plant world objects prevent upkeep of buildings, constructions and other objects carried out in accordance with the legislation of the Republic of Belarus as well as use of land plots for the intended purpose;

plant world objects are in an improper, including emergency, condition;

the emergency situation or its consequences is eliminated, either it is necessary to perform urgent work that is impossible without removal, transplantation of plant world objects for ensuring the livelihoods of citizens or the economic activity of legal entities and individual entrepreneurs;

in other cases prescribed by legislative acts of the Republic of Belarus.

Removal of plant world objects in settlements is allowed only in cases where their transplantation is impossible.

Removal, transplantation of plant world objects in the case, stated in Paragraph 3 of Part 1 of this Article, are allowed if there is a decision of the organization, specially authorized by the local executive and administrative body, on confirmation of the circumstances preventing use of buildings, constructions and other objects carried out in accordance with the legislation of the Republic of Belarus as well as use of land plots for the intended purpose.

Removal, transplantation of plant world objects in the case, stated in Paragraph 4 of Part 1 of this Article, are allowed if there is a decision of a legal entity in the field of greenery planting or of a legal entity managing forestry, specially authorized by the local executive and administrative body, on confirmation of an improper condition, including emergency one, of plant world objects.

Removal, transplantation of plant world objects in settlements, besides the cases stipulated in Part 6 of this Article, are carried out on the basis of a permission of the local executive and administrative body. When making a decision on issuing a permit to remove plant world objects in settlements, a permit to transplant plant world objects in settlements, the local executive and administrative body requests independently of the decisions, stipulated in Parts 3 and 4 of this Article, made by the organizations stated in the above-mentioned Parts.

No permission is required for removal of plant world objects in settlements and for transplantation of plant world objects in settlements in the case of:

construction, if removal, and transplantation of plant world objects are provided in the design documentation approved in accordance with the established procedure with the exception of cases specified by the President of the Republic of Belarus;

removal, transplantation of plant world objects by citizens from the land plots granted to them into private ownership, lifetime inheritable possession in accordance with the procedure established by the legislation of the Republic of Belarus on protection and the use of lands with the exception of cases where restrictions or bans are imposed on plant world objects in accordance with this Law and other legislative acts of the Republic of Belarus;

removal, transplantation of plant world objects during elimination of an emergency situation or its consequences carrying out of which is impossible without their removal and transplantation. In this case a legal entity or a citizen, who has performed the above-mentioned work, should notify the local executive and administrative body of the removed, transplanted plant world objects (their location, number and quality), reason of removal, transplantation as well as description of the emergency situation within three days from the date of their removal, transplantation.

The procedure for issuing permits to remove plant world objects in settlements and to transplant plant world objects in settlements is specified by the Council of Ministers of the Republic of Belarus, unless otherwise prescribed by the President of the Republic of Belarus.

Transplantation of plant world objects in settlements is carried out only by a legal entity in the field of greenery planting, specially authorized by the local executive and administrative body, or by a legal entity managing forestry if the above-stated persons have a permit to transplant plant world objects in settlements in cases provided in this Article and in the case, when transplantation of plant world objects is carried out in the interests of the third parties, – on the basis of the civil law contract with a person in whose interests this transplantation is performed.

Removal of trees and shrubs located outside settlements is carried out in accordance with the procedure established by the forest legislation of the Republic of Belarus.

When removing plant world objects, specially authorized Republican bodies of the State management or their territorial bodies, local executive and administrative bodies may make a user of the land plot, where the removed plant world objects are located, responsible for ensuring gathering, laying-in of economically valuable plant products meeting the quality requirements of technical standard legal acts of the Republic of Belarus as well as transplantation of plant world objects prior to the start of work, with the exception of cases when it is impossible to ensure preservation of their viability.

For improving aesthetic appeal of wild plants, eliminating obstacles to operation of buildings, constructions and other objects carried out in accordance with the legislation of the Republic of Belarus, separation of some parts from wild plants not entailing the loss of their viability may be performed (removal of dry, damaged branches and twigs; crown thinning, its preservation or necessary shaping, etc.) in accordance with the rules of greenery planting and standards in this field. In this case it is not necessary to get permission of the local executive and administrative body.

Work on separation of some parts from wild plants with a view to improve aesthetic appeal of wild plants is performed by a legal entity in the field of greenery planting, specially authorized by the local executive and administrative body, or by a legal entity managing forestry.

Work on separation of some parts of wild plants to eliminate obstacles to operation of buildings, constructions and other objects carried out in accordance with the legislation of the Republic of Belarus is performed by legal entities and individual entrepreneurs engaged in operation of these buildings, constructions and other objects.

