






Centralized National Risk Assessment for Belarus

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Risk designations in finalized risk assessments for Belarus

| Indicator | Risk designation (including functional scale when relevant) |
|--|---|
| Controlled wood category 1: Illegally harvested wood | |
| 1.1 | Low risk |
| 1.2 | Low risk |
| 1.3 | Low risk |
| 1.4 | Low risk |
| 1.5 | Low risk |
| 1.6 | Low risk |
| 1.7 | Low risk |
| 1.8 | Low risk |
| 1.9 | Specified risk |
| 1.10 | Low risk |
| 1.11 | Low risk |
| 1.12 | Low risk |
| 1.13 | Low risk |
| 1.14 | N/A |
| 1.15 | N/A |
| 1.16 | Low risk |
| 1.17 | Low risk |
| 1.18 | Low risk |
| 1.19 | Low risk |
| 1.20 | Low risk |
| 1.21 | N/A |
| Controlled wood category 2: Wood harvested in violation of traditional and human rights | |
| 2.1 | Low risk |
| 2.2 | Specified risk for trade union rights, freedom of association and collective bargaining, compulsory and/or forced labour, discrimination of women at work and gender wage discrimination. Low risk for all other aspects of indicator 2.2, mainly child labour. |
| 2.3 | Low risk |
| Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities | |
| 3.0 | Low risk |
| 3.1 | Specified risk |
| 3.2 | Specified risk |
| 3.3 | Specified risk |
| 3.4 | Low risk |
| 3.5 | N/A |
| 3.6 | Low risk |
| Controlled wood category 4: Wood from forests being converted to plantations or non-forest use | |
| 4.1 | Low risk |
| Controlled wood category 5: Wood from forests in which genetically modified trees are planted | |
| 5.1 | Low risk |

Risk assessments

Controlled wood category 1: Illegally harvested wood

Overview

Forests in the Republic of Belarus are the exclusive property of the State, which means that all produced timber originates from state managed forests. The Forest Code (*Forest Code of the Republic of Belarus of 2015* No. 332-Z) states that Belarusian forests are divided into 4 categories according to the management purpose: conservation forests, recreation and health forests, protected forests, managed forests. Harvesting of timber is allowed depending on the management and protection regime assigned based on the forest category.

Forest management permits are based on the Forest Management Plan and Charter (Statute) of Forestry Enterprise.

Timber harvesting is regulated according to the Edict of the President of the Republic of Belarus No.214 of 07.05.2007 (in conformity with the Edict of the President of the Republic of Belarus No.504 of 08.11.2012).

All timber sales are based on online trading (bidding), which is managed by the Timber Trade Department of the Open Joint Stock Company "Belarusian Universal Commodity Exchange". Timber can only be purchased by organisations registered in the database of the Open Joint Stock Company and must follow open official procedures.

The authorities responsible for monitoring of timber harvesting and other forestry measures are as follows (Forest Code, Chapter 23, Article 106):

- 1) State authority of Environmental Protection (Ministry of Natural Resources and Environmental Protection of the Republic of Belarus) as well as its territorial bodies;
- 2) State Control Committee of the Republic of Belarus;
- 3) State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus;
- 4) Executive Office of the President of the Republic of Belarus;
- 5) State authority of Forestry Management (Ministry of Forestry of the Republic of Belarus, Ministry of Defence, etc.), as well as State Regional Forestry Boards (GPLHO);
- 6) Other state bodies (organisations) in accordance with the legislative acts (paragraph 2.6 of Article 106).

Logging licenses are based on the data of Forest Management Plan. Harvest permits are either

1. **"Logging bilet"** (permission for felling of forest stand) or **"Forest warrant"** ("Order") (permission for felling of a part of forest stand or individual trees).
2. **Forest warrant** is issued for logging by "citizens" (local people) of no more than 50 cubic meters of wood.

3. **Forest Card** ("Forest билет") is a permission for harvesting of non-timber products.

This means that the logging permits are not divided into different types of logging.

In 2015, Belarus had a CPI of 32 (below the threshold of 50) and according to the World Bank Worldwide Governance Indicators (on a scale of -2,5 to 2,5 in 2014) received a score of -0,50 for Government Effectiveness, -0,81 on Rule of Law and -0,32 on Control of Corruption. This indicates that the country has high corruption levels and a low degree of legal compliance despite the governance score having improved over the last 10 years.

With regard to forestry and the issuance of permits for logging, specific instances of bribery and corruption are not known. There are a few cases about attempts to bribe forestry officials, but these cases are not related to forestry activities (i.e. not related to the issuance of permits, but related to the construction of buildings) (Sources: the official website of the General Prosecutor's Office of the Republic of Belarus).

The list of sources provided in FSC-PRO-60-002a, section 3.3.3 has been reviewed for relevance with regard to the national legality risk assessment of Belarus. The following sources have been used:

- a) Government reports and assessments of compliance with related laws and regulations
- b) Independent reports and assessments of compliance with related laws and regulations, e.g., produced within ENPI FLEG I, II Programs
- c) Public summaries of FSC forest management certification reports published at info.fsc
- d) Stakeholder and expert consultation outcomes from NRA development processes
- e) Transparency International Corruption Perceptions Index: http://www.transparency.org/policy_research/surveys_indices/cpi
- f) World Bank Worldwide Governance Indicators: <http://data.worldbank.org/datacatalog/worldwide-governance-indicators>;

Where relevant, they have been specifically referenced under "sources of Information" for each applicable sub-category. The remaining sources were found not to be relevant for the legality risk assessment for Belarus.

Timber source types in Belarus

| Forest type (type of forest found in the country. E.g. natural forest, Semi-natural forest, plantations etc) | Region/Area (potential geographical subdivision where major differences are relevant) | Legal Land Classification (the classification of the land such as permanent forest reserve, farm land, protected area classess etc) | Ownership (legal ownership of the land) | Management regime (indication of different types of forest or tree management rights such as, private, communal, state, provincial government etc) | License / Permit Type (Permit type e.g. concession license harvest permit, artisanal permit, etc....). | Description of source type (based on an evaluation of the different attributes evaluated assign a suitable name for different types of timber sources with similar risks) |
|---|--|--|--|---|---|--|
| Semi-Natural Forest | National | Conservation forests | State | State | Harvest permit: "Felling Bilet" (permission for felling of forest stand) or "Forest warrant" (permission for felling of part of a forest stand or individual trees) | Wood harvested from forest felling (thinning, sanitary, felling, and final felling (where applicable according to Forestry Acts)) |
| | | Recreation and health forests | | | | |
| | | Protective forests | | | | |
| | | Exploitative forests | | | | Wood harvested from forest felling (thinning, sanitary felling, and final felling) |

Sources of legal timber in Belarus

| Forest classification type | Permit/license type | Main license requirements (forest management plan, harvest plan or similar?) | Clarification |
|-------------------------------|---------------------|--|--|
| Conservation forests | Harvest permit | Forest management plan (FMP); Protection documents (depending on type of forest sites and values). | Harvested in accordance with FMP, protection documents (e.g. Passport (information sheet) of Specially Protected Natural Area; Regulations on Reserve; Passport (information sheet) of Natural Monument; Security Obligation) and harvest permit |
| Recreation and health forests | Harvest permit | FMP; Protection documents | FMP, protection documents and harvest permit |
| Protective forests | Harvest permit | FMP; Protection documents | FMP, protection documents and harvest permit |
| Exploitative forests | Harvest permit | Forest management plan | FMP and harvest permit |