Article 37-1

Compensatory Plantings and Compensatory Payments of the Cost of Removed, Transplanted Plant World Objects

(introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The right to the construction of facilities stipulated by the investment project, including the right to remove flora objects without making compensation payments of the cost of flora objects under removal, belongs to an investor and (or) organization, in accordance with the established

procedure and which was established in the Republic of Belarus by that investor or with his participation, after the conclusion of the investment agreement on the implementation of the investment project (paragraph 4, Subparagraph 2.1 of Paragraph 2 of the Decree of the President of the Republic of Belarus of 06.08.2009 N 10).

Areas, terms, quantitative and qualitative characteristics of plant world objects and other conditions of conducting compensatory plantings or effecting compensatory payments of the cost of removed, transplanted plant world objects to the local budget should be specified during construction in the design documentation, approved in accordance with the established procedure, which provides removal, transplantation of plant world objects, unless otherwise established by the President of the Republic of Belarus.

Compensatory plantings or compensatory payments of the cost of removed, transplanted plant world objects are also effected in the case of removal, transplantation of plant world objects preventing operation of buildings, constructions and other objects carried out in accordance with the legislation of the Republic of Belarus except for the cases under Paragraph 2 of Part 3 of this Article.

Compensatory plantings, compensatory payments of the cost of removed, transplanted plant world objects are not made in the case of removal, transplantation of plant world objects:

which prevent operation of buildings carried out in accordance with the legislation of the Republic of Belarus under violation of their insulation and illumination;

which prevent use of land plots for their special-purpose designation;

which are in an inappropriate condition, including emergency one;

when eliminating an emergency situation either its consequences or when for ensuring vital activity of citizens or economic activity of legal entities and individual entrepreneurs it is necessary to perform urgent work that is impossible without removal, transplantation of plant world objects.

A procedure for determining conditions of conducting compensatory plantings or making compensatory payments of the cost of removed, transplanted plant world objects is established by the Council of Ministers of the Republic of Belarus.

Funds received by way of compensatory payments of the cost of removed, transplanted plant world objects are used only for greenery planting, reproduction of plant world objects and implementation of arrangements aimed at preservation and protection of plant world objects.

Article 38

Implementation of Activities not Associated with Use of Plant World Objects and Exerting a Harmful Effect on them

The activities not associated with use of plant world objects and exerting a harmful effect on them should be carried out by methods favoring preservation of landscape and biological diversity as well as not causing deterioration of the conditions of plant world object reproduction.

The activity, dangerous for plant world objects due to failure to implement measures during its carrying out which ensure protection of plant world objects and elimination of a harmful effect on them, may be limited, suspended or prohibited in cases and in accordance with the procedure established by the legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Chapter 9 USE OF PLANT WORLD OBJECTS

Article 39

Procedure for Using Plant World Objects

Plant world objects are used in accordance with the procedure for general and special use.

General and (or) special use of plant world objects may be limited or suspended to the extent that is necessary to ensure national security, protection of the environment, historical and cultural values, rights and legitimate interests of citizens and legal entities in cases provided in this Law and other legislative acts of the Republic of Belarus.

Article 40

General Use of Plant World Objects and the Right to Its Exercise

In accordance with the procedure for general use, plant world objects are generally used by citizens to suit their own ends free of charge without allotting plant world objects to individual citizens and without receiving appropriate documents except for the cases provided in this Law and other legislative acts of the Republic of Belarus.

(Part 1 of Article 40 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Part 2 of Article 40 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3.

General use of plant world objects should be carried out in compliance with the requirements of the legislation of the Republic of Belarus on environmental protection and on plant world.

According to the legislation of the Republic of Belarus, general permission of the user of a land plot either a water object or according to a local custom, citizens have the right to stay freely on the lands or water objects, where plant world objects are located, and to carry out all types of using plant world objects in accordance with the procedure established by this Law and other legislative acts of the Republic of Belarus preventing illegal withdrawal, removal, transplantation, damage or destruction of plant world objects, pollution of their habitats or other harmful effect on them observing fire safety rules.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

With the view of reproduction of plant world objects, compliance with environmental, sanitary, fire safety and other requirements of the legislation of the Republic of Belarus, staying of citizens on the lands, where plant world objects are located, may be limited or suspended in accordance with the procedure established by the legislation of the Republic of Belarus.

General use of plant world objects is carried out for types of use under Article 44 of this Law.

Article 41

Special Use of Plant World Objects and Provision of the Right to Its Exercise (as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

In accordance with the procedure for special use, plant world objects are used by legal entities and individual entrepreneurs to carry out economic activity for a fee, unless otherwise provided by legislative acts of the Republic of Belarus.

Special use of plant world objects is carried out for types of use under Article 44 of this Law.

Special use of plant world objects may be carried out by legal entities and individual entrepreneurs without withdrawal of users' land plots or water objects where these plant world objects are located.