Risk assessment

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---------------------------------------|--|--|---|
| Legal rights to harvest | | | |
| 1.1 Land tenure and management rights | Applicable laws and regulations <ol style="list-style-type: none"> 1. Constitution of the Republic of Belarus of 1994 (with changes and additions adopted at the republican referenda of November 24, 1996 and of October 17, 2004) (Chapter 1, Article 13). http://www.pravo.by/main.aspx?guid=6351 2. Forest Code of the Republic of Belarus of 2015 No. 332-Z http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=1 3. Land Code of the Republic of Belarus of 2008 No. 425-Z (Chapter 2). http://www.pravo.by/main.aspx?guid=6361 4. Edict of the President of the Republic of Belarus No.444 of 09.09.2009 (in conformity with the Edict of the President of the Republic of Belarus No.504 of 08.11.2012) "On approval of the Regulation on the provision of forest lands to legal entities for rent and (or) use for the implementation of forest management" (together with the "The Regulations on the procedure for granting forest lands to legal entities for lease and (or) use for the implementation of forest management"). http://www.mlh.gov.by/ru/official/acts.html 5. Edict of the President of the Republic of Belarus No.446 of 09.09.2009 (in conformity with the Decree of the President of the Republic of Belarus No.458 of 08.10.2012) "On Some Issues of Improvement of Activities in the Field of Forestry". | Government sources <ol style="list-style-type: none"> 1. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/ 2. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-dejatelnost-rjada-organizatsij-lesnoj-otrasli-9912/ 3. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html 4. Orderliness on the ground, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 12 June 2016 at http://mlh.by/ru/news/3019.html 5. Fighting corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=10143 6. General Prosecutor's Office offers to step up fight against corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=95845#doc 7. National Forest Cadastre of the Republic of Belarus, 2016. Ministry of Forestry – Minsk: LRUE Belgosles, | Overview of Legal Requirements <p>All forestland of the Republic of Belarus is owned by the state. Neither local communities nor individuals or non-state organizations own forests. Forests are managed by the following authorities: Ministry of Forestry (87.6% of forests), Ministry of Defence (1%), Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve), Forestry and Hunting Organizations) (8%), National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest") (0.04%), Ministry of Education (Educational and Experimental Forestry Enterprises) (0.3%), City (cities of regional subordination and Minsk City) executive and regulatory authorities (park forests) (0.4%), Ministry of Emergency Situations (State Environmental Research Institution "Polesky State Radiation Ecological Reserve") (2.3%).</p> <p>Note: December 2009 - December 2014 - Joint-Stock Company "VitebskDrev" of the Belarusian Production and Trade Concern of the Forestry, Woodworking, Pulp and Paper Industry "Bellesbumprom" (branch "Gorodok Forestry" as well as "Beshenkovichi Forestry") (2.1%).</p> <p>Every forestry enterprise or national park has to manage forests according to the actual forest management plan. Land tenure and management rights are based on the official document "Charter of a Forestry Enterprise".</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|--|--|--|
| | <p>http://www.mlh.gov.by/ru/official/acts.html</p> <p>6. Resolution of the Council of Ministers of the Republic of Belarus No. 298 on March 16, 2004 "Questions of the Ministry of Forestry of the Republic of Belarus" http://www.mlh.gov.by/ru/official/acts.html</p> <p>7. Resolution of the Council of Ministers of the Republic of Belarus No. 965 on July 29, 2006 "On some issues of the Ministry of Forestry of the Republic of Belarus". http://www.government.by/ru/solutions/</p> <p>8. Resolution of the Council of Ministers of the Republic of Belarus No. 1041 on November 04, 2014 "About gratuitous acquisition in property of the Republic of Belarus enterprises as property complexes" http://www.government.by/ru/solutions/</p> <p>9. Order of the President of the Republic of Belarus on February 28, 2014 No.09 / 111-58 and the Order of the Council of Ministers on March 27, 2014 No.06-201-45. http://www.mlh.gov.by/ru/official/acts.html</p> <p>10. Regulation of the Ministry of Forestry No. 30 on October 22, 2009 "On approval of the standard form of lease of forest area for forest management" http://www.expert.by/EC/monitorings/124128.txt</p> <p>Legal Authority</p> <p>1. Ministry of Forestry of the Republic of Belarus</p> <p>2. Ministry of Defence of the Republic of Belarus</p> | <p>2016 - 90 p.</p> <p>8. National Forest Cadastre of the Republic of Belarus, 2015. Ministry of Forestry – Minsk: LRUE Belgosles, 2015 - 95 p. 9. The state registration of forests, 2016. LRUE Belgosles. Assessed 14 October 2016 at http://belgosles.by/</p> <p>Non-Government sources</p> <p>1. Shmatkov, N. 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG)". Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>2. New vision of the forests classification in the Republic of Belarus. The impact of economic and environmental factors, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/new-vision-of-the-forests-classification-in-the-republic-of-belarus/</p> <p>3. The New Forest Code of the Republic of Belarus - trends and development of forest management, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/the-new-forest-code-of-the-republic-of-belarus-trends-and-development-of-forest-management/</p> <p>4. The Supreme Court upheld the verdict, 2015. Belarusian TUT.BY Portal. Assessed 22 June 2016 at http://news.tut.by/society/470731.html</p> | <p>The boundaries of the forest resources are determined by distinguishing the lands of the forest resources from the lands of other categories in the order determined by normative legal acts of the Republic of Belarus (see Forest Code, Chapter 4). The boundaries between land users are marked on the ground.</p> <p>A new procedure of state land registration was completed in 2015. The result is a database of land resources of the forestry enterprise as well as a cartographic database. The data is available through the forestry enterprise upon request (however, it is not publicly available or free access in internet).</p> <p>Only legal state authorities have the right to forest management, as already mentioned above (Forest Code, Article 20 of Chapter 5).</p> <p>Description of risk</p> <p>The borders between forestlands of different authorities (see above) are clearly identified (on maps (forestry maps of different scale and data of Land Cadaster) as well as on the ground (so called "kvartal net")).</p> <p>The forest management plan gives a clear picture of where forestland could be managed and harvested. The cartographical database is well structured (Sources: Baginski U., 2013; Ermakou V., Atroshchanka A., Dziemid M., 2007; Atroshchanka A., 2009; Minkevich S., 2015).</p> <p>Forest areas with land ownership conflicts are not known. Land tenure rights are clear. All borders were clearly identified through field inventories (including State Registration of Lands (2015) and forest inventory) and registered in the database of Land Cadaster (provided by the local land survey service) (Government sources 7-9; Non-</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|----------------------------|---|---|--|
| | <p>3. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations)</p> <p>4. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest")</p> <p>5. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises)</p> <p>6. City (cities of regional subordination and Minsk City) executive and regulatory authorities (Park Forests)</p> <p>7. The Ministry of Emergency Situations of the Republic of Belarus (State Environmental Research Institution "Polesky State Radiation Ecological Reserve")</p> <p>Legally required documents or records Charter of a Forestry Enterprise Forest Management Plan Land State Registration Data (2015) Harvest permit</p> | <p>5. Laevskaya, E.V. 2012. Reference handbook of forestry legislation, reforestation, conservation and protection of forests: law enforcement and management improvement in the forestry of Eastern European countries of European Neighbourhood Policy East Countries and Russia: reference handbook / E. V.Laevskaya, O.A. Bakinovskaya, A.I. Luchkov, Ya.I. Marchenko, N.N. Bovdey, I.S. Shahray – Minsk: World Bank in Belarus, Ministry of Forestry of Belarus, "V.I.Z.A. GROUP" LLC, 2012. - 231 p.</p> <p>6. Laevskaya, E.V. 2012. Reference book on law enforcement in the forestry legislation for officials of state forest protection and environmental agencies: law and management improvement in the forestry of Eastern European countries of European Neighbourhood Policy East Countries and Russia: reference book/ E.V. Laevskaya, O.A. Bakinovskaya, A.I. Luchkov, Ya.I. Marchenko, N.N. Bovdey, I.S. Shahray – Minsk: World Bank in Belarus, Ministry of Forestry of Belarus, "V.I.Z.A. GROUP" LLC, 2012. - 173 p.</p> <p>7. Thematic stands on law enforcement in forest legislation, reforestation, protection and conservation, 2012: law and management improvement in the forestry of Eastern European countries of European Neighbourhood Policy East Countries and Russia: thematic stands / F.D. Lisitsa; edited by R.S. Buzunovsky, V.F. Pobirushko – Minsk: World Bank in Belarus, Ministry of Forestry of Belarus, "V.I.Z.A. GROUP" LLC, 2012. - 60 p.</p> <p>8. Public summaries of FSC FM and CoC (Risk Assessment) certification reports, 2016. FSC Public Search. Assessed 10 July 2016 at http://info.fsc.org/</p> | <p>Government sources 1, 3).</p> <p>There is no evidence in Belarus that land rights have been issued in violation of prevailing regulations or that corruption has been involved in the process of issuing land tenure and management rights, therefore the risk level can be considered as low (Government sources 5, 6; Non-Government sources 1, 3, 5, 6).</p> <p>Risk conclusion This indicator has been evaluated as low risk. Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up via preventive actions taken by the authorities and/or by the relevant entities.</p> |
| 1.2 Concession licenses | <p>Applicable laws and regulations</p> <p>1. Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 11, Article 51; Chapter 9, Articles 38, 40)</p> | <p>Government sources</p> <p>1. Edict of the President of the Republic of Belarus No.44 of 28.01.2008 (in wording of Edict of the President of the Republic of Belarus No.494 of 16.10.2014) "On</p> | <p>Overview of Legal Requirements</p> <p>Forests in Belarus are managed by different types of legal state entities (listed above). According to the law, forest concession rights might be granted.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|--|--|---|
| | <p> http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=1 2. Land Code of the Republic of Belarus of 2008 No. 425-Z (Chapter 1, Article 1, 16) http://www.pravo.by/main.aspx?guid=6361 3. Law of the Republic of Belarus No. 63-Z of 12.07.2013 "On concessions" http://www.pravo.by/main.aspx?guid=3871&p0=H11300063 4. Law of the Republic of Belarus No. 53-Z of 12.07.2013 "On investments" (Chapter 1, Article 4) http://www.pravo.by/main.aspx?guid=3871&p0=H11300053&p1=1 </p> <p>Legal Authority</p> <ol style="list-style-type: none"> 1. Ministry of Forestry of the Republic of Belarus 2. Ministry of Defence of the Republic of Belarus 3. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations) 4. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest") 5. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises) 6. City (cities of regional subordination and Minsk City) executive and regulatory authorities (Park Forests) 7. The Ministry of Emergency Situations of the Republic of Belarus (State | <p> approving the list of sites proposed for transfer to concession". Assessed 17 April 2016 at http://www.pravo.by/main.aspx?guid=3871&p0=P30800044 Non-Government sources 1. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/ 2. Laevskaya, E.V. 2012. Reference handbook of forestry legislation, reforestation, conservation and protection of forests: law enforcement and management improvement in the forestry of Eastern European countries of European Neighbourhood Policy East Countries and Russia: reference handbook / E. V.Laevskaya, O.A. Bakinovskaya, A.I. Luchkov, Ya.I. Marchenko, N.N. Bovdey, I.S. Shahray – Minsk: World Bank in Belarus, Ministry of Forestry of Belarus, "V.I.Z.A. GROUP" LLC, 2012. - 231 p. </p> | <p> However, currently no forest concession licenses have been granted for forest management. Description of risk Currently no forest concession licenses have been granted for forest management. See Edict of the President of the Republic of Belarus No.44 of 28.01.2008 "On approving the list of sites proposed for transfer to concession". There were no forestry sites (objects, etc.) proposed for transfer to concession. Not applicable at the moment. Risk conclusion This indicator has been evaluated as low risk. </p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|--|---|--|--|
| | <p>Environmental Research Institution "Polesky State Radiation Ecological Reserve")</p> <p>Legally required documents or records Charter of a Forestry Enterprise Forest Management Plan Land State Registration Data (2015) Harvest permit</p> | | |
| 1.3 Management and harvesting planning | <p>Applicable laws and regulations</p> <p>1. Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 8, 9) http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=1</p> <p>2. Edict of the President of the Republic of Belarus No.214 of 07.05.2007 (in wording of Edict of the President of the Republic of Belarus No.504 of 08.11.2012) "On Some Measures on Improvement of the Activity in the Sphere of Forestry" (together with the "Rules of Supply of Standing Wood and its Harvest in the Forests of the Republic of Belarus", "Rules of Wood Supply in Domestic Market of the Republic of Belarus", "Regulations of the State Forest Service of the Republic of Belarus") http://mlh.by/ru/official/acts.html</p> <p>3. TKP 377-2012 (02080). Technical code of common practice. Rules of forest management inventory of forest fund. http://mlh.by/ru/official/tech.html</p> <p>4. TKP 143-2008 (02080). Technical code of common practice. Rules of felling in the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>5. TKP 060-2006 (02080). Technical code</p> | <p>Government sources</p> <p>1. State Inspectorate informs 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/</p> <p>2. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>3. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-dejatelnost-rjada-organizatsij-lesnoj-otrasli-9912/</p> <p>4. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavilamnogochislennye-narusheniya-i-9831/</p> | <p>Overview of Legal Requirements</p> <p>Forestry measures are based on the data in the Forest Management Plan (FMP). The FMP is prepared for a 10-year period based on field forest inventories by the State Forest Inventory Institution "Belgosles". The FMP provides detailed forest stand characteristics and other legally required information and procedures. Harvesting restrictions are identified in management plan and maps. Forest management without approved FMP is forbidden (Forest Code of the Republic of Belarus of 2015 No. 332-Z, Chapter 8, Article 36). Forest inventory (or surveys) of a forest (logging) site that is planned to be thinned out or felled is conducted according to the requirements that are described in Legal Act TKP 060-2006 (02080). Currently, most of the Forestry Acts are under revision because of a new version of the Forest Code 2015. Foresters of the Forest Management Enterprise (FME) are responsible for inventory/survey of a logging site. Different field methods of growing stock volume estimation are in use. The method of inventory (survey) depends on the forest stand to be assessed. The most detailed forest inventory (enumeration of trees) is applied for ripe forest stands. For young forest stands, rather rough estimations can be used. Currently, changes</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>of common practice. Rules of delineation and measurements of felling area in the forests of the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>6. TKP 103-2007 (02080). Technical code of common practice. Rules of survey of cutting areas, the collection of resin, the procurement of secondary forest resources and secondary forest utilization http://mlh.by/ru/official/tech.html</p> <p>7. Resolution of the Council of Ministers No. 713 on 26 August 2015 "On approval of the volume of the cutting fund for 2016" http://mlh.by/ru/official/acts.html</p> <p>Legal Authority</p> <ol style="list-style-type: none"> 1. Ministry of Forestry of the Republic of Belarus 2. Ministry of Defence of the Republic of Belarus 3. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations) 4. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest") 5. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises) 6. City (cities of regional subordination and Minsk City) executive and regulatory authorities (Park Forests) 7. The Ministry of Emergency Situations of the Republic of Belarus (State | <ol style="list-style-type: none"> 5. Fighting corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=10143 6. General Prosecutor's Office offers to step up fight against corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=95845#doc 7. Ponomarev, V. 2015. Forest and wood chips. Soviet Belarus № 244 (24874), December 17, 2015. Assessed 6 March 2016 at http://www.sb.by/obshchestvo/article/les-i-shchepki.html 8. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8. 9. Rudenik, V. 2015. At the same rake. Control activities. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - pp. 9-11. 10. Order on the ground, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 12 June 2016 at http://mlh.by/ru/news/3019.html 11. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html 12. Forest inventory, 2016. LRUE Belgosles. Assessed 30 September 2016 at http://belgosles.by/ <p>Non-Government sources</p> <ol style="list-style-type: none"> 1. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II | <p>in legal acts are being prepared by external experts to meet requirements of Forest Code 2015. Based on field inventory data (or data from FMP, i.e. in case of forest stands at the age of pre-commercial thinning)) the planned volume of wood of different size and quality categories is calculated. The estimated volume should correspond to the actual harvested volume (allowable differences in volume are available for each method of evaluation of growing stock). Requirements regarding management and harvesting planning are strictly controlled (via field visits).</p> <p>The State Inspectorate for Protection of flora and fauna of the President of the Republic of Belarus as well as the State Control Committee of the Republic of Belarus carry out field measurements at the forest site and comparative analysis with the data from the Forest Management Enterprise (FME) as well as a document review.</p> <p>Description of risk</p> <p>Forest management plans (FMP) in Belarus are prepared only by the legally approved state organization (RUE Belgosles), which has branches in Minsk, Gomel and Vitebsk (Government source 12). Therefore, forest management plans have a unified form and standard content. There is a procedure for forest inventory field works (Chapter 8 of Forest Code, also TKP 377–2012 (02080)). All new forest management plans are checked by legal authorities to ensure that all applicable legislation is followed. There is a procedure approved by the Government of Belarus stipulating how, when and by whom a FMP shall be reviewed and publicly discussed, etc. Forest management plans (also changes and (or) amendments) must undergo state environmental review according to an</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>Environmental Research Institution "Polesky State Radiation Ecological Reserve")</p> <p>Legally required documents or records</p> <p>Forest Management Plan</p> <p>Logging permit (legal permission)</p> <p>List of projected silvicultural measures</p> <p>Technological plan ("karta")</p> <p>Forest map with delineated forest stands projected for forestry measures</p> <p>Act of survey of forest stand</p> <p>Forest map showing harvesting areas</p> <p>Forest inventory data</p> | <p>Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/</p> <p>2. Feasibility study for the timber origin tracing system establishment based on product labeling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>3. Shmatkov, N. (WWF Russia), 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG). Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>4. Bui, A. 2011. Comparative assessment of Belarus and international timber recording systems; development of proposals on improving the country's timber recording system based on international experience. Report of a team of experts on Activity 2.3, Republic of Belarus FLEG Program Country Working Plan / A. Bui, U. Mashkouski, S. Minkevich, Minsk 2011, - P. 93.</p> <p>5. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ",</p> | <p>environmental legislation (Chapter 8, Article 36, p. 4 of Forest Code) before approval.</p> <p>An analysis of a number of management plans (sampling: FME "Stolbtsovskii Experimental leshoz", FME "Logoiskii leshoz", FME "Krupskii leshoz", FME "Berezinski leshoz", FME "Chervenski leshoz", FME "Negorelski Educational and Experimental leshoz", FME "Uzdenski leshoz"), as well as consultation with foresters and experts shows that plans are accurate and do not contradict legal requirements. There may be cases where management plans present false/inaccurate data due to either faulty inventory data which is impacted by incorrect estimations and/or measurements/calculations, however, it is not a wide spread phenomenon having negative influence on management and harvesting planning. If there is false inventory data (or "outdated data" due to natural forest growth that provides changes in stand characteristics) that could result in inaccurate (or out of date) forest stand characteristics, a special document "Act of survey of forest stand" can be filled in based on additional field verification (survey).</p> <p>Corruption is not considered as factor influencing management and harvesting planning of forests in Belarus. There are a few cases about attempts to bribe officials of forestry, but these cases are not related to forestry (but related to the construction of buildings) (see Non-Government sources 7, 8; Government sources 1-6).</p> <p>It can be concluded that legal requirements for management planning, including conducting forest inventories, having a forest management plan and related planning and monitoring are well developed and enforced. Cases where required management</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | <p>2012. – P. 87.</p> <p>6. Minkevich, S.I. 2013. Analysis of timber registration system on its compliance with the norms of EU Regulation / S.I. Minkevich, A.A. Bui. In Proceeding of Scientific papers of BSTU. – Minsk, 2013. – No 1: Forestry. - P. 36-39.</p> <p>7. The Supreme Court upheld the verdict, 2015. Belarusian TUT.BY Portal. Assessed 22 June 2016 at http://news.tut.by/society/470731.html</p> <p>8. For a bribe detained the director of the Minsk Forestry Enterprise, 2016. Belarusian TUT.BY Portal. Assessed 29 July 2016 at http://news.tut.by/society/481727.html</p> <p>9. Control Wood Verification report, 2013. JSC "Gomeldrev", Gomel, 2013 - P. 30.</p> <p>10. Inspection Acts of Logging Sites (sampling). FME "Stolbtsovskii experimental leshoz", Stolbtsy, 2014.</p> <p>11. Inspection Acts of Logging Sites (sampling). FME "Logoiskii leshoz", Logoisk, 2014.</p> <p>12. Inspection Acts of Logging Sites (sampling). FME "Krupskii leshoz", Krupki, 2013-2014.</p> <p>13. Field visits to FMEs (FME "Stolbtsovskii experimental leshoz", 2014, FME "Logoiskii leshoz", 2014, FME "Krupskii leshoz", 2013-2014) made by Belarusian State Technological University (BSTU) representatives (field verifications based on agreements with the University).</p> <p>14. Public summaries of FSC FM and CoC (Risk Assessment) certification reports, 2016. FSC Public Search. Assessed 10 July 2016 at http://info.fsc.org/</p> | <p>planning documents are not in place or are not approved by competent authorities are not known (see Non-Government sources 1-5).</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk.</p> |
| 1.4 Harvesting permits | <p>Applicable laws and regulations</p> <p>1. Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 9, Article 37-40) http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=1</p> <p>2. Resolution of the Council of Ministers of</p> | <p>Government sources</p> <p>1. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 17 June 2016 at http://gosinspekciya.gov.by/information/</p> <p>2. The State Control Committee reviewed the results of</p> | <p>Overview of Legal Requirements</p> <p>Belarus' Constitution determines that all forests are owned entirely by the state. The Ministry of Forestry of the Republic of Belarus is the primary designated government agency responsible for forest utilization, reproduction, conservation and protection. Forestry measures are based on forest</p> |