Legal entities and individual entrepreneurs have the right to special use of plant world objects on the basis of the decision of the local executive and administrative bodies on granting such a right except for the cases stated in Part 6 of this Article.

The decision on granting the right to special use of plant world objects is made by the local executive and administrative bodies in agreement with a user of a land plot or a water object and with territorial bodies of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

No decision of the local executive and administrative body on granting the right to special use of plant world objects is required when plant world objects are specially used by:

users of land plots or water objects within the boundaries of their land plots or water objects;

legal entities and individual entrepreneurs engaged in purchase of wild plants and (or) their parts;

legal entities and individual entrepreneurs on the lands of the forest stock if the right to procurement of the secondary forest resources and implementation of the subsidiary forest management is granted on the grounds provided by forest legislation of the Republic of Belarus.

In the case under Paragraph 3 of Part 6 of this Article, legal entities and individual entrepreneurs shall notify the local executive and administrative bodies about the planned activity in purchasing wild plants and (or) their parts.

The procedure for granting the right to special use of plant world objects and notifying the local executive and administrative bodies about the planned activity in purchasing wild plants and (or) their parts is established by the Council of Ministers of the Republic of Belarus.

To preserve certain plant world objects, biological and landscape diversity, to protect some natural objects, the decision of the local executive and administrative bodies on granting the right to special use of plant world objects may contain the binding restrictions and other conditions of using plant world objects stipulated by this Law and other legislative acts of the Republic of Belarus.

Article 42

Excluded

(Article 42 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 43

Features of Granting the Right to Special Use of Plant World Objects

The decision of the local executive and administrative bodies on granting the right to special use of plant world objects located in particularly protected natural areas should be submitted to the State bodies (other State organizations), in the management of which these particularly protected natural areas were transferred, as well as to the State Environmental Institutions and the territorial bodies of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 02.07.2009 N 32-3)

Features of granting the right to special use of plant world objects located on lands of certain categories are established by this Law and other legislative acts of the Republic of Belarus on plant world.

Article 44

Types of Using Plant World Objects

Plant world objects can be used as follows:

procurement of tree saps;

gathering, procurement (purchase) of wild plants (including moss, lichen and fungi) and

(or) their parts (berries, nuts, cones, other fruits, buds, leaves, flowers, bark, roots, etc.) (hereinafter, unless otherwise specified, - wild plants and (or) their parts);

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

wood procurement;

(the paragraph introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

hay-making;

grazing;

using plant world objects for cultural-recreational, touristic, other recreational and (or) sport purposes;

using plant world objects for scientific-research and educational-experimental purposes.

Other types of using plant world objects may be established by the legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Implementation of certain types of using plant world objects may be limited or suspended by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, by other specially authorized Republican bodies of the State management, by local executive and administrative bodies within their competence concerning certain plant world objects to preserve biological and landscape diversity and to protect certain natural objects.

Article 45

Procurement of Tree Saps, Gathering, Procurement (Purchase) of Wild Plants and (or) their Parts

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Procurement of tree saps, gathering of wild plants and (or) their parts for personal use may be carried out by citizens by right of general use of plant world objects in accordance with Article 40 of this Law.

Procurement of tree saps, procurement (purchase) of wild plants and (or) their parts for carrying out economic activity may be performed by legal entities and individual entrepreneurs who have been granted the right of special use of plant world objects in accordance with Article 41 of this Law.

Procurement of tree saps, gathering or procurement (purchase) of wild plants and (or) their parts on lands of the forest resources are carried out in accordance with the forest legislation of the Republic of Belarus.

Dates of gathering, procurement (purchase) of certain species of wild plants and (or) their parts are established by regional executive committees in consultation with territorial bodies of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus and the Ministry of Forestry of the Republic of Belarus.

Gathering, procurement (purchase) of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus or falling under the International treaties of the Republic of Belarus, or of plants, their parts and natural raw materials containing narcotic substances included in the List of narcocontaining plants and natural narcocontaining raw materials approved by the Council of Ministers of the Republic of Belarus, are prohibited except for the cases provided by this Law.

(as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

Procurement of tree saps, wild plants and (or) their parts, gathering of buds, leaves, branches, bark of trees, with, reed and moss are prohibited:

in settlements;

in dendrological parks, botanical gardens;

in habitats of wild animals and sites of wild plants, belonging to the species included in the Red Data Book of the Republic of Belarus, transferred under protection in accordance with the established procedure;

within the boundaries of protection zones of immovable material historical and cultural values;

in the area of resorts and health organizations, within the boundaries of districts of sanitary protection of resorts;

in places of public recreation.

Procurement of tree saps, except for the cases stated in Part 6 of this Article, is prohibited in the coastal strips of water objects, within railways and highways belts, other transport communications.

Procurement of wild plants and (or) their parts, except for the cases stated in Part 6 of this Article, is prohibited within railways and highways belts, other transport communications.