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| | <p>the Republic of Belarus No. 1276 of 27.09.2006 "On approval of the forms of logging permit, order and forest card and instructions on the accounting, storage, filling and delivery of logging permit, order and forest card" (together with "Instructions on the accounting, storage, filling and delivery of the logging permit, the warrant and the forest card (bilet)") http://mlh.by/ru/official/acts.html</p> <p>3. TKP 377–2012 (02080). Technical code of common practice. Rules of forest management inventory of forest fund. http://mlh.by/ru/official/tech.html</p> <p>4. TKP 143-2008 (02080). Technical code of common practice. Rules of felling in the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>5. TKP 026-2006 (02080). Technical code of common practice. Sustainable forest management. Sanitary rules in the forests of the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>6. The Code of Administrative Offences No. 194-Z of 21.04.2003 http://www.pravo.by/main.aspx?guid=6361</p> <p>7. Procedural-Executive Code of Administrative Offences No. 194-Z of 20.12.2006 http://www.pravo.by/main.aspx?guid=6361</p> <p>Legal Authority</p> <p>1. Ministry of Forestry of the Republic of Belarus</p> <p>2. Ministry of Defence of the Republic of Belarus</p> | <p>checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 May 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>3. Rudenik, V. 2015. At the same rake. Control activities. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - pp. 9-11.</p> <p>4. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8.</p> <p>5. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>6. Forests and forestry of Belarus in 2013, 2014. Reference materials: RUE "Magazine editors "Forestry and hunting", Minsk, 2013. – P. 33.</p> <p>7. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-mnogochislennye-narushenija-i-9831/</p> <p>8. Fighting corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=10143</p> <p>9. General Prosecutor's Office offers to step up fight against corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=95845#doc</p> | <p>management plan.</p> <p>Logging operations are done based on the requirements of forest management plan and issued logging licenses (Forest Code, Chapter 36, 38, 39).</p> <p>Logging licenses are issued by the Forest Management Enterprise (FME) (Ministry of Forestry, also FMEs of Ministry of Defence, Executive Office of the President of the Republic of Belarus, Ministry of Education, National Academy of Sciences), in which way companies (or FME) are given the permission to fell trees on the FME's property.</p> <p>Logging license issuance is based on the data of Forest Management Plan and forest inventory (survey) data. Harvest permit:</p> <ol style="list-style-type: none"> 1. "Logging bilet" (permission for felling of forest stand) or "Forest warrant" ("Order") (permission for felling of a part of forest stand or individual trees). 2. Forest warrant is issued for logging by "citizens" (local people) of no more than 50 cubic meters of wood. 3. Forest Card ("Forest bilet") is a permission for harvesting of non-timber products. <p>There is detailed legislation covering the process of issuing logging licenses (Chapter 39, 40 of Forest Code; Resolution of the Council of Ministers No. 1276 of 27.09.2006, "Instructions on the accounting, storage, filling and delivery of the logging permit, the warrant and the forest bilet"). The competent state authorities carry out the process for implementation and overall control.</p> <p>Description of risk</p> <p>Regarding "corruption perception index", (CPI) Belarus is considered as high risk country for corruption (countries with a corruption perception</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>3. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations)</p> <p>4. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest")</p> <p>5. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises)</p> <p>6. City (cities of regional subordination and Minsk City) executive and regulatory authorities (Park Forests)</p> <p>7. The Ministry of Emergency Situations of the Republic of Belarus (State Environmental Research Institution "Polessky State Radiation Ecological Reserve")</p> <p>Legally required documents or records Forest Management Plan Harvest permit Technological karta</p> | <p>10. In Shumilino area healthy trees were cut down instead of sick trees, 2016. Belarusian TUT.BY Portal. Assessed 26 October 2016 at http://news.tut.by/society/517513.html</p> <p>Non-Government sources</p> <p>1. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1</p> <p>2. Dranchuk, V. 2004. Belovezhskaya Pushcha. Resolution SOS. Chronicle of beauty and struggle. 1995-200? / V. Dranchuk – Minsk: Publisher "Kaucheg", 2004 – P. 302.</p> <p>3. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/</p> <p>4. Feasibility study for the timber origin tracing system establishment based on product labeling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>5. Shmatkov, N. (WWF Russia), 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG). Assessed 20 February 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> | <p>index of less than 50 (Belarus' CPI is 32 (position 107) (see Table of results: Corruption Perceptions Index 2015).</p> <p>The website of the "Law Enforcement and Governance in the forest sector (FLEG)" Program (see Non-Government source 1) highlights that in general, the problem of illegal logging in Belarus is not as severe as in many other countries of the same region. Over the past five years, the number of forest-related offences has been steadily decreasing because of a number of official measures to combat illegal activities in the forest sector. Because of active and comprehensive measures taken by the state, illegal logging in Belarus does not have a sizeable impact on forest utilization.</p> <p>Another important aspect that tells about Belarus' steady headway towards internationally recognized standards in the forest sector is the forest certification process, which is one of the key integral criteria of forest sector performance.</p> <p>However, even though legal authorities have been increasing control of illegal logging in Belarus since the beginning of 2000, some illegal logging is occurring. According to statistical data provided by the Ministry of Forestry, illegally logged wood in Belarus amounts only to 0.04% of the total felled timber volume (3725 m³ to 10.1 million m³).</p> <p>The analysis of reports of the Ministry of Forestry of Belarus suggests that one case of illegal logging brings the damage of around 4.66 m³ of wood (for 10,110 ha of forest). These figures do not have a significant impact on the environment and social and economic situation in the area of the particular legal entity. It is concluded that the percent of illegal wood logging is very low of the total wood</p> |

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| | | <p>fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>6. Belasin, E., 2013. Are they cutting down oak trees in the Belovezhskaya Pushcha? How a journalist investigated forest secrets. Assessed 18 June 2016 at http://bp21.org.by/ru/art/a130925.html</p> <p>7. Fenchuk, V., 2013. The road is constructed in the National Park "Pripyatsky" destroying virgin forest. Assessed 18 June 2016 at http://wildlife.by/node/25483</p> <p>8. Zenina, I., 2009. How sites of Pripyatsky National Park areas are being destroyed? Assessed 19 June 2016 at http://news.tut.by/society/156266.html</p> <p>9. Sadovskaya, E., 2012. Conflict in the Reserve "Middle Pripyat": National Park management wants to cut down oak and ash trees, environmentalists speak against. Assessed 19 June 2016 at http://www.wildlife.by/node/20197</p> <p>10. Chronicle of the changes in the Bialowieza Forest, 2010. Belovezhskaya Pushcha - XXI Century. Assessed 20 June 2016 at http://bp21.org.by/ru/ff/</p> <p>11. The Supreme Court upheld the verdict, 2015. Belarusian TUT.BY Portal. Assessed 22 June 2016 at http://news.tut.by/society/470731.html</p> <p>12. For a bribe detained the director of the Minsk Forestry Enterprise, 2016. Belarusian TUT.BY Portal. Assessed 29 July 2016 at http://news.tut.by/society/481727.html</p> <p>13. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87.</p> <p>14. Minkevich, S.I. 2013. Analysis of timber registration</p> | <p>harvesting. Around 0.04 % of the total wood logging is harvested illegally and it does not affect (significantly) the forestry economy or the local population.</p> <p>An international research "Feasibility Study for Introduction of Electronic Timber Tracking Technologies in Belarus" was carried out by the Russian consulting company "Forest Certification" together with experts from the Grodno State Forestry Board and the Belarusian State Technological University supported by the European Neighbourhood and Partnership Instrument (ENPI) East Countries Forest Law Enforcement and Governance (FLEG) II Program funded by European Union (Non-Government sources 4, 5). According to the results of the research, the effectiveness of the existing timber tracking system in Belarus is high, especially with regards to combating illegal logging. The existing system of timber tracking of the Ministry of Forestry of Belarus is effective enough to be used to prove timber legality (Non-Government sources 4, 5).</p> <p>Over the last five years there are no official cases reported about bribery among persons responsible for issuing logging licenses. There are a few cases about attempts to bribe officials of forestry, but these facts are not related to forestry (but related to the construction of buildings) (see Non-Government sources 11, 12; Government sources 1, 2, 5). There are no corruption cases described in connection with the issuing of harvesting permits (see Non-Government sources 1-14). However, analysis of Internet resources (information of independent ecologists, environmental activists, see Non-government sources 2, 6-10) shows the availability of publications reporting violations of wood</p> |

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| | | <p>system on its compliance with the norms of EU Regulation / S.I. Minkevich, A.A. Bui. In Proceeding of Scientific papers of BSTU. – Minsk, 2013. – No 1: Forestry. - P. 36-39.</p> <p>15. Table of results: Corruption Perceptions Index 2015. Transparency International. Assessed 19 July 2016 at http://www.transparency.org/cpi2015#results-table</p> | <p>harvesting in view of the national environmental legislation in the Forest Management Enterprise (FME) of the state environmental agencies.</p> <p>Also competent state control authorities have reported some violations of forest law (see Government sources 1-5, 7-9), for example:</p> <p>a) the age of forest stand does not correspond to those indicated in the documents and does not meet the acceptable age for felling - often due to errors in forest inventory data and/or natural growth of young trees of the second layer (increased volume of young layer (in comparison with previous inventory data) results in changing of predomination of tree species and, therefore age of felling),</p> <p>b) diameters of felled trees do not correspond to those indicated in the documents,</p> <p>c) the number of trees felled do not meet data in the documents,</p> <p>d) cutting of forest stands in prohibited areas (or prohibited types of logging) (due to lack of proper communication between local environmental authorities and FME responsible staff) (e.g. forest sites have got new protected status but the data was not timely transferred to FME (to be considered and taken into account during forestry activity)),</p> <p>In general, corruption is not considered as a factor influencing the possibility to obtain harvesting permits for areas and species that could not be harvested according to the legislation. Therefor this indicator is considered to be of low risk.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | Taxes and fees | |
| 1.5 Payment of royalties and harvesting fees | <p>Applicable laws and regulations</p> <ol style="list-style-type: none"> 1. Edict of the President of the Republic of Belarus No.504 of 08.11.2012 "On amendments and additions to the Presidential Decrees as of May 7, 2007 no. 214 and as of September 9, 2009 no. 444 "On some measures of improvement in forest management" (Rules of timber trading in the domestic market of Belarus were approved, amendments were made to the "Rules of standing timber trading and its harvesting in the forests of Belarus") http://mlh.by/ru/official/acts.html 2. Edict of the President of the Republic of Belarus No.211 of 20.05.2015 "On amendments and additions to the Presidential Decrees as of May 7, 2007 no. 214 "On some measures of improvement in forest management" http://www.pravo.by/main.aspx?guid=12551&p0=P31500211&p1=1&p5=0 3. Resolution of the Council of Ministers of the Republic of Belarus No. 708 of 30.05.2007 (in wording of Resolution of the Council of Ministers of the Republic of Belarus No. 2034 of 26.12.2008) "On Approval of the Regulation on the Procedure of the Forming of Stumpage Prices of the Main Forest Species" (together with the "Regulation on the Procedure of the Forming of Stumpage Prices of the Main Forest Species") http://mlh.by/ru/official/acts.html 4. Resolution of the Council of Ministers of the Republic of Belarus No. 1039 of | <p>Government sources</p> <ol style="list-style-type: none"> 1. Rates for main standing forest species in 2016, 2015. Belarusian Telegraph Agency. Assessed 17 July 2016 at http://www.belta.by/economics/view/taksy-na-drevesinu-osnovnyh-lesnyh-porod-v-2016-godu-menjatsja-ne-budut-174281-2015/ 2. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 17 June 2016 at http://gosinspekciya.gov.by/information/ 3. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 May 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/ 4. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html 5. Knock on wood, 2016. Respublika. Assessed 22 July 2016 at http://respublika.sb.by/obshchestvo-27/article/postuchim-po-derevu-03062016.html 5. Typical violations of the law, 2016. Ministry of Finance of the Republic of Belarus. Assessed 22 June 2016 at http://www.minfin.gov.by/ru/typical_violations_law/ 6. Control and auditing activities. Typical violations of the law, 2016. Ministry of Finance of the Republic of Belarus. Assessed 23 June 2016 at http://www.minfin.gov.by/ru/typical_violations_law/contro_l_and_auditing/ 7. Tax control, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at | <p>Overview of Legal Requirements</p> <p>In order to add value to the Forest Management Enterprises (FMEs), the Belarusian state has initiated a halt to selling of standing timber. In accordance with Presidential Decree 504, the transition period has been initiated, which means that since 2015 FMEs have only been allowed to sell standing timber from deciduous forests on so called "hard to reach" forest sites of their forest (which will sum up to 0.8 million m³ out of the total Belarusian forest area). This means that FMEs (leshoz) are now only allowed to either cut their own forest or a contractor can cut the forest for them.</p> <p>Harvesting organization (who get a harvesting permit) has to pay legally required stumpage fee. Silvicultural thinning, sanitary cuttings are not taxable. Final, harvesting is always taxable and stumpage fee can be split into several payments: 30 percent - before issuing the logging permit, 30 percent - not later than 30 calendar days later, and 40 percent – not later than 60 calendar days after the issuance of a logging permit. The stumpage prices are approved by the Resolution of the Council of Ministers of the Republic of Belarus No. 1039 of 15.12.2015 and depends on different factors (e.g. tree species, remoteness of a forest site, etc.).</p> <p>Description of risk</p> <p>The website of the "Law Enforcement and Governance in the forest sector (FLEG)" Program (see Non-Government sources, 7) highlights that illegal logging in Belarus does not have a sizeable impact on forest utilization. More common though are cases of illegal timber sales spurred by</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>15.12.2015 "On approval of rates for main standing forest species in 2016." http://www.centrcen.by/upload/1039.pdf</p> <p>5. Law of the Republic of Belarus No. 57-Z of 12.07.2013 "On Accounting and Reporting" http://www.pravo.by/main.aspx?guid=3871&p2=2/2055</p> <p>Legal Authority</p> <ol style="list-style-type: none"> 1. Ministry of Finance of the Republic of Belarus 2. Ministry of Taxes and Duties of the Republic of Belarus 3. The State Control Committee of the Republic of Belarus 4. Ministry of Forestry of the Republic of Belarus <p>Legally required documents or records</p> <p>The act of delineation and taxation of cutting area</p> <p>Statement of volume and monetary valuation of the cutting area</p> <p>Harvest permits</p> <p>Receipts from tax payment</p> | <p>http://www.nalog.gov.by/ru/nalogovii_control_ru/</p> <p>Non-Government sources</p> <ol style="list-style-type: none"> 1. Janushko, A.D. 2004. Myths and Realities of Forestry of Belarus. / A.D. Janushko. In Belarusian Forest Newspaper. – Minsk, 2004. – August 12 (№30). – P. 3. 2. Shmatkov, N. 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG). Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/ 3. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/ 4. Feasibility study for the timber origin tracing system establishment based on product labeling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/ 5. Bui, A. 2012. Ways of improving of timber recording system in Belarus based on foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and | <p>improper valuation of logging sites and poor recording of harvested timber. This creates conditions for the emergence of unrecorded timber to a shadow market. Responding to this problem, the Ministry of Forestry together with other government authorities and non-governmental organizations are actively involved in developing continuous efforts aimed at preventing the illegal timber trade.</p> <p>The works on automation of wood accounting systems are under way as well as creation of conditions for quick (daily) accounting (harvesting data is transmitted to the central office) of harvested wood volumes in the accounting program 1C. The employees of the Ministry of Forestry visit other forestry countries to get and share the experience on wood accounting. A Unified Automatic Informational System of the Ministry of Forestry of Belarus has been introduced recently to meet requirements for more reliable and transparent system of timber registration (at different stages, incl. planning, harvesting and flows of round wood). Also, Ministry of Forestry has financed a research project aimed at developing of new wood volume tables (to make evaluation of growing stock volume more accurate). The tables (volume tables of Gomellesproekt) are already in use and the new tables provide more accurate volume results.</p> <p>Payment is strictly controlled by the State Control Committee and State Taxes Service.</p> <p>Review of available information from official sources (Section "Typical violations of the law" of the website of the Ministry of Finance, Section "Tax Control" of the Ministry of Taxes and Duties of the Republic of Belarus, information from the State</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | <p>Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87.</p> <p>6. Minkevich, S.I. 2013. Analysis of timber registration system on its compliance with the norms of EU Regulation / S.I. Minkevich, A.A. Bui. In Proceeding of Scientific papers of BSTU. – Minsk, 2013. – No 1: Forestry. - P. 36-39.</p> <p>7. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1</p> | <p>Control Committee) and consultation with experts do not reveal problems related to the issues of payments and taxes in Belarusian forestry. There is no information that payments of stumpage fees are not paid (or paid less).</p> <p>The detailed information regarding payments and taxes of an organization can be obtained from the Tax service upon written request. There are no indications of risks based on publication review and interviews with stakeholders and competent authorities. There is no negative feedback on this issue from NGOs.</p> <p>There are no evidences to specify risk in this category at the moment.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk.</p> |
| 1.6 Value added taxes and other sales taxes | <p>Applicable laws and regulations</p> <p>1. Tax code of the Republic of Belarus No. 166-Z of 19.12.2002 (General part) http://etalonline.by/?type=text&regnum=Hk0200166#load_text_none_1_</p> <p>2. Tax code of the Republic of Belarus No. 71-Z of 29.12.2009 (Special part, Chapter 12) http://etalonline.by/?type=text&regnum=Hk0900071</p> <p>3. Law of the Republic of Belarus No. 57-Z of 12.07.2013 “On Accounting and Reporting” http://www.pravo.by/main.aspx?guid=3871&p2=2/2055</p> <p>Legal Authority</p> <p>1. Ministry of Taxes and Duties of the Republic of Belarus</p> <p>2. Ministry of Finance of the Republic of</p> | <p>Government sources</p> <p>1. Control measures, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at http://www.nalog.gov.by/ru/control_meropriyatia_minsk_obl_ru/</p> <p>2. Taxes must be paid on time, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at http://www.nalog.gov.by/ru/m_publr_minsk_obl_ru/view/nalogi-nado-platit-vovremja-14239/</p> <p>3. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 May 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>4. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May</p> | <p>Overview of Legal Requirements</p> <p>Value added tax (VAT) is 20% in Belarus. The rate of VAT increased from 18% to 20% on January 1, 2010 (provided by the Special Part of the Tax Code (Tax code of the Republic of Belarus No. 71-Z of 29.12.2009 (Special part, Chapter 12)). According to the Tax code, VAT is applicable to all wood material being sold. This is indicated in the national law and controlled by different state authorities. The value added tax is paid monthly.</p> <p>Round wood is sold at auction (exchange auctions via Belarusian Universal Commodity Exchange (butb.by)). State Taxes service (Inspectorate) is responsible for collection of VAT, which has to be declared by tax payer.</p> <p>Description of risk</p> <p>Situations where products are sold without legal sales documents or far below market price are not known.</p> <p>There is no information that VAT is not paid (or paid</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>Belarus</p> <p>3. The State Control Committee of the Republic of Belarus</p> <p>Legally required documents or records</p> <p>Harvest permits</p> <p>Information about taxpayers / VAT payers (Database of State Tax Inspectorate),</p> <p>VAT invoices,</p> <p>Annual VAT declaration</p> | <p>2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>5. Typical violations of the law, 2016. Ministry of Finance of the Republic of Belarus. Assessed 22 June 2016 at http://www.minfin.gov.by/ru/typical_violations_law/</p> <p>6. Control and auditing activities. Typical violations of the law, 2016. Ministry of Finance of the Republic of Belarus. Assessed 23 June 2016 at http://www.minfin.gov.by/ru/typical_violations_law/control_and_auditing/</p> <p>7. Tax control, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at http://www.nalog.gov.by/ru/nalogovii_control_ru/</p> <p>8. Control of transactions execution, 2016. OJSC «Belarusian Universal Commodity Exchange». Assessed 21 June 2016 at http://new.butb.by/</p> <p>Non-Government sources</p> <p>1. The VAT rate in Belarus from January 1, 2010 increased from 18% to 20%, 2009. Belarusian news portal. Assessed 22 February 2016 at http://news.tut.by/economics/156688.html</p> <p>2. Feasibility study for the timber origin tracing system establishment based on product labeling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>3. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87.</p> | <p>less).</p> <p>Payment is strictly controlled by the State Control Committee and State Taxes Service. Review of available information from official sources (Section "Typical violations of the law" of the website of the Ministry of Finance, Section "Tax Control" of the Ministry of Taxes and Duties of the Republic of Belarus, information from the State Control Committee) and consultation with experts do not reveal problems related to the issues of payments and taxes in Belarusian forestry. There is no information that taxes are not paid (or underpaid).</p> <p>The detailed information regarding payments and taxes of a concrete organization can be obtained from Tax service upon written request.</p> <p>There are no indications of risks based on publication review and interviews with stakeholders and competent authorities.</p> <p>There are no evidences to specify risk in this category.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| 1.7 Income and profit taxes | <p>Applicable laws and regulations</p> <p>1. Tax code of the Republic of Belarus No. 166-Z of 19.12.2002 (General part) http://etalonline.by/?type=text&regnum=Hk0200166#load_text_none_1_</p> <p>2. Tax code of the Republic of Belarus No. 71-Z of 29.12.2009 (Special part, Chapter 14) http://etalonline.by/?type=text&regnum=Hk0900071</p> <p>3. Law of the Republic of Belarus No. 57-Z of 12.07.2013 “On Accounting and Reporting” http://www.pravo.by/main.aspx?guid=3871&p2=2/2055</p> <p>Legal Authority</p> <p>1. Ministry of Taxes and Duties of the Republic of Belarus 2. Ministry of Finance of the Republic of Belarus</p> <p>Legally required documents or records</p> <p>Income tax declarations and reports Accounting records Receipts from payment of taxes</p> | <p>Government sources</p> <p>1. Control measures, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at http://www.nalog.gov.by/ru/control_meropriyatia_minsk_obl_ru/</p> <p>2. Taxes must be paid on time, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at http://www.nalog.gov.by/ru/m_publr_minsk_obl_ru/view/nalogi-nado-platit-vovremja-14239/</p> <p>3. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 May 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>4. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>5. Typical violations of the law, 2016. Ministry of Finance of the Republic of Belarus. Assessed 22 June 2016 at http://www.minfin.gov.by/ru/typical_violations_law/</p> <p>6. Control and auditing activities. Typical violations of the law, 2016. Ministry of Finance of the Republic of Belarus. Assessed 23 June 2016 at http://www.minfin.gov.by/ru/typical_violations_law/control_and_auditing/</p> <p>7. Tax control, 2016. Ministry of Taxes and Duties of the Republic of Belarus. Assessed 23 June 2016 at http://www.nalog.gov.by/ru/nalogovii_control_ru/</p> <p>8. Control of transactions execution, 2016. OJSC «Belarusian Universal Commodity Exchange». Assessed 21 June 2016 at http://new.butb.by/</p> <p>Non-Government sources</p> | <p>Overview of Legal Requirements</p> <p>Income tax is paid by organisations regardless of the form of ownership, meaning that also the state own companies pay income tax. If timber is sold by a legal entity, the entity will be liable to pay income tax, which is 18%. By law, the taxable base for calculating income tax is gross profit, dividends and income, equal to them in accordance with paragraph. 1, Art. 35 of the Tax Code.</p> <p>In the legislation, there are a number of conditions fully or partially exempt from income tax. However, these exceptions do not apply to forestry.</p> <p>Income and profit taxes shall be paid in time. The bank account will be closed, if the Forest Management Enterprise (FME) has not paid tax in a timely manner. That is indicated in the national law (Tax Code, Chapter 5) and controlled by different state authorities. Receipts exist for payments of income and profit taxes.</p> <p>Description of risk</p> <p>Situations where products are sold without legal sales documents or far below market price are not known. (see Government sources, 1-7; Non-Government sources, 1-2).</p> <p>Round wood is sold at auction (exchange auctions via Belarusian Universal Commodity Exchange (butb.by)). State Taxes service (Inspectorate) is responsible for collection of taxes, which have to be declared by tax payer.</p> <p>There is no information that taxes are not paid.</p> <p>Review of available information from official sources (Section “Typical violations of the law” of the website of the Ministry of Finance, Section “Tax Control” of the Ministry of Taxes and Duties of the Republic of Belarus, information from the State Control Committee) and consultation with experts</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | <p>1. Feasibility study for the timber origin tracing system establishment based on product labelling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>2. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87.</p> | <p>do not reveal problems related to the issues of payments and taxes in forestry. The detailed information regarding payments and taxes of a concrete organisation can be obtained from Tax service upon written request (Annex 12 to the Decree of the Ministry of Taxes and Duties of the Republic of Belarus No 14 of 04.26.2013). There are no indications of risks based on publication review and interview with stakeholders. There are no evidence to specify risk in this category.</p> <p>Risk conclusion This indicator has been evaluated as low risk.</p> |
| Timber harvesting activities | | | |
| 1.8 Timber harvesting regulations | <p>Applicable laws and regulations</p> <p>1. Forest Code of the Republic of Belarus of 2015 No. 332-Z http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=1</p> <p>2. Edict of the President of the Republic of Belarus No.214 of 07.05.2007 (in wording of Edict of the President of the Republic of Belarus No.504 of 08.11.2012) "On Some Measures on Improvement of the Activity in the Sphere of Forestry" (together with the "Rules of Supply of Standing Wood and its Harvest in the Forests of the Republic of Belarus", "Rules of Wood Supply in Domestic Market of the Republic of Belarus", "Regulations of the State Forest Service of the Republic of Belarus") http://mlh.by/ru/official/acts.html</p> <p>3. Resolution of the Council of Ministers of</p> | <p>Government sources</p> <p>1. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/</p> <p>2. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/newspress-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>3. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-dejatelnost-rjada-organizatsij-</p> | <p>Overview of Legal Requirements</p> <p>Timber harvesting is regulated in detail by legal acts. The regulations on timber harvesting describe the types of forest cuttings (TKP 143-2008 (02080), Chapter 4) and defines the minimum age of forest trees to be cut which is dependent on tree species and forest categories (Resolution of the Council of Ministers of the Republic of Belarus No. 1765, TKP 143-2008 (02080), Article 5.1.2). In addition, it requires that a certain number of trees per/ha shall be left after harvesting (TKP 143-2008 (02080), Article 4.7, 4.9, 5.3.4). These trees shall match the criteria described in this legal act. The harvesting is prohibited around nesting places of rare and endangered bird species (TKP 143-2008 (02080), TKP 17.07-01-2014 (02120). The regulation on forest cuttings defines the minimum width of cutting area, which depends on tree species, forest type, and forest category (TKP 143-2008 (02080), Article</p> |

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| | <p>the Republic of Belarus No. 1765 of 06.12.2001 "About the age of felling (forest trees on final felling)" http://mlh.by/ru/official/acts.html</p> <p>4. TKP 143-2008 (02080). Technical code of common practice. Rules of felling in the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>5. TKP 060-2006 (02080). Technical code of common practice. Rules of delineation and measurements of felling area in the forests of the Republic of Belarus http://mlh.by/ru/official/tech.html</p> <p>6. TKP 026-2006 (02080). Technical code of common practice. Sustainable forest management. Sanitary rules in the forests of the Republic of Belarus http://mlh.by/ru/official/tech.html</p> <p>7. TKP 047-2009 (02080). Technical code of common practice. Sustainable forest management. Instruction on reforestation and afforestation in Belarus. http://mlh.by/ru/official/tech.html</p> <p>8. STB 1708-2006. Sustainable forest management. The main provisions http://mlh.by/ru/official/tech.html</p> <p>9. STB 1688-2006. Sustainable forest management. Requirements for the forestry planning http://mlh.by/ru/official/tech.html</p> <p>10. STB 1360-2002. Sustainable forest management. Felling. Requirements to technology http://mlh.by/ru/official/tech.html</p> <p>11. STB 1361-2002. Sustainable forest management. Intermediate felling.</p> | <p>lesnoj-otrasli-9912/</p> <p>4. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-mnogochislennye-narushenija-i-9831/</p> <p>5. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>6. Ponomarev, V. 2015. Forest and wood chips. Soviet Belarus № 244 (24874), December 17, 2015. Assessed 6 March 2016 at http://www.sb.by/obshchestvo/article/les-i-shchepki.html</p> <p>7. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8.</p> <p>Non-Government sources</p> <p>1. Shmatkov, N. 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG). Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>2. New vision of the forests classification in the Republic of Belarus. The impact of economic and environmental factors, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program</p> | <p>5.1.8, table 3). The procedures and time for selecting and preparing the forest cutting area is also defined (TKP 060-2006 (02080), Article 5.1). The technological requirements mentioned in the regulations of forest cuttings (TKP 143-2008 (02080), Chapter 5, 6, 7) describe how much of shelter wood and wood residues or dead wood shall be left, how the skidding trails shall be prepared and used, how timber shall be extracted from the cutting area and stored (TKP 143-2008 (02080), TKP 060-2006 (02080), TKP 026-2006 (02080), TKP 047-2009 (02080)). The use of the road structure, drainage systems and bridges, which depends on the harvesting season, cutting type, forest category, etc. is also described in legal acts (TKP 143-2008 (02080), Chapter 4; TKP 060-2006 (02080), Chapter 4, 6-8).</p> <p>The regulation on marking and evaluation of forest cutting areas describes the preparation process for selection and marking of the forest cutting areas (TKP 060-2006 (02080), Chapter 6-8, 10, Article 5.2). It defines how the trees to be cut are selected and marked based on cutting type, forest category and other environmental conditions (TKP 060-2006 (02080), Chapter 5, 7; TKP 143-2008 (02080), Chapter 4; STB 1360-2002; STB 1361-2002). The requirements for forest machinery are defined in the regulations on evaluation of compliances of tractors, its trailers and other machines in forestry (STB 1592-2005; STB 1342-2002).</p> <p>Belarusian legal acts cover all aspects of this indicator.</p> <p>Description of risk</p> <p>Silvicultural system, type of harvest, volume of wood according to species for harvesting and other planned management measures are prescribed in</p> |