The rules of procurement of tree saps, gathering, procurement (purchase) of wild plants and (or) their parts are approved by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus jointly with the Ministry of Forestry of the Republic of Belarus.

Article 45-1

Wood Procurement outside Forest Resources

(introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Wood procurement outside forest resources is carried out in accordance with the procedure established by the forest legislation of the Republic of Belarus.

Article 46

Hay-making, Cattle Grazing

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Hay-making, cattle grazing may be carried out on the grounds provided by the legislation of the Republic of Belarus on land protection and use and on the lands of the forest resources – on the grounds provided by the forest legislation of the Republic of Belarus in compliance with requirements of the legislation of the Republic of Belarus on plant world.

Citizens have the right to hay-making and cattle grazing on reserve lands if the local executive and administrative bodies have not imposed a ban on hay-making and cattle grazing on these lands.

Article 47

Use of Plant World Objects for Cultural and Recreational, Touristic, other Recreational and (or) Sports Purposes

Use of plant world objects for cultural and recreational, touristic, other recreational and (or) sports purposes may be carried out with withdrawal or without withdrawal of wild plants and (or) their parts and is admitted in cases when it does not exert a harmful effect on plant world objects and their habitats.

The right to use plant world objects for cultural-recreational, touristic, other recreational and (or) sports purposes is granted in accordance with this Law and other legislative acts of the Republic of Belarus.

Part 3 of Article 47 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3.

Article 48

Use of Plant World Objects for Scientific and Research & Educational and Experimental Purposes

Use of plant world objects for scientific and research and educational and experimental purposes may be carried out with withdrawal or without withdrawal of wild plants and (or) their parts and is admitted in cases when it does not exert a harmful effect on plant world objects and their habitats, does not limit the rights of users of plant world objects, land plots or water objects except for cases of limiting their rights in accordance with the legislative acts of the Republic of Belarus.

Use of plant world objects for scientific and research and educational and experimental purposes is admitted with withdrawal of wild plants and (or) their parts in accordance with the Procedure specified by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

The right to use plant world objects for scientific and research and educational and experimental purposes is exercised in accordance with this Law and other legislative acts of the Republic of Belarus.

If by chance certain types of using plant world objects are incompatible with the aims of carrying out scientific and research work and educational and experimental process, such types of using plant world objects may be limited or suspended in accordance with the legislation of the Republic of Belarus.

Article 49

Terms of Using Plant World Objects

Use of plant world objects can be permanent and temporary depending on the procedure and types of use.

Use of plant world objects is recognized permanent the right to which was granted without setting a term of use.

Temporary use of plant world objects can be short-term, if the right to it was granted for a period up to one year, and long-term, if the right to it was granted for a period up to five years. Particular terms for which the right to use plant world objects is granted, are set by the decision of the local executive and administrative bodies on granting the right to special use of plant world objects.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

If necessary, the term of temporary use may be extended for the period, not exceeding accordingly the terms specified in Part 3 of this Article.

The term of temporary use of plant world objects is extended in the same manner as the right to use plant world objects is granted.

Users of land plots or water objects use plant world objects, located within the boundaries of their land plots or water objects, throughout the term of their rights to land plots or water objects.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 50

Restriction, Suspension or Restoration of the Right to Special Use of Plant World Objects

The right to special use of plant world objects may be restricted or suspended in cases of:

violation of environmental, sanitary, fire safety and other requirements of the legislation of the Republic of Belarus by the users of plant world objects;

failure to comply with the conditions, stated in the decision of the local executive and administrative bodies on granting the right to special use of plant world objects, by users of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

failure to make payments by the due date in the field of handling of plant world objects if their paying is specified by the legislation of the Republic of Belarus;

force majeure;

other occasions specified by the legislative acts of the Republic of Belarus.

Restriction either suspension of the right to special use of plant world objects or its restoration are carried out, unless otherwise provided by this Article, on the basis of the decision of the local executive and administrative bodies who have independently made the decision on granting the given right or upon submission of the State bodies within their competence, users of land plots or water objects where these plant world objects are located.

Restoration of the right to special use of plant world objects, in the case of its restriction either suspension in accordance with Paragraphs 2 and 3 of Part 1 of this Article, is possible only after compensation for damage caused to plant world objects and (or) their habitats if such damage occurred.

(Part 3 of Article 50 was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Users of plant world objects, in the case of restriction either suspension of using plant world objects in accordance with Part 2 of Article 39 or Part 3 of Article 44 of this Law, shall restrict or suspend to exercise the right to special use of plant world objects without making a decision on restriction or suspension of the right by local executive and administrative bodies.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The right to special use of plant world objects is restored after termination of restriction or suspension of using plant world objects implemented in accordance with Part 2 of Article 39 or Part 3 of Article 44 of this Law without making a decision on restoration of the right by local executive and administrative bodies.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

In the case of disagreement of user of plant world objects with restriction or suspension of his right to special use of plant world objects, he may appeal against this restriction or suspension in court.