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| | <p>Requirements to technology http://mlh.by/ru/official/tech.html 12. STB 1592-2005. Sustainable forest management. Silvicultural machines. General requirements http://mlh.by/ru/official/tech.html 13. STB 1342-2002. Sustainable forest management. Machines for felling. General technical requirements http://mlh.by/ru/official/tech.html</p> <p>Legal Authority 1. Ministry of Forestry of the Republic of Belarus 2. Ministry of Defence of the Republic of Belarus 3. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations) 4. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest") 5. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises) 6. City (cities of regional subordination and Minsk City) executive and regulatory authorities (Park Forests) 7. The Ministry of Emergency Situations of the Republic of Belarus (State Environmental Research Institution "Polesky State Radiation Ecological Reserve")</p> | <p>in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/new-vision-of-the-forests-classification-in-the-republic-of-belarus/ 3. The New Forest Code of the Republic of Belarus - trends and development of forest management, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/the-new-forest-code-of-the-republic-of-belarus-trends-and-development-of-forest-management/ 4. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1 5. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/ 6. Feasibility study for the timber origin tracing system establishment based on product labelling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/ 7. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S.</p> | <p>the forest management plan for each forest stand (smallest unit of the forest where homogenies forest grows (according to forest inventory law)). Some limitation (e.g. maximum area for clear cut) regarding harvesting are prescribed in legislation (TKP 143-2008 (02080), STB 1360-2002; STB 1361-2002; STB 1688-2006; STB 1708-2006). Harvest and extraction of wood have to be carried out in a way that minimizes negative impacts on soil, waterways, forest vegetation, left trees and the quality of timber. All forestry activities are under supervision of the Forest Management Enterprises (FME) managers, who have to select trees to be cut.</p> <p>Procedures regarding designation of harvesting, harvest permission and management records are strictly prescribed in legislation (TKP 143-2008 (02080), TKP 060-2006 (02080), STB 1360-2002; STB 1361-2002). Forest managers have to records all performed management activities in Forestry Management Records (cutting areas should be delineated on forest maps) and submit monthly (and annual) summary from these records to Regional Forestry Board (GPLHO) which perform regular on-site inspections of performed management activities on chosen forest management unit. During these checks, also records keeping and overall compliance with legal requirement are reviewed. In case of major gaps, Regional Forestry Board and/or the Ministry of Forestry penalize FME and responsible forest managers.</p> <p>State Inspectorate for Protection of flora and fauna of the President of the Republic of Belarus as well as State Control Committee of the Republic of Belarus periodically control how forest operations in</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | Legally required documents or records Forest Management Plan Harvesting permit List of projected silvicultural measures Technological karta Forest map (planshet 1:10 000) with delineated cutting areas Coloured forest map (1: 25 000) according to tree species composition, projected silvicultural measures, etc. | Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87. 8. Minkevich, S.I. 2013. Analysis of timber registration system on its compliance with the norms of EU Regulation / S.I. Minkevich, A.A. Bui. In Proceeding of Scientific papers of BSTU. – Minsk, 2013. – No 1: Forestry. - P. 36-39. 9. Public summaries of FSC FM and CoC (Risk Assessment) certification reports, 2016. FSC Public Search. Assessed 10 July 2016 at http://info.fsc.org/ | cutting areas are being or have been implemented according to existing legal acts. The Ministry of Forestry also has the annual control plan where the aspect and places to be checked are listed. Reports of competent authorities are available (see list of Government Sources, 1-7), which is showing that violations in timber harvesting in most cases was elucidated and infringers punished (there is information about some violations of requirements given in harvesting permit, see also "Description of risk" in subcategory "Harvesting permits") (Government Sources 1, 2, 7). The infringements were seldom. There is no negative information based on review of Non-Governmental sources. Considering above-mentioned justification this is evaluated as low risk. Risk conclusion This indicator has been evaluated as low risk. |
| 1.9 Protected sites and species | Applicable laws and regulations 1. Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 23) http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=12 . 2. Law of the Republic of Belarus No. 3335-XII of 20.10.1994 "On Specially Protected Natural Territories" http://www.minpriroda.gov.by 3. Law of the Republic of Belarus No. 205-Z of 14.06.2003 "On Flora" http://mlh.by/ru/official/tech.html 4. Law of the Republic of Belarus No. 257-Z of 10.07.2003 "On Wildlife" http://mlh.by/ru/official/tech.html 5. Resolution of the Ministry of Natural Resources and Environmental Protection | Government sources 1. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/ 2. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/ 3. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at | Overview of Legal Requirements The legislation regarding the management of established protected areas is well developed. Categories and types of specially protected natural areas are described in the Law of the Republic of Belarus No. 3335-XII, see Chapter 1, Article 3; STB 1708-2006, Chapter 5, Annex G. Protection and use regime of protected areas is regulated according to the Chapter 1, Article 12 of the Law No. 3335-XII. The main legal documents, which regulate the protection and management regime of protected areas, are the following: Law on Protected Areas, Regulations of protected area (Regulations on the specially protected natural area e.g. Regulations on Reserve, Passport of specially protected natural area); the individual regulation of protected objects or selective areas (Passport of |

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| | <p>of the Republic of Belarus No. 26 of 09.06.2014 "On Approval of the list of rare and endangered species") http://redbook.minpriroda.gov.by/</p> <p>4. TKP 17.05-01-2014 (02120). Technical code of common practice. Protection of the environment and wildlife management. Vegetable world. Protection rules of wild plants belonging to the species included in the Red Book of the Republic of Belarus, and the sites of their location. https://brestnatura.org/ru/law/</p> <p>5. TKP 17.07-01-2014 (02120). Technical code of common practice. Protection of the environment and wildlife management. Animal world. Regulations for protection of wild animals belonging to the species included in the Red Book of the Republic of Belarus and their habitats. https://brestnatura.org/ru/law/</p> <p>6. TKP 17.12-06-2014 (02120). Technical code of common practice. Protection of the environment and wildlife management. Territories. Vegetable world. Terms of allocation and protection of typical and rare biotopes, typical and rare landscapes. https://brestnatura.org/ru/law/</p> <p>7. TKP 143-2008 (02080). Technical code of common practice. Rules of fellings in the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>Legal Authority</p> <p>1. Ministry of Natural Resources and Environmental Protection of the Republic of Belarus</p> <p>State Service for Protected Areas under</p> | <p>http://kgk.gov.by/ru/vazno_znat-ru/view/Komiteto-m-goskontrolja-proverena-dejatelnost-rjada-organizatsij-lesnoj-otrasli-9912/</p> <p>4. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-mnogochislennye-narushenija-i-9831/</p> <p>5. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>6. Ponomarev, V. 2015. Forest and wood chips. Soviet Belarus № 244 (24874), December 17, 2015. Assessed 6 March 2016 at http://www.sb.by/obshchestvo/article/les-i-shchepki.html</p> <p>7. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8.</p> <p>8. Rudenik, V. 2015. At the same rake. Control activities. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - pp. 9-11.</p> <p>Non-Government sources</p> <p>1. New vision of the forests classification in the Republic of Belarus. The impact of economic and environmental factors, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/new-vision-of-the-forests-classification-in-the-republic-of-belarus/</p> <p>2. The New Forest Code of the Republic of Belarus - trends and development of forest management, 2015.</p> | <p>natural monument, Security obligation) (see section "Legally required documents or records"). "Passport" refer to an information sheet, documenting per each species within the Forest management Enterprise (FME) important information about the species or cultural sites such as quantity, site, name etc.</p> <p>The management of forests, according to the Forest Code (Forest Code of the Republic of Belarus No. 332-Z) is based on the forest management plan (STB 1681-2006, STB 1688-2006), which includes a special section on nature protection measures, where the protected species, habitats and other environmental protection values or objects are listed and marked on the maps with prescribed and detailed protection measures. Legal requirements in relation to protected areas (HCVF) are described in a special document for each specific area (i.e. Regulations on Reserve according to the Law No. 3335-XII, Chapter 4, Article 31). The Regulation states which types of silvicultural activities, including types of logging are allowed (also seasonal limitations, geographical distribution of forest sites of different values, etc.). Regimes of protection of rare species are given in TKP 17.05-01-2014 (02120), TKP 17.05-07-2014 (02120), and for rare biotopes the relevant legal act is TKP 17.12-06-2014 (02120). The TKP gives full description of the regimes of protection, including types of logging that are allowed and seasonal limitations, etc. Types of forestry measures allowed in specially protected forest sites are described in Appendix H of TKP 143-2008 (02080).</p> <p>Description of risk</p> <p>The Ministry of Natural Resources and Environmental Protection periodically controls how</p> |

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| | <p>the Natural Resources and Environmental Protection; Regional Environment Protection Departments; 2. Ministry of Forestry of the Republic of Belarus 3. Ministry of Defence of the Republic of Belarus 4. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations) 5. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest") 6. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises) 7. City (cities of regional subordination and Minsk City) executive and regulatory authorities (Park Forests) 8. The Ministry of Emergency Situations of the Republic of Belarus (State Environmental Research Institution "Polessky State Radiation Ecological Reserve</p> <p>Legally required documents or records Forest Management Plan list of rare and endangered species List of projected silvicultural measures Forest map (planshet 1:10 000) with delineated cutting areas Colored forest map (1: 25 000) (projected silvicultural measures) Regulations on the specially protected</p> | <p>European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/the-new-forest-code-of-the-republic-of-belarus-trends-and-development-of-forest-management/ 3. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1 4. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/ 5. An Internet-version of the Belarusian Red Book (a Belarusian E-Red Book), 2006. Project "Polesye". Assessed 17 June 2016 at http://redbook.minpriroda.gov.by/ 6. Dranchuk, V. 2004. Belovezhskaya Pushcha. Resolution SOS. Chronicle of beauty and struggle. 1995-200? / V. Dranchuk – Minsk: Publisher "Kaucheg", 2004 – P. 302. 7. Belasin, E., 2013. Are they cutting down oak trees in the Belovezhskaya Pushcha? How a journalist investigated forest secrets. Assessed 18 June 2016 at http://bp21.org.by/ru/art/a130925.html 8. Fenchuk, V., 2013. The road is constructed in the National Park "Pripyatsky" destroying virgin forest. Assessed 18 June 2016 at http://wildlife.by/node/25483 9. Zenina, I., 2009. How sites of Pripyatsky National Park areas are being destroyed? Assessed 19 June 2016 at http://news.tut.by/society/156266.html 10. Sadovskaya, E., 2012. Conflict in the Reserve</p> | <p>the application of legal acts targeted to protection of natural values, objects and protected areas are implemented. In addition, the regional offices of State Inspectorate for Protection of flora and fauna of the President of the Republic of Belarus as well as the State Control Committee of the Republic of Belarus periodically assess how the management and application of legal requirements for environmental protection are implemented in the management unite. The reports about places checked and issues found are published in the forestry mass media and specialized journal "State Control: Analysis, Practice, Commentaries". Some cases are related to protected areas violation (or potential violation due to planned activity) (see Government sources, 8; Non-Government sources, 6-15). There are cases where the protection of a reserve was violated due to the lack of proper communication between the various departments (FME and local state nature conservation authorities): FME has not received precise information on the protection of the reserve due to changes in the protection requirements (e.g. see Decision of the Executive Committee of Zhitkovichi region No. 2211). Further, there are cases where the forest management plan (e.g. Forest management plan Zhitkovichski FME) has been prepared according to the old data for the reserve and was based on the old protection requirements (changes in the protection requirements of reserve took effect after the release of forest management plan). There is information about some rare species in forest management plan. However, legally established procedures for surveying, managing and protecting endangered or threatened species</p> |

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| | <p>natural area (e.g. Regulations on Reserve) Passport (information sheet) of specially protected natural area Passport (information sheet) of natural monument Security obligation</p> | <p>"Middle Pripyat": National Park management wants to cut down oak and ash trees, environmentalists speak against. Assessed 19 June 2016 at http://www.wildlife.by/node/20197 11. Chronicle of the changes in the Bialowieza Forest, 2010. Belovezhskaya Pushcha - XXI Century. Assessed 20 June 2016 at http://bp21.org.by/ru/ff/ 12. Ustin, V., 2013. Help save unique forests in Negorelsky experimental and research forestry! Assessed 19 June 2016 at http://www.wildlife.by/node/22337 13. "Minus" on the vine, 2014. Evening Brest. Assessed 23 June 2016 at http://www.vb.by/society/26164.html 14. "Wildlife Week with APB" second day, 2016. Public organisation "APB-BirdLife Belarus". Assessed 27 August 2016 at http://www.ptushki.org/info/press/item/17255.html 15. Publications, 2016. Public campaign to protect the wildlife of the national park "Pripyat". Assessed 20 June 2016 at http://saveprypjatski.by/category/publications/ 16. Public summaries of FSC FM and CoC (Risk Assessment) certification reports, 2016. FSC Public Search. Assessed 10 July 2016 at http://info.fsc.org/</p> | <p>within the management unit are not always followed (even if there are such procedures approved by regional authorities). E.g. harvesting in a forest reserve (with some forest sites populated by rare and/or endangered species) where types of felling and timeframe are limited (see Government sources, 8; Non-Government sources, 8, 9, 11, 14, 15). In 2014, some new legal acts entered into force (see list of Applicable laws and regulations). However not all Protection documents (i.e. Guard and Security obligations for rare species) are updated accordingly. That means that Regional Environment Protection Departments do not always in time provide the updated Protection documents (i.e. Guard and Security obligations) to FME. That may lead to the violation of the protection regime for specific rare species, as the old regime may not correspond with a new one given in TKP of 2014.</p> <p>The analysis of Internet resources (information of NGO, independent ecologists, environmental activists (see list of Non-Government sources, 6-15) confirms the availability of publications reporting "potential" violations of the national environmental and nature conservation legislation (in most cases harvesting (or harvesting plans) in protected areas where these types of harvesting are not allowed. Also according to publications, regarding rare species there is risk of harvesting when/where it is forbidden.</p> <p>The competent state control authorities have reported some violations of forest and environmental law (see Government sources 7, 8), e.g. cutting of forest stands in protected areas (or prohibited types of logging) due to lack of proper communication between local environmental authorities and FME responsible staff. And as</p> |

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| | | | <p>another example, forest sites have got new status, but the data was not timely transferred to FME (to be considered and taken into account during forestry activity)).</p> <p>However, considering the need to verify such facts and in the same time guided by the 'precautionary' approach, it is impossible to consider these "forest areas" as areas of low risk.</p> <p>Risk conclusion This indicator has been evaluated as specified risk.</p> |
| 1.10 Environmental requirements | <p>Applicable laws and regulations</p> <p>1. Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 8, 23) http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=12.</p> <p>2. Law of the Republic of Belarus No. 271-Z of 20.07.2007 "About dealing with waste" http://kodeksy-by.com/zakon_rb_ob_obrawenii_s_othodami.htm</p> <p>3. Edict of the President of the Republic of Belarus No.364 of 07.07. 2008 "On approval of the Regulation on the distribution of forests into groups and categories of protection, conversion of forests from one group or category of protection to another and allocation of especially protected forest areas" http://mlh.by/ru/official/acts.html</p> <p>4. TKP 143-2008 (02080). Technical code of common practice. Rules of felling in the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>5. TKP 026-2006 (02080). Technical code of common practice. Sustainable forest management. Sanitary rules in the forests</p> | <p>Government sources</p> <p>1. State Inspectorate informs 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/</p> <p>2. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>3. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-dejatelnost-rjada-organizatsij-lesnoj-otrasli-9912/</p> <p>4. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-</p> | <p>Overview of Legal Requirements</p> <p>The regulation (Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 8, Article 35, 36)) on preparation of forest management schemes and forest management plans states that forest management plan shall include sections related to forest protection against fires, sanitary protection, and biodiversity protection, recreational and social functions of forests.</p> <p>The forest operations shall be planned and implemented following requirements set up by the regulation on forest cuttings (TKP 143-2008 (02080), STB 1688-2006, STB 1360-2002, STB 1361-2002) There are requirements for protection of nesting places of rare and endangered bird species (TKP 17.07-01-2014 (02120)) as well as requirements to leave trees and dead wood for biodiversity protection in logging sites (TKP 143-2008 (02080), Article 5.2.1, Article 6.1.2.7, Article 6.1.3.2, Annex A; TKP 060-2006 (02080), Article 5.2.11). The maintenance of buffer zones along water courses or lakes as well as some limitation in relation to protection of soil against erosion is foreseen in Forest Code of the Republic of Belarus of 2015 No. 332-Z (Chapter 4, Article 16, 19), Edict of the President of the Republic of Belarus No.364</p> |

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| | <p>of the Republic of Belarus http://mlh.by/ru/official/tech.html 6. TKP 047-2009 (02080). Technical code of common practice. Sustainable forest management. Instruction on reforestation and afforestation in Belarus. http://mlh.by/ru/official/tech.html 7. TKP 060-2006 (02080). Technical code of common practice. Rules of delineation and measurements of felling area in the forests of the Republic of Belarus http://mlh.by/ru/official/tech.html 8. TKP 103-2007 (02080). Technical code of common practice. Rules of survey of cutting areas, the collection of resin, the procurement of secondary forest resources and secondary forest utilization http://mlh.by/ru/official/tech.html 9. The Code of Administrative Offences No. 194-Z of 21.04.2003 http://etalonline.by/?type=text&regnum=Hk0300194 10. Procedural-Executive Code of Administrative Offences. No 194-Z of 20.12.2006 http://etalonline.by/?type=text&regnum=Hk0600194 11. TKP 17.05-01-2014 (02120). Technical code of common practice. Protection of the environment and wildlife management. Vegetable world. Protection rules of wild plants belonging to the species included in the Red Book of the Republic of Belarus, and the sites of their location. https://brestnatura.org/ru/law/ 12. TKP 17.07-01-2014 (02120).</p> | <p>mnogochislennyye-narusheniya-i-9831/ 5. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html 6. Ponomarev, V. 2015. Forest and wood chips. Soviet Belarus № 244 (24874), December 17, 2015. Assessed 6 March 2016 at http://www.sb.by/obshchestvo/article/les-i-shchepki.html 7. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8. 8. Rudenik, V. 2015. At the same rake. Control activities. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - pp. 9-11. Non-Government sources 1. New vision of the forests classification in the Republic of Belarus. The impact of economic and environmental factors, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/new-vision-of-the-forests-classification-in-the-republic-of-belarus/ 2. The New Forest Code of the Republic of Belarus - trends and development of forest management, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/the-new-forest-code-of-the-republic-of-belarus-trends-and-development-of-forest-management/ 3. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1</p> | <p>of 07.07. 2008 (Chapter 2, Annex 1), as well as in the regulation on forest cuttings (TKP 143-2008 (02080), Article 5.2.6, Article 6.1.14.10, Article 6.4.1.3, Article 6.4.6, Annex A; TKP 060-2006 (02080), Article 5.2.11). Requirements on acceptable level for soil damage is described in TKP 103-2007 (02080) (Article 5.10). Water protection buffer zones should be left along rivers and around lakes, along highways and railways are also left buffer zones (Forest Code (Chapter 4, Article 16, 19), Edict of the President of the Republic of Belarus No.364 of 07.07. 2008 (Chapter 2, Annex 1). Management of waste is in accordance with the Law of the Republic of Belarus No. 271-Z of 20.07.2007. There must not be any industrial or household garbage left on the forest site (Code of Administrative Offences No. 194-Z of 21.04.2003, Chapter 6, Article 6.5; Procedural-Executive Code of Administrative Offences. No 194-Z of 20.12.2006, Chapter 3, Article 10.3). Garbage dumps in the forest are prohibited. Any waste (industrial waste, garbage, etc.) must also be removed after forestry operations. Old batteries, car tires, motor oil, and incandescent lamps must be sent for disposal to the authorised organisation (Law of the Republic of Belarus No. 271-Z of 20.07.2007). The use of pesticides and agrochemicals in forestry is allowed only under the regulations given in the State Register (Sanitary regulations "Sanitary-epidemiological requirements for storage, use and transport of pesticides and agrochemicals", Chapter 10, see Resolution of the Ministry of Health of the Republic of Belarus 27.09.2012 No 149. There is national laws and regulations related to seasonal limitation of</p> |

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| | <p>Technical code of common practice. Protection of the environment and wildlife management. Animal world. Regulations for protection of wild animals belonging to the species included in the Red Book of the Republic of Belarus and their habitats. https://brestnatura.org/ru/law/13. TKP 17.12-06-2014 (02120).</p> <p>Technical code of common practice. Protection of the environment and wildlife management. Territories. Vegetable world. Terms of allocation and protection of typical and rare biotopes, typical and rare landscapes. https://brestnatura.org/ru/law/14. STB 1708-2006. Sustainable forest management. The main provisions http://mlh.by/ru/official/tech.html</p> <p>15. STB 1688-2006. Sustainable forest management. Requirements for the forestry planning http://mlh.by/ru/official/tech.html</p> <p>16. STB 1360-2002. Sustainable forest management. Felling. Requirements to technology http://mlh.by/ru/official/tech.html</p> <p>17. STB 1361-2002. Sustainable forest management. Intermediate felling. Requirements to technology http://mlh.by/ru/official/tech.html</p> <p>18. STB 1592-2005. Sustainable forest management. Silvicultural machines. General requirements http://mlh.by/ru/official/tech.html</p> <p>19. STB 1342-2002. Sustainable forest management. Machines for felling. General technical requirements</p> | <p>4. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/</p> <p>5. An Internet-version of the Belarusian Red Book (a Belarusian E-Red Book), 2006. Project "Polesye". Assessed 17 June 2016 at http://redbook.minpriroda.gov.by/</p> <p>6. Dranchuk, V. 2004. Belovezhskaya Pushcha. Resolution SOS. Chronicle of beauty and struggle. 1995-200? / V. Dranchuk – Minsk: Publisher "Kaucheg", 2004 – P. 302.</p> <p>7. Belasin, E., 2013. Are they cutting down oak trees in the Belovezhskaya Pushcha? How a journalist investigated forest secrets. Assessed 18 June 2016 at http://bp21.org.by/ru/art/a130925.html</p> <p>8. Fenchuk, V., 2013. The road is constructed in the National Park "Pripyatsky" destroying virgin forest. Assessed 18 June 2016 at http://wildlife.by/node/25483</p> <p>9. "Wildlife Week with APB" second day, 2016. Public organisation "APB-BirdLife Belarus". Assessed 27 August 2016 at http://www.ptushki.org/info/press/item/17255.html</p> <p>10. Publications, 2016. Public campaign to protect the wildlife of the national park "Pripyat". Assessed 20 June 2016 at http://savepripyatski.by/category/publications/</p> <p>11. Zenina, I., 2009. How sites of Pripyatsky National Park areas are being destroyed? Assessed 19 June 2016 at http://news.tut.by/society/156266.html</p> <p>12. Sadovskaya, E., 2012. Conflict in the Reserve "Middle Pripyat": National Park management wants to cut down oak and ash trees, environmentalists speak</p> | <p>harvesting time (TKP 143-2008 (02080), Article 5.2), environmental requirements for forest machineries (STB 1592-2005, STB 1342-2002), biodiversity conservation (TKP 143-2008 (02080), TKP 060-2006 (02080), TKP 103-2007 (02080), TKP 17.12-06-2014 (02120).</p> <p>Description of risk</p> <p>State Inspectorate for Protection of flora and fauna of the President of the Republic of Belarus as well as State Control Committee of the Republic of Belarus constantly check (based on annual plans of checks, also upon request/claim/suspicious information) how the forest operations are performing and whether they follow environmental requirements stated in the harvesting permissions. There is information from state control authorities about some violations of forest law (Government sources 1-8):</p> <p>a) cutting of forest stands in protected areas, b) the age of forest stand does not correspond to those indicated in the documents, c) diameters of felled trees do not correspond to those indicated in the documents, d) the number of trees felled do not meet data in the documents, e) cutting of forest stands in prohibited areas (or prohibited types of logging). However, there is no information about violation of environmental requirements. The analysis of internet resources (information of independent ecologists, environmental activists (see Non-Government sources 6-8, 10-13), NGO (see Non-Government source 9), researchers (see Non-Government source 14) confirms that there are publications reporting "potential" violations of the national nature conservation legislation in specific protected areas. However, the findings above are</p> |

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| | <p>http://mlh.by/ru/official/tech.html 20. Sanitary norms and rules "Requirements of the use, conditions of transport and storage of pesticides (plant protection products), agricultural chemicals and mineral fertilizers". Approved by the Resolution of the Ministry of Health of the Republic of Belarus September 27, 2012 No149 http://www.pravo.by/main.aspx?guid=3871&p0=W21226455p&p1=1 Legal Authority 1. Ministry of Natural Resources and Environmental Protection of the Republic of Belarus State Service for Protected Areas under the Natural Resources and Environmental Protection; Regional Environment Protection Departments; 2. Ministry of Forestry of the Republic of Belarus 3. Ministry of Defence of the Republic of Belarus 4. The Executive Office of the President of the Republic of Belarus (State Nature Conservation Institutions (National Parks and Berezinsky Biosphere Reserve); Forestry and Hunting Organisations) 5. The National Academy of Sciences of Belarus (State Scientific Institution "The Institute of Forest") 6. Ministry of Education of the Republic of Belarus (Educational and Experimental Forestry Enterprises) 7. City (cities of regional subordination and</p> | <p>against. Assessed 19 June 2016 at http://www.wildlife.by/node/20197 13. Chronicle of the changes in the Bialowieza Forest, 2010. Belovezhskaya Pushcha - XXI Century. Assessed 20 June 2016 at http://bp21.org.by/ru/ff/ 14. Ustin, V., 2013. Help save unique forests in Negorelsky experimental and research forestry! Assessed 19 June 2016 at http://www.wildlife.by/node/22337 15. Public summaries of FSC FM and CoC (Risk Assessment) certification reports, 2016. FSC Public Search. Assessed 10 July 2016 at http://info.fsc.org/</p> | <p>not directly related to the violations of environmental requirements (violations of the Belarusian Law that cover conservation of environmental values). Analysis of the above sources of information (also consultation with representatives of non-governmental organizations and experts of forestry) showed that 1) information on possible violations of nature conservation legislation is mostly related to state environmental institutions (the territory of the national park, etc.), 2) violations of nature conservation legislation do not have an extensive and systematic nature, and 3) there is no publications/information in respect of violations of the environmental requirements. Based on the reports produced by the mentioned state competent authorities as well as representatives of NGOs, researchers and independent ecologists, it is evident that there is no identified systematic and/or large scale non-compliance with legally required environmental protection measures to an extend that threatens the forest resources or other environmental values. Risk conclusion This indicator has been evaluated as low risk.</p> |

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| | <p>Minsk City) executive and regulatory authorities (Park Forests) 8. The Ministry of Emergency Situations of the Republic of Belarus (State Environmental Research Institution "Polessky State Radiation Ecological Reserve")</p> <p>Legally required documents or records Forest Management Plan Harvest permit Technological karta List of projected silvicultural measures Forest map (planshet 1:10 000) with delineated cutting areas Colored forest map (1: 25 000) (projected silvicultural measures)</p> | | |
| 1.11 Health and safety | <p>Applicable laws and regulations 1. Cross-industry regulations on labour safety in the woodworking industry, and forestry. Decree of the Ministry of Labour and Social Protection of the Republic of Belarus No. 211/39 of 30.12.2008. http://lesnoi.by/moodle/course/view.php?id=40 2. System safety standards. Logging operation. Safety Requirements. GOST 12.3.015-78. - Enter. 01.01.1979. http://www.mintrud.gov.by/ru/new_url_1945731889 3. Fire safety regulations in the forests of the Republic of Belarus: Belarus PPB 2.38-2010. - Enter. 01.11.10. http://mlh.by/ru/official/tech.html 4. Standards for fire equipment and tools for fighting forest fires: Resolution of the</p> | <p>Government sources 1. Occupational Safety and Health, 2016. The official website of the Ministry of Labour and Social Protection of the Republic of Belarus. Assessed 20 July 2016 at http://mintrud.gov.by/oxrana-truda/ 2. Number of accidents decreased, 2015. The official website of the Ministry of Forestry. Assessed 20 July 2016 at http://www.mlh.by/ru/news/2654.html 3. Occupations most at risk of fatal injury, 2016. Belarusian forestry newspaper. Assessed 20 July 2016 at http://lesgazeta.by/news/vazhno-znat/v-belarusi-nazvali-professii-naibolee-podverzhennye-risku-smertelnogo-travmirovaniya 4. Section "Protection of Labour", 2016. Belarusian forestry newspaper. Assessed 23 July 2016 at http://lesgazeta.by/ 5. Health and safety, 2016. Chauski FME. Assessed 23 October 2016 at http://chausyleshoz.by/news/426-statistika-neschastnyih-sluchaev-pri-vyipolnenii-</p> | <p>Overview of Legal Requirements According to the legislation (Law of the Republic of Belarus No. 356-Z), forestry enterprises shall have in place a special Health and Safety department. All personnel involved in harvesting activities shall have protection equipment (Cross-industry regulations on labour safety in the woodworking industry, and forestry, Chapter 1, 88; Decree of the Ministry of Labour and Social Protection No. 140 of 01.11.2002, No 166 of 08.12.2005). Rules of safe felling (in Cross-industry regulations on labour safety in the woodworking industry, and forestry, Chapter 13-21) and transport practice (Chapter 16-18, 22-27) shall be followed. Establishment of protection zones around harvesting sites, and safety requirements to machinery should be used (Cross-industry regulations on labour safety in the woodworking industry, and forestry, Chapter 14; TKP 143-2008 (02080), Article 5.2.6, Annex A). At</p> |

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| | <p>Ministry of Forestry and the Ministry of Emergency Situations No. 57/129 of 29.12.2007. http://mchs.gov.by/_modules/_cfiles/files/poos_57_129_29.12.2007.pdf</p> <p>5. Law of the Republic of Belarus No. 356-Z of 23.06.2008 "On Labour Protection" http://kodeksy-by.com/zakon_rb_ob_ohrane_truda.htm</p> <p>6. TKP 143-2008 (02080). Technical code of common practice. Rules of felling in the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>7. Decree of the Ministry of Forestry of the Republic of Belarus of 24.03.2009 No 7 "On approval of the safety management system of the Ministry of Forestry of the Republic of Belarus and its subordinate organisations" http://pravo.levonevsky.org/bazaby11/republic11/text233.htm</p> <p>8. State program on social protection and the promotion of employment for 2016 - 2020 years. Subprogram 2 "Labour Protection" http://www.mintrud.gov.by/system/extensions/spaw/uploads/files/Gosudarstvennaja-programma-na-2016-2020-1.pdf</p> <p>9. Resolution of the Ministry of Labour and Social Protection of the Republic of Belarus of 30 September 2013 No 98 "On approval of the Model provisions on the organisation of labour protection service"</p> <p>Legal Authority</p> <p>1. Ministry of Labour and Social Protection of the Republic of Belarus</p> | <p>leszagotovitelnyih-rabot-v-finlyandii-i-belarusi.html</p> <p>6. Heads of the Ministry of Forestry take the exam on labour protection, 2016. Belarusian forestry newspaper. Assessed 20 October 2016 at http://lesgazeta.by/people/podrobnosti/rukovoditeli-organizacij-minleshoza-sdavali-jekzamen-po-ohrane-truda</p> <p>7. Information letter on occupational injuries in carrying out logging activities, 2014. Department of State Labour Inspection. Assessed 20 October 2016 at http://www.mintrud.gov.by/ru/informacionnoe-pismo-o-proizvodstvennom-travmatizme-pri-vypolnenii-lesosechnyx-rabot</p> <p>8. Section "Labour Protection", 2016. Belarusian magazine "Forestry and hunting". Assessed 23 October 2016 at http://www.mlh.by/ru/lioh/</p> <p>9. Operational data of the State Labour Inspectorate regarding occupational injuries, 2016. Department of State Labour Inspection. Assessed 15 August 2016 at http://git.gov.by/без-рубрики/operativnye-dannye-departamenta-gosudarstvennoj-inspekcii-truda-o-proizvodstvennom-travmatizme-so-smertelnym-ixodom-v-organizacijax-respubliki-belarus-za-yanvar-mart-2016-goda/</p> <p>10. Typical violations of labour legislation and labour protection, 2016. Department of State Labour Inspection. Assessed 11 August 2016 at http://git.gov.by/nadzorno-kontrolnaya-deyatelnost/tipichnye-narusheniya-zakonodatelstva/</p> <p>11. Data on accidents at work, 2016. Department of State Labour Inspection. Assessed 25 September 2016 at http://80.94.229.212/nadzorno-kontrolnaya-deyatelnost/tipichnye-narusheniya-zakonodatelstva/eto-moglo-ne-sluchitsya/</p> <p>Non-Government sources</p> <p>1 The new version of the law "On labour protection",</p> | <p>present most of Forest Management Enterprises (FMEs) have a recognized 3rd party certification system covering health and safety procedures such as "occupational health and safety management system".</p> <p>Instructions on labour protection, logs and records of training and testing, also individual cards of personal protective equipment should always be available (GOST 12.3.015-78). Employees must use the required personal protective equipment (Cross-industry regulations on labour safety in the woodworking industry, and forestry, Article 88). The monitoring of compliance with Health and Safety legislation is performed by different government authorities such as the Ministry of Labour and Social Protection, regional branches of the Ministry of Forestry as well special health and safety departments of forestry enterprises. Also regional branches of the Ministry of Labour and Social Protection, Trade Unions, State Control Committee) are checking how the health and safety requirements are fulfilled.</p> <p>Description of risk</p> <p>The Department of State Labour Inspection of the Ministry of Labour and Social Protection provides guidance regarding health and safety issues, collect information about accidents and conduct an annual report of Health and Safety (Government source 3, 7). Based on this report, the sectors with the highest amount of work injuries in recent years are: industry, construction, transport, electricity and gas supply. However, the agricultural sector, including hunting and forestry, is a risk prone sector in terms of serious accidents and deaths. During 2015 33% of fatal accidents across all sectors, happened within the agricultural sector (including hunting and</p> |