Restriction or suspension of the right to special use of plant world objects does not release their users from administrative and other responsibility for violation of environmental, sanitary, fire-prevention and other requirements of the legislation of the Republic of Belarus.

Article 51

Suspension of the Right to Special Use of Plant World Objects

The right to special use of plant world objects is suspended in cases of:

expiration of special use of plant world objects;

user's renunciation of the right to special use of plant world objects;

failure to use plant world objects within two years;

imposition of bans on handling plant world objects in accordance with the legislation of the Republic of Belarus;

systematic (more than twice a year) or flagrant violation of terms stated in the decision of local executive and administrative bodies on granting the right to special use of plant world objects;

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

emergence of an immediate threat to life and health of citizens living in the area of conducting works related to the use of plant world objects;

systematic (more than twice a year) or flagrant violation of environmental, sanitary, fire-prevention and other requirements of the legislation of the Republic of Belarus by users of plant world objects;

systematic (more than six months a year) failure to make payments in the field of handling of plant world objects by users if their payment is specified by the legislation of the Republic of Belarus;

damage or destruction of plant world objects and (or) deterioration of their habitat conditions as a result of accidents, catastrophes, natural disasters and other circumstances of an extraordinary nature;

termination of rights to land plot or water object where these plant world objects are located, including in the case of withdrawal of the land plot or water object for state needs in accordance with the established procedure;

(as worded in the Law of the Republic of Belarus of 28.12.2009 N 96-3)

liquidation of a legal entity or termination of the activity of an individual entrepreneur who was granted a plant world object for special use;

the abstract was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3;

in other cases specified by the legislative acts of the Republic of Belarus.

Termination of the right to special use of plant world objects does not release their users from administrative and other responsibility for violation of environmental, sanitary, fire-prevention and other requirements of the legislation of the Republic of Belarus.

Article 52

Procedure for Suspension of the Right to Special Use of Plant World Objects

The right to special use of plant world objects shall be suspended in the cases specified in Article 51 of this Law by a decision of local executive and administrative bodies that had made independently a decision on granting this right or upon submission of the State bodies within their competence, users of land plots or water objects, unless otherwise provided by this Article.

Users of plant world objects are obliged to stop the exercise of the right to special use of plant world objects without making a decision by the local executive and administrative bodies on suspension of this right in cases of its expiration.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The right to special use of plant world objects is suspended due to user's renunciation of it on the basis of the user's application submitted to the local executive and administrative body.

In the case of disagreement of user of plant world objects with suspension of the right to special use of plant world objects, he may appeal against it in court.

Article 53

Rights of Users of Plant World Objects

In general, when using plant world objects, their users may carry out any activities not contradicting the requirements of the legislation of the Republic of Belarus.

In special use of plant world objects, their users have the right:

to obtain ecological information in the field of handling of plant world objects from the local executive and administrative bodies of the State management in accordance with the procedure established by the legislation of the Republic of Belarus;

(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

to carry out special use of plant world objects to the extent permitted by the legislation of the Republic of Belarus;

to have access to a land plot or a water object where plant world objects, granted in their use, are located;

to choose independently ways and methods of using plant world objects in

compliance with requirements of the legislation of the Republic of Belarus;

to dispose independently of plant products collected (stored up) by them in accordance with the legislation of the Republic of Belarus, unless otherwise provided by the legislative acts of the Republic of Belarus.

In special use of plant world objects, their users may exercise other rights provided for by the legislation of the Republic of Belarus on plant world.

Article 54

Obligations of Users of Plant World Objects

When using plant world objects, their users are obliged:

to use plant world objects in accordance with the purposes for which they were provided;

to comply with established standards in the field of handling of plant world objects; (as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

to comply with the terms specified in the decision of the local executive and administrative bodies on granting the right to special use of plant world objects; (as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

to use plant world objects and to carry out other activities by methods preventing emergence of land degradation, damage or destruction of plant world objects; eliminating or restricting deleterious effect on plant world objects and other natural objects;

to make timely payments in the field of handling of plant world objects if their payment is provided by the legislation of the Republic of Belarus;

to comply with the regulations of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, its territorial bodies, other specially authorized Republican bodies of the State management or their territorial bodies, local executive and administrative bodies;

to prevent violation of the rights of other users of plant world objects;

to keep records and represent the State statistical reporting about plant world objects and their handling if this is provided by the legislation of the Republic of Belarus;

the paragraph was excluded. – The Law of the Republic of Belarus of 10.11.2008 N 444-3;

To perform other duties provided by the legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 55

Protection and Guarantees of Users of Plant World Objects

Violated rights of users of plant world objects are subject to restoration.

The losses suffered by users due to violation, restriction of their rights shall be reimbursed in accordance with the procedure specified by the legislation of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

When withdrawing, for State needs, a land plot or a water object, where plant world objects are located, granted to a special use, the user is indemnified for losses related to this withdrawal in accordance with the legislation of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 28.12.2009 N 96-3)

At the suspension of the right to special use of plant world objects in the case of withdrawal, for State needs, of land plots or water objects where these plant world objects are located, the use of plant world objects may be provided on other land plots or water objects.

(as worded in the Law of the Republic of Belarus of 28.12.2009 N 96-3)

Disputes on compensation for losses suffered by users of plant world objects shall be settled in court.

Chapter 10 **PECULIARITIES OF HANDLING OF PLANT WORLD OBJECTS**

Article 56

Peculiarities of Handling of Plant World Objects Located on Lands of Certain Categories

The Republican bodies of the State management and (or) local executive and administrative bodies, within their competence, may adopt regulations specifying peculiarities of handling of plant world objects located on lands of certain categories in accordance with this Law and other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Peculiarities of handling of plant world objects may be prescribed:

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

on agricultural lands – by the Ministry of Agriculture and Food of the Republic of Belarus in agreement with the Ministry of Natural Resources and Environmental protection of the Republic of Belarus;

on reserve lands – by local executive and administrative bodies in agreement with territorial bodies of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus;

on lands of settlements – by local executive and administrative bodies in agreement with the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, the Ministry of Housing and Communal Services of the Republic of Belarus and the Ministry of Architecture and Construction of the Republic of Belarus;

on lands of industry, transport, communication, energy, defence and for other purposes – by interested Republican bodies of the State management in agreement with the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

Handling of plant world objects located on lands of general use is organized by local executive and administrative bodies. The local executive and administrative bodies, within their competence, may prohibit hay-mowing and cattle grazing on lands of settlements and carrying out of other types of using plant world objects if they can harm the environment, the life and health of citizens.

Parts 4-5 of Article 56 were excluded. -- The Law of the Republic of Belarus of 17.05.2011 N 260-3.

Use of plant world objects, located on lands provided for the needs of defense, may be limited, suspended or prohibited if it is incompatible with the purpose and the established special regime of these lands.

Use of plant world objects, located on lands of water resources, lands for environmental, health, recreational and historical-cultural purposes, may be limited, suspended or prohibited if it is incompatible with the designated purpose of these lands and leads to violation of the procedure for their use.

Part 8 of Article 56 was excluded. -- The Law of the Republic of Belarus of

17.05.2011 N 260-3.

Handling of plant world objects located on particularly protected natural territories is performed in accordance with the regime of protection and use of these territories. Peculiarities of handling of these plant world objects are prescribed in accordance with the legislation of the Republic of Belarus on particularly protected natural territories and on plant world.

(as worded in the Law of the Republic of Belarus of 02.07.2009 N 32-3)

Part 10 of Article 56 was excluded. -- The Law of the Republic of Belarus of 17.05.2011 N 260-3.

Article 57

Peculiarities of Handling of Plant World Objects Located in the Frontier Zone and the Borderland

Use of plant world objects located in the frontier zone and in the borderland may be limited, suspended or prohibited in accordance with the legislation of the Republic of Belarus on the Frontier if it is incompatible with the established special regime of this territory.

(Part 1 of Article 57 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Peculiarities of handling of plant world objects located in the frontier zone and in the borderland may be prescribed by the State Border Committee of the Republic of Belarus in agreement with the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 02.07.2009 N 32-3)

Article 58

Handling of Plant World Objects Located in the Territories Subjected to Radioactive Contamination

Handling of plant world objects, located in the territories subjected to radioactive contamination as a result of the disaster at Chernobyl NPS, is performed in accordance with the legislation of the Republic of Belarus on the legal order of the territories subjected to radioactive contamination as a result of the disaster at Chernobyl NPS, with this Law and other legislative acts of the Republic of Belarus.

Chapter 11

ECONOMIC MECHANISM OF HANDLING OF PLANT WORLD OBJECTS

Article 59

Matter of Economic Mechanism of Handling of Plant World Objects

The economic mechanism of handling of plant world objects is a component of the economic mechanism of environmental protection and natural use and is specified by this Law, legislative acts of the Republic of Belarus on environmental protection and by other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The economic mechanism of handling of plant world objects includes:
financing of State programs, plans and measures for rational handling of plant world

objects;

payments in the field of handling of plant world objects;
economic incentive for rational handling of plant world objects;
other economic measures aimed at rational handling of plant world objects.