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| | <p>2. Ministry of Forestry of the Republic of Belarus</p> <p>Legally required documents or records</p> <p>Subcontracting agreements</p> <p>Summary statistic on different accidents in forestry work,</p> <p>List of accidents (company data)</p> <p>Health and safety equipment issuance card,</p> <p>Health and safety verification acts</p> <p>Journals safety instruction</p> <p>Norms of issuance of protective clothing</p> <p>Norms of issuance of special protective equipment and fixtures</p> | <p>2013. Engineers Forum of Labour Protection Belarus. Assessed 17 June 2016 at http://www.ohrana-truda.by/topic/1633-novaia-redakcia-zakona-okhrane-truda-2013//</p> | <p>forestry) (Government source 3).</p> <p>The Ministry of Forestry has implemented a sector-targeted program to improve working conditions and safety (approved by the Ministry of Forestry of 30.12.2010, No 41). Based on the program various risk mitigation measures are foreseen and implemented by organisations of the Ministry of Forestry (Government source 2) e.g. in order to further improve conditions and labour protection in 2014, 87829,6 million rubles were spent (2500 thousand rubles per forestry employee)) (Government source 2, 5).</p> <p>The Safety Management System is obligatory for all organisations subordinated by the Ministry of Forestry (Decree of the Ministry of Forestry of the Republic of Belarus of 24.03.2009 No 7) (see "Applicable laws and regulations" 7, 9).</p> <p>The above-mentioned resulted in a decreased number of work related accidents (in 2014 by 26% in comparison with 2011), which is considered a result of the implemented health and safety program (Government source 2, 4, 8).</p> <p>During 2014, there were recorded 28 deaths and accidents in the organisations of the Ministry of Forestry (including 6 serious injuries, 4 death cases) (Government source 2, 5). In the Belarusian forest newspaper and magazine "Forestry and hunting" is continuously printed information under "Occupational health", "Labour Protection", "Social security", "Fire Safety" to inform workers about the state of occupational safety and occupational injuries in the forestry (Government source 4, 8).</p> <p>During 2014 on labour protection questions were trained 2457 employees, including 1159 managers and specialists, 1316 workers. In total 6 regional and 142 regional practical seminars on</p> |

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| | | | <p>occupational safety and health was carried out, which was attended by 3710 employees (Government sources 1, 2, 4, 6, 8). During the last 10 years the state forestry authorities have implemented a number of measures aimed to improve working conditions and to prevent accidents: 1) health and safety program of the Ministry of Forestry to improve working conditions and safety, 2) increased finance of health and safety measures in FMEs, 3) occupational Health and Safety Management System is introduced to be obligatory for all organisations subordinated by the Ministry of Forestry. Despite the accidents that still occur at work, the rate of serious injuries in 2014 in Belarus has decreased by 26 % (2011) (Government sources 2, 4, 8).</p> <p>Taking into account the improvement during the last years and preventive measures implemented by the responsible authorities (Government sources 1-11), this subcategory is considered as low risk.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk.</p> |
| 1.12 Legal employment | <p>Applicable laws and regulations</p> <p>1. Constitution of the Republic of Belarus of 1994 (with changes and additions adopted at the republican referenda of November 24, 1996 and of October 17, 2004) (Article 41). http://www.pravo.by/main.aspx?guid=6351</p> <p>2. Labour Code of the Republic of Belarus No. 296-Z of 26.07.1999 http://www.pravo.by/main.aspx?guid=6361</p> <p>3. Law of the Republic of Belarus No. 1605-XII of 22.04.1992 "On Trade Unions" http://kodeksy-</p> | <p>Government sources</p> <p>1. Typical violations of labour legislation and labour protection, 2016. Department of State Labour Inspection. Assessed 11 August 2016 at http://git.gov.by/nadzorno-kontrolnaya-deyatelnost/tipichnye-narusheniya-zakonodatelstva/</p> <p>2. Tariff agreement between the Ministry of Forestry of the Republic of Belarus and the Belarusian trade union of forest workers in 2016 - 2018 years, 2015. Ministry of Forestry. Assessed 25 August 2016 at http://www.mopl.by/kscms/uploads/editor/files/ts_mlh_2016-2018.pdf</p> <p>3. Supervisory and control activities of the Department,</p> | <p>Overview of Legal Requirements</p> <p>Legal employment in Belarus is defined by a number of different laws and regulations (see list of Applicable laws and regulations). According to the legislation (Labour Code of the Republic of Belarus No. 296-Z, Section II, Chapter 2) all employees shall have signed an employment contract, which is a basis for obligatory social security. According to the requirements of the Labour Law (Labour Code of the Republic of Belarus No. 296-Z, Chapter 2), the employment contract must be in writing and it must contain essential provisions in order to be valid, such as conditions of payment, the place of</p> |

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| | <p>by.com/zakon_rb_o_professional_nyh_so_yuzah.htm</p> <p>4. Law of the Republic of Belarus No. 356-Z of 23.06.2008 "On Labour Protection" http://kodeksy-by.com/zakon_rb_ob_ohrane_truda.htm</p> <p>5. State program on social protection and the promotion of employment for 2016 - 2020 years. Chapter 6, Subprogram 2 "Promotion of Employment" http://www.mintrud.gov.by/system/extensions/spaw/uploads/files/Gosudarstvennaja-programma-na-2016-2020-1.pdf</p> <p>Legal Authority</p> <p>1. Ministry of Labour and Social Protection of the Republic of Belarus</p> <p>2. Ministry of Forestry of the Republic of Belarus</p> <p>Legally required documents or records</p> <p>Accounting data of employees from personnel department</p> <p>Employment contracts</p> <p>Database of employees</p> | <p>2016. Department of State Labour Inspection. Assessed 27 August 2016 at http://git.gov.by/nadzorno-kontrolnaya-deyatelnost/</p> <p>4. Labour protection of minors, 2016. Department of State Labour Inspection. Assessed 28 August 2016 at http://git.gov.by/dlya-molodyozhi-nachinayushhej-trudovuyu-deyatelnost/oxrana-truda-pri-organizacii-truda-nesovershennoletnix/</p> <p>5. Rights of young workers in employment, 2016. Department of State Labour Inspection. Assessed 28 August 2016 at http://git.gov.by/dlya-molodyozhi-nachinayushhej-trudovuyu-deyatelnost/prava-molodyx-rabotnikov-pri-priyome-na-rabotu/</p> <p>6. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/</p> <p>7. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>8. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-deyatelnost-rjada-organizatsij-lesnoj-otrasli-9912/</p> <p>9. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at</p> | <p>work and a job description. Certain types of employment contract may require additional provisions such as the term of the contract, seasonal work, etc. Temporary hires, provided through employment agencies, offer an alternative to fixed term contracts.</p> <p>Workers are in general employed according to the regulation and required contracts are in place (Government sources 2-5, Non-Government source 1). Persons involved in harvesting activities are found to be covered by insurances and obligatory hold required certificates of competence for the function they carry out (Government sources 2). Legally established minimum salaries are paid for personal involved in harvesting activities (Government sources 6-11, Non-Government source 2). Salaries are paid officially and declared by the employer according to requirements for personal involved in harvesting activities (Government sources 3-11, Non-Government source 2).</p> <p>Description of risk</p> <p>The geographical position of Belarus attracts illegal immigrants from Central Asia, the Caucasus, the Far East and from the former Soviet Union, many of which cross Belarus' territory with the hope to get to Western Europe (Government source 12). There is information that some of the foreigners are working illegally in the field of trade and construction (Non-government sources 3, 5).</p> <p>The most common area of illegal labour activity in the country is the service sector and in the western regions, it is border trade. Work abroad is typical for all regions (Non-government sources 4). Based on data of the Ministry of Labour and Social Protection of the Republic of Belarus, the most common cases</p> |