Article 60

Payments in the Field of Handling of Plant World Objects

(as worded in the Law of the Republic of Belarus of 13.06.2007 N 238-3)

General use of plant world objects is free, special use of plant world objects is based on payments, unless otherwise provided by the legislative acts of the Republic of Belarus.

Payments for special use of plant world objects are made in accordance with the procedure specified by the legislative acts of the Republic of Belarus.

(Part 2 of Article 60 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Making payments in the field of handling of plant world objects does not release users from carrying out the activities for protecting plant world objects, their habitats and from compensation for the harm done to the plant world objects and their habitats.

Article 60-1

Excluded

(Article 60-1 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 61

Economic Incentive for Rational Handling of Plant World Objects

Economic incentive for rational handling of plant world objects can be carried out by:

(as worded in the Law of the Republic of Belarus of 13.06.2007 N 238-3)

setting privileges to certain categories of legal entities and individuals by the President of the Republic of Belarus and (or) laws, unless otherwise provided by the President of the Republic of Belarus, in ensuring rational handling of plant world objects;

(as worded in the Laws of the Republic of Belarus of 13.06.2007 [N 238-3](#), of 17.05.2011 [N 260-3](#))

material incentive for citizens, including officials and other employees of legal entities effectively protecting plant world objects in accordance with the procedure specified by the legislation of the Republic of Belarus.

The legislation of the Republic of Belarus may provide for other types of economic incentive for rational handling of plant world objects.

Chapter 12
RATE SETTING, SETTING OF OUTPUT RATES AND STANDARDIZATION IN THE
FIELD OF HANDLING OF PLANT WORLD OBJECTS
(as worded in the Law of the Republic of Belarus of 20.07.2006 N 162-3)

Article 62

Rate Setting in the Field of Handling of Plant World Objects

Rate setting in the field of handling of plant world objects includes setting standards in the field of handling of plant world objects.

(as worded in the Law of the Republic of Belarus of 22.01.2013 N 18-3)

Rate setting in the field of handling of plant world objects is implemented in accordance with this Law and other legislative acts of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 63

Excluded

(Article 63 was excluded. – The Law of the Republic of Belarus of 22.01.2013 N 18-3)

Article 64

Requirements to Protection of Plant World Objects Subject to Inventory in Developing and Approving Technical Standard Legal Acts of the Republic of Belarus

Requirements to protection of plant world objects provided by this Law and other legislative acts of the Republic of Belarus on environmental protection should be taken into consideration in developing and approving technical standard legal acts.

(as worded in the Law of the Republic of Belarus of 20.07.2006 N 162-3)

Technical standard legal acts of the Republic of Belarus including technical standards for products and technological processes which exert or can exert a deleterious effect on plant world objects and (or) their habitats should contain requirements to protection of plant world objects and their habitats reducing or eliminating such effect.

Chapter 13
INVENTORY, STATE CADASTRE AND MONITORING OF PLANT WORLD,
CONTROL IN THE FIELD OF HANDLING OF PLANT WORLD OBJECTS
(as worded in the Laws of the Republic of Belarus of 02.07.2009 N 32-3, of 17.05.2011 N 260-3)

Article 65

Inventory of Plant World Objects and Handling of Them

(as worded in the Law of the Republic of Belarus of 02.07.2009 N 32-3)

The State inventory of plant world objects is made in accordance with the legislation of the Republic of Belarus for taking into account quantitative, qualitative and other

characteristics of plant world objects, the scope, nature and mode of their use as well as for carrying out systematic monitoring of changes in quantitative, qualitative and other characteristics of plant world objects and for providing the State bodies, legal entities and citizens with ecological information in the field of handling of plant world objects.
(as worded in the Law of the Republic of Belarus of 10.11.2008 N 444-3)

Users of plant world objects, land plots or water objects shall make inventory of plant world objects and handling of them if this is specified by the legislation of the Republic of Belarus.

The procedure for making inventory of plant world objects located on lands of settlements and handling of them is specified by the Ministry of Housing and Communal Services of the Republic of Belarus in agreement with the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus

The procedure for making inventory of plant world objects located on lands of other categories and handling of them is specified by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus.

Part 5 was excluded. – The Law of the Republic of Belarus of 02.07.2009 N 32-3.

Article 66

State Cadastre of Plant World

The State cadastre of plant world is a systematic set of data on occurrence and distribution of plant world objects according to categories of lands or water objects, users of land plots or water objects, quantitative and qualitative characteristics of plant world objects, their economical assessment and use as well as other data on plant world objects.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The State cadastre of plant world is kept by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus jointly with interested Republican bodies of the State management and other organizations.

(Part 2 of Article 66 was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Scientific support of keeping the State cadastre of plant world is carried out by the National Academy of Sciences of Belarus.

(Part 3 of Article 66 was introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The procedure for keeping the State cadastre of plant world and using its data is specified by the Council of Ministers of the Republic of Belarus.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 67

Plant World Monitoring

Plant world monitoring is a system of observations of plant world objects and their habitats, assessment and prediction of their changes.

(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Monitoring of plant world is a kind of environmental monitoring and is carried out by the National Academy of Sciences of Belarus within the framework of the National System of environmental monitoring in the Republic of Belarus.

(Part 2 of Article 67 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The procedure for monitoring plant world and using its data is specified by the Council of Ministers of the Republic of Belarus.
(Part 3 of Article 67 as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 67-1

Control in the Field of Handling of Plant World Objects
(introduced by the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Control in the field of handling of plant world objects is a component of control in the field of environmental protection.

Control in the field of handling of plant world objects is exercised in accordance with the legislation of the Republic of Belarus in the sphere of control (supervisory) activities and environmental protection.

Chapter 14 **EXCLUDED**

(Chapter 14 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 68. Excluded
(Article 68 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 69. Excluded
(Article 69 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 70. Excluded
(Article 70 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 71. Excluded
(Article 71 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Article 72. Excluded
(Article 72 was excluded. – The Law of the Republic of Belarus of 17.05.2011 N 260-3)

Chapter 15 **RESPONSIBILITY FOR VIOLATION OF LEGISLATION ON PLANT WORLD**

Article 73

Excluded

(Article 73 was excluded. – The Law of the Republic of Belarus of 10.11.2008 N 444-3)

Article 74

Responsibility for Violation of the Legislation of the Republic of Belarus on Plant World

Violation of the legislation of the Republic of Belarus on plant world entails responsibility in accordance with the legislative acts of the Republic of Belarus.

Making legal entities and citizens answer for violation of the legislation of the Republic of Belarus on plant world does not exempt them from obligations to implement measures for protection and reproduction of plant world objects and restoration of their habitats.

Article 75

Handling of Illegally Withdrawn, Removed, Transplanted Wild Plants and (or) their Parts (as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

Wild plants and (or) their parts, owned by the Republic of Belarus but illegally withdrawn, removed, transplanted by legal entities and citizens, are confiscated from them and returned to the State in accordance with the procedure specified by the acts of the President of the Republic of Belarus and other legislative acts of the Republic of Belarus.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

If it is impossible to withdraw wild plant and (or) their parts stated in Part 1 of this Article or it is impossible to sell or economically unfeasible to sell such wild plants and (or) their parts, their cost is recovered in the amount and in accordance with the procedure prescribed by the legislation of the Republic of Belarus.
(as worded in the Laws of the Republic of Belarus of 13.06.2007 N 238-3, of 17.05.2011 N 260-3)

Article 76

Compensation for Harm Caused to Plant World Objects and (or) their Habitats

Legal entities and citizens who permitted illegal withdrawal, removal, transplantation, damage or destruction of plant world objects and (or) deterioration of their habitats shall compensate for harm in accordance with the procedure prescribed by the legislation of the Republic of Belarus on environmental protection.
(as worded in the Law of the Republic of Belarus of 17.05.2011 N 260-3)

The amount of compensation for harm caused to plant world objects and (or) their habitats is estimated in accordance with taxes specified by legislative acts of the Republic of Belarus and in their absence – at actual cost of reproduction of plant world objects and restoration of their damaged habitats, incurred losses, including lost profits.
(as worded in the Laws of the Republic of Belarus of 13.06.2007 N 238-3, of 10.11.2008 N 444-3, of 17.05.2011 N 260-3)

Article 77

Settlement of Disputes Related to Handling of Plant World Objects

Disputes related to handling of plant world objects are settled in accordance with the legislation of the Republic of Belarus by specially authorized Republican bodies of the State management, local executive and administrative bodies within their competence and (or) in court in accordance with the procedure prescribed by the legislation of the Republic of Belarus.

Chapter 16
FINAL PROVISIONS

Article 78

Entry into Force of this Law

This Law shall enter into force on 1 January.

Till bringing the legislation of the Republic of Belarus into conformity with this Law, it is applied in the part which does not contradict the Law, unless otherwise provided by the Constitution of the Republic of Belarus.

Article 79

Bringing Legislative Acts of the Republic of Belarus in Compliance with this Law

Within one year from the date of entry into force of this Law, the Council of Ministers of the Republic of Belarus shall:

prepare and submit proposals for bringing legislative acts of the Republic of Belarus in compliance with this Law to the Chamber of Representatives of the National Assembly of the Republic of Belarus in accordance with the established procedure;

bring standard legal acts of the Government of the Republic of Belarus in compliance with this Law;

ensure the review and cancellation of the standard legal acts contradicting this Law by the Republican bodies of the State management, subordinate to the Government of the Republic of Belarus;

take other measures required for implementation of the Law provisions.

President of the Republic of Belarus

A. Lukashenko

* unofficial translation *