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| | | <p>http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-mnogochislennye-narushenija-i-9831/ 10. Jobs in the forestry, 2016. Liahovichski FME. Assessed 18 August 2016 at http://lesgas.by/index.php/vakansii.html 11. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html 12. History, 2016. Official website of the Ministry of Internal Affairs of the Republic of Belarus. Assessed 15 October 2016 at http://mvd.gov.by/ru/main.aspx?guid=10051</p> <p>Non-Government sources 1. NGO "Belarusian Society of Foresters", 2016. Ministry of Forestry. Assessed 11 June 2016 at http://mlh.by/ru/offers/bol.html 2. Jobs in the forestry. Forest master, 2016. Belmeta. Assessed 20 August 2016 at http://belmeta.com/вакансии/мастер_леса 3. Illegal builders from Azerbaijan were detained in Minsk, 2016. Onliner. Assessed 19 August 2016 at https://realt.onliner.by/2013/06/04/azer-3 4. Shadow economy, 2016. Belarus in focus. Assessed 26 September 2016 at http://belarusinfocus.info/by/regiyony/do-1-mln-belorusov-vovlecheno-v-tenevuyu-ekonomiku 5. Illegal service station in the center of Gomel, 2016. Capital TV. Assessed 26 September 2016 at http://www.ctv.by/novosti-gomelya-i-gomelskoy-oblasti/v-centre-gomelya-rabotal-nelegalnyy-avtoservis-klientov-nahodili 5. Many foreigners are working in retail outlets in Zhdanovichy illegally, 2016. Minsknews. Assessed 27</p> | <p>of illegal employment in Belarus for the most economic sectors are: 1. Individual persons performing economical activities without self-employed licenses, 2. Performing economical activities without legally registering company or without required licenses. Illegal employment in the forestry sector is according to this data, not an actual issue. Different competent authorities control forestry enterprises on various aspects, including questions of employment and implementing of labour law (Government sources 1, 6-9, 11). Review of information sources, interview with forestry specialists and consultation with representatives of NGO and trade unions did not reveal any evidence or indications of illegal employment in the forestry sector. Based on the information provided, it is seen that there might be some cases of violations of the labour law e.g. complaints from workers to the employer (the timely payment of wages, holiday pay, and payment for additional workdays) in the forestry sector. However, the control measures implemented by legal authorities (Government sources 1-3) (new Tariff agreement is in force, Government source 2) and the fact that there are no indications of illegal employment in the forestry sector, provide background for defining this sub-category as low risk. Risk conclusion This indicator has been evaluated as low risk.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | September 2016 at minsknews.by/blog/2014/11/19/mnogie-inostrantsyi-rabotayut-v-torgoviyh-tochkah-v-zhdanovichah-nelegalno/ | |
| Third parties' rights | | | |
| 1.13 Customary rights | <p>Applicable laws and regulations</p> <p>1. Constitution of the Republic of Belarus of 1994 (with changes and additions adopted at the republican referenda of November 24, 1996 and of October 17, 2004) (Article 13). http://www.pravo.by/main.aspx?guid=6351</p> <p>2. Forest Code of the Republic of Belarus of 2015 No. 332-Z (Article 5, 14, 95) http://www.pravo.by/main.aspx?guid=12551&p0=Hk1500332&p1=1</p> <p>3. Land Code of the Republic of Belarus of 2008 No. 425-Z (Chapter 2, 6, 12). http://www.pravo.by/main.aspx?guid=6361</p> <p>Legal Authority N/A</p> <p>Legally required documents or records N/A</p> | N/A | <p>The Legal Acts (Constitution, Forest Code) allow all people free access to the forest, as well as free movement through the forest. Everybody is allowed to pick forest fruits, mushrooms for their own consumption. Restriction from these requirements are implemented in military forest and protected areas. Forestry authority may order restriction for necessary period if there is need for special protection of forest (e.g. fire season). There is no evidence to consider this area as specified.</p> <p>Risk conclusion This indicator has been evaluated as low risk.</p> |
| 1.14 Free prior and informed consent | <p>Applicable laws and regulations Not applicable – there is no legislation covering Free prior and Inform Consent</p> <p>Legal Authority N/A</p> <p>Legally required documents or records N/A</p> | N/A | N/A |
| 1.15 Indigenous | <p>Applicable laws and regulations N/A</p> | N/A | N/A |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| peoples rights | Legal Authority N/A Legally required documents or records N/A | | |
| Trade and transport | | | |
| 1.16 Classification of species, quantities, qualities | Applicable laws and regulations 1. Instructions on round wood accounting in organisations of the Ministry of Forestry of the Republic of Belarus (Regulation of the Ministry of Forestry of the Republic of Belarus No. 176 of 01.07.2011 "On approval of the Instruction on accounting timber in organisations of the Ministry of Forestry of the Republic of Belarus") http://pravoby.info/bel/20/160.htm 2. STB 1711-2007. Round timber of coniferous species. Specifications. http://mlh.by/ru/official/tech.html 3. STB 1712-2007. Hardwood roundwood. Specifications. http://mlh.by/ru/official/tech.html 4. STB 1667-2012. Round timber. Methods of measuring the size and determine the volume. http://mlh.by/ru/official/tech.html 5. GOST 2708-75. Round timber. Volume tables. http://www.gosthelp.ru/text/GOST270875Lesomaterialykr.html 6. STB 1510-2012. Firewood. Specifications. http://mlh.by/ru/official/tech.html 7. STB 2187-2011 (EN 1315: 2010). Round timber. Classification by size. | Government sources 1. Standardization and Quality Management, 2016. The official website of UE "Belgiroles". Assessed 12 October 2016 at http://belgiroles.by/standardization.aspx 2. Technical normative legal acts, 2016. The official website of the Ministry of Forestry. Assessed 13 October 2016 at http://mlh.by/ru/official/tech.html 3. Technical normative legal acts (TNPA), 2016. National Fund of Technical Normative Legal Acts. Assessed 22 October 2016 at http://www.tnpa.by/index.php 4. Development of logging stations, 2016. Belarusian forestry newspaper. Assessed 22 September 2016 at http://lesgazeta.by/economy/rezervy--proizvodstva/razvitie-lesopunktov-%E2%80%9494-zadacha--1 5. In step with the times, 2016. The official website of the Ministry of Forestry. Assessed 21 October 2016 at http://mlh.by/ru/news/3317.html 6. SoftService presented an electronic timber accounting in 1C program, 2016. Softservice Ltd. Assessed at http://softservice.by/news/softservis_prezentoval_elektronnny_uchet_drevesiny_v_programme_1s 7. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/ | Overview of Legal Requirements The State Committee for Standardisation and UE "Belgiroles" (organisation of the Ministry of Forestry) are responsible for development of legal acts and regulations related to classifications, measurement of qualities and quantities of round wood (Government sources 1, 2). Regulations on measuring and defining the volume of round wood (STB 1667-2012) and standing forests (TKP 060-2006 (02080)) defines how the volume for different timber products (round wood, sawn timber, paper wood, etc.) shall be calculated and provides the tables (GOST 2708-75) of logs volume calculations as well as other formulas for calculation of timber volume (STB 1667-2012). Each Forest Management Enterprise (FME) shall have quality management staff (with quality manager in chief) (Regulation of the Ministry of Forestry No. 176 of 01.07.2011). Schedule of procedures on round wood calculation sets the order, how the round wood shall be accepted (documents and data required) as well as provides the rules on round wood re-classification, describes the documented timber tracking system and explains in details, how the required documents shall be filled (Instructions on round wood accounting, approved 01.07.2011). Description of risk Technical normative legal acts (TNPA) on the |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>http://www.tnpa.by/PoiskTnpaGosOrgan.php</p> <p>8. STB 2315-1-2013. Round timber hardwood. Sort by quality. Part 1: Oak, ash. http://www.tnpa.by/PoiskTnpaGosOrgan.php</p> <p>9. STB 2315-2-2013. Round timber hardwood. Sort by quality. Part 2: Birch, aspen, alder. http://www.tnpa.by/PoiskTnpaGosOrgan.php</p> <p>10. STB 2316-1-2013. Round timber of coniferous species. Sort by quality. Part 1: Spruce and fir. http://www.tnpa.by/PoiskTnpaGosOrgan.php</p> <p>11. STB 2316-2-2013. Round timber of coniferous species. Sort by quality. Part 2. Pine. http://www.tnpa.by/PoiskTnpaGosOrgan.php</p> <p>12. ТКП 041-2015 (33090). The organisation works to ensure the stability of product quality in the organisations of the Ministry of Forestry of the Republic of Belarus http://mlh.by/ru/official/tech.html</p> <p>13. ТКП 084-2012 (02080). The rules of the "Day and Week of quality" in the organisations of the Ministry of Forestry of the Republic of Belarus http://mlh.by/ru/official/tech.html</p> <p>14. ТКП 085-2015 (33090). Metrological support of organisations of the Ministry of Forestry of the Republic of Belarus http://mlh.by/ru/official/tech.html</p> | <p>8. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>9. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-dejatelnost-rjada-organizatsij-lesnoj-otrasli-9912/</p> <p>10. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavilamnogochislennye-narushenija-i-9831/</p> <p>11. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>12. Ponomarev, V. 2015. Forest and wood chips. Soviet Belarus № 244 (24874), December 17, 2015. Assessed 6 March 2016 at http://www.sb.by/obshchestvo/article/les-i-shchepki.html</p> <p>13. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8.</p> <p>14. Investment and innovation in the forestry, 2016. The official website of the Ministry of Forestry. Assessed 23 September 2016 at</p> | <p>measurement of round timber and assessment of the quality of the timber, have been developed and improved since the beginning of 2000 (Government sources 1-3). There is a database of technical normative legal acts (Government sources 1, 3). In forestry UP Belgiproles is responsible for the development and improvement of technical regulations (including assessment of roundwood) (Government sources 1, 2).</p> <p>The internal quality management is carried out by a) staff of FME (quality manager in chief), and b) by the department of standardisation of UE "Belgiproles" via document control and field verification of sampling of round wood (Government sources 1, 2, 4). An examples is the "weeks of product quality" in the organisations of the Ministry of Forestry) (ТКП 041-2015 (33090), ТКП 084-2012 (02080), ТКП 085-2015 (33090)).</p> <p>According to the results of checking (verification within "weeks of quality"), 0.62% (from 14th to 18th March 2016) and 0.58% (16th to May 20th 2016) of the quality of the total volume of tested timber, did not correspond requirements of standards (STB 1711-2007, STB 1712-2007). Products are generally correctly classified (species, quantities, qualities etc.) on sales documents and other legally required documents (Government sources 1, 4).</p> <p>Thus, there are customer complaints on product quality (curvature, and diameter). However, there are unsubstantiated claims of customers for quality. In general, the number of claims (reclamations) decreased twice. In total for January to April 2016, 117 complaints were received, of which 42 were accepted (Government source 4).</p> <p>The external control is carried out by different competent state authorities (document control and</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>15. Rules of Wood Supply in Domestic Market of the Republic of Belarus (Edict of the President of the Republic of Belarus No.214 of 07.05.2007 (in wording of Edict of the President of the Republic of Belarus No.504 of 08.11.2012))</p> <p>16. TKP 060-2006 (02080). Technical code of common practice. Rules of delineation and measurements of felling area in the forests of the Republic of Belarus. http://mlh.by/ru/official/tech.html</p> <p>Legal Authority</p> <p>1. The State Committee for Standardization of the Republic of Belarus</p> <p>2. Ministry of Forestry of the Republic of Belarus (UE "Belgiproles")</p> <p>Legally required documents or records</p> <p>Waybill (or Bill of lading, Shortcut on the timber hauling)</p> <p>Wood records documentary</p> <p>Round wood inventory sheet</p> <p>Reclassification card</p> <p>Computer timber accounting database</p> | <p>http://www.mlh.gov.by/ru/news/3146.html</p> <p>Non-Government sources</p> <p>1. Shmatkov, N. 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG). Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>2. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1</p> <p>3. Feasibility study for the timber origin tracing system establishment based on product labeling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>4. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP", 2012. – P. 87.</p> <p>5. Minkevich, S.I. 2013. Analysis of timber registration system on its compliance with the norms of EU Regulation / S.I. Minkevich, A.A. Bui. In Proceeding of Scientific papers of BSTU. – Minsk, 2013. – No 1: Forestry. - P. 36-39.</p> | <p>field verification) (Government sources 7-13). Control bodies work to verify that the present material equals what has been indicated in invoices and properly marked. An electronic timber accounting system is going to be incorporated as part of software that is already in use in the Belarusian forestry (Government sources 4-6, 14). Based on the results of an international research "Feasibility Study for Introduction of Electronic Timber Tracking Technologies in Belarus" in addition some proposals for further improvement of the electronic timber origin tracking system within the Unified Automatic Informational System of the Ministry of Forestry of Belarus were proposed (Non-government sources 1, 3, 4). Therefore, there is further improvement of the system of timber registration and volume / quality assessment. Thus, the review of sources of information, consultation with experts from forestry, representatives of NGOs are not currently identified cases of deliberate incorrect classification of harvested material in terms of species, volumes and qualities in connection with trade and transport as a result of corruption and bribery practices. Belarus has legislation that regulates volume measurement of wood and procedures of control and verification and there is no evidence at the moment (e.g. from state or non-state sources) to consider this area as area with specified risk.</p> <p>Risk conclusion</p> <p>This indicator has been evaluated as low risk.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | | 6. Minkevich, S., Bui A., 2013. Accounting of harvested timber. Assessed 20 September 2016 at http://tractor-belarus.com/publications/news/detail.php?id=28 | |
| 1.17 Trade and transport | <p>Applicable laws and regulations</p> <ol style="list-style-type: none"> 1. Resolution of the Ministry of Finance of the Republic of Belarus of 30 June 2016 No 58 "On the form of the waybill, bill of lading and the approval of the Instructions on the procedure for filling of the waybill and the bill of lading" http://www.centr-cen.by/upload/58.pdf 2. Instructions on the procedure for filling of the waybill and the bill of lading (approved 30 June 2016, Resolution of the Ministry of Finance No 58) http://www.centr-cen.by/upload/58.pdf 3. Instructions on round wood accounting in organisations of the Ministry of Forestry of the Republic of Belarus (Regulation of the Ministry of Forestry of the Republic of Belarus No. 176 of 01.07.2011 "On approval of the Instruction on accounting timber in organisations of the Ministry of Forestry of the Republic of Belarus") http://pravoby.info/bel/20/160.htm 4. Rules of Wood Supply in Domestic Market of the Republic of Belarus (Edict of the President of the Republic of Belarus No.214 of 07.05.2007 (in wording of Edict of the President of the Republic of Belarus No.504 of 08.11.2012)) <p>Legal Authority</p> <ol style="list-style-type: none"> 1. Ministry of Finance of the Republic of Belarus 2. Ministry of Taxes and Duties of the Republic of Belarus | <p>Government sources</p> <ol style="list-style-type: none"> 1. Standardization and Quality Management, 2016. The official website of UE "Belgiproles". Assessed 12 October 2016 at http://belgiproles.by/standardization.aspx 2. Technical normative legal acts, 2016. The official website of the Ministry of Forestry. Assessed 13 October 2016 at http://mlh.by/ru/official/tech.html 3. Technical normative legal acts (TNPA), 2016. National Fund of Technical Normative Legal Acts. Assessed 22 October 2016 at http://www.tnpa.by/index.php 4. Development of logging stations, 2016. Belarusian forestry newspaper. Assessed 22 September 2016 at http://lesgazeta.by/economy/rezervy--proizvodstva/razvitie-lesopunktov-%E2%80%9494-zadacha--1 5. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 12 January 2016 at http://gosinspekciya.gov.by/information/ 6. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 March 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/ 7. The State Control Committee checked the activities of some enterprises of the forestry industry, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 12 March 2016 at | <p>Overview of Legal Requirements</p> <p>"Schedule of procedures on round wood calculation" sets the requirements on how the round wood shall be accepted and which documents and data are required (Instructions on round wood accounting, approved 01.07.2011). The same regulation describes the rules of the documented timber tracking system and explains in details, how the required documents shall be filled (Instructions on the procedure for filling of the waybill and the bill of lading, approved 30 June 2016, No 58).</p> <p>"Schedule of procedures on round wood transportation" states that the person, transporting timber from forests, shall have the timber transportation sheet (waybill) (Instructions on round wood accounting, approved 01.07.2011). The information and data which have to be included in the transportation sheet and other documents are defined in the mentioned schedule of procedures (Instructions on the procedure for filling of the waybill and the bill of lading, approved 30 June 2016, No 58). The mentioned legal acts allows to link documents related to transportation, trade to the specific material in question and to the origin. Safety requirements, methods of monitoring the security and safety requirements of timber-carrying equipment set out in GOST 12.2.102-2013 (Decree of the State Committee for Standardization of the Republic of Belarus of 24.12.2008 №64). Forest roads requirements (including strength and stability) are defined in the STB 1627-2006.</p> <p>Description of risk</p> <p>An international research "Feasibility Study for</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>3. Ministry of Forestry of the Republic of Belarus</p> <p>Legally required documents or records</p> <p>Waybill (or Bill of lading, Shortcut on the timber hauling)</p> <p>Computer timber accounting database</p> | <p>http://kgk.gov.by/ru/vazno_znat-ru/view/Komitetom-goskontrolja-proverena-dejatelnost-rjada-organizatsij-lesnoj-otrasli-9912/</p> <p>8. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-mnogochislennye-narushenija-i-9831/</p> <p>9. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>10. Investment and innovation in the forestry, 2016. The official website of the Ministry of Forestry. Assessed 23 September 2016 at http://www.mlh.gov.by/ru/news/3146.html</p> <p>Non-Government sources</p> <p>1. Shmatkov, N. 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG)". Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>2. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1</p> <p>3. Feasibility study for the timber origin tracing system establishment based on product labelling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument</p> | <p>Introduction of Electronic Timber Tracking Technologies in Belarus" was carried out supported by the European Neighbourhood and Partnership Instrument (ENPI) East Countries Forest Law Enforcement and Governance (FLEG) II Program funded by European Union. The research was organised to access the need for additional measures to increase transparency and effectiveness of a timber tracking system in Belarus. This research was important in the context of enforcement of the European Union Timber Regulation 995/2010 laying down obligations on operators who place timber or timber products on European markets. It was also an important step towards the introduction of due diligence systems to evaluate and minimize legality risks. One of the conclusions from the research is that timber product labelling and the applied record keeping system are in accordance with the regulations and that the system in place allows tracing the delivery to the origin.</p> <p>Recommendations have been made with regard to the improvement of the national forest sector and the associated legislation as well as to that of the timber record keeping system, including the use of electronic record keeping technology (Non-Government sources 1, 3, 4).</p> <p>According to the results of the research, the effectiveness of the existing timber tracking system in Belarus is high. Additional measures to barcode individual logs are not necessary. The existing system of timber tracking of the Ministry of Forestry of Belarus is effective enough to be used to prove timber legality. The above-mentioned research however suggested further improvement of the electronic timber origin tracking system within the</p> |

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| | | <p>East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>4. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87.</p> <p>5. Minkevich, S.I. 2013. Analysis of timber registration system on its compliance with the norms of EU Regulation / S.I. Minkevich, A.A. Bui. In Proceeding of Scientific papers of BSTU. – Minsk, 2013. – No 1: Forestry. - P. 36-39.</p> <p>6. Minkevich, S., Bui A., 2013. Accounting of harvested timber. Assessed 20 September 2016 at http://tractor-belarus.com/publications/news/detail.php?id=28</p> | <p>Unified Automatic Informational System of the Ministry of Forestry of Belarus were proposed (Non-government sources 1, 3, 4). Research publications (Non-Government source 4, 5) presents the analysis of the national system of harvested timber registration and its compliance with the latest EU initiatives.</p> <p>The State Inspectorate for Protection of flora and fauna of the President of the Republic of Belarus as well as State Control Committee of the Republic of Belarus control, how requirements set up in legal acts for trade and transportation, is implemented (Government sources 5-9). Inspections revealed cases where transport documentation is not filled in fully correct. However, errors in filling in the documents do not have a significant and systematic character (Government sources 5-9, Non-Government source 4).</p> <p>Thus, the review of sources of information, consultation with experts from forestry, representatives of NGOs are not currently identified cases of timber transport without documents or issued as a result of corrupt / bribery practices.</p> <p>Risk conclusion This indicator has been evaluated as low risk.</p> |
| 1.18 Offshore trading and transfer pricing | <p>Applicable laws and regulations</p> <p>1. Tax code of the Republic of Belarus No. 166-Z of 19.12.2002 (General part, Article 8; Article 30/1) http://etalonline.by/?type=text&regnum=Hk0200166#load_text_none_1_</p> <p>2. Tax code of the Republic of Belarus No. 71-Z of 29.12.2009 (Special part, Chapter 24) http://etalonline.by/?type=text&regnum=Hk0900071</p> | <p>Government sources</p> <p>1. Rudyj, K. 2003. Concerning the establishing of an offshore business by Belarusian entrepreneurs – KAZNAHEY. Belarusian legislation. Assessed 20 October 2016 at http://www.kaznachey.com/doc/8p37fY99NAo/</p> <p>2. Offshores have become available for Belarusian entrepreneurs, 2013. Telegraph.by. News Agency. Assessed 21 October 2016 at http://telegraf.by/2013/01/beloruskim-predprinimatelyam-stali-dostupni-offshori</p> | <p>Overview of Legal Requirements</p> <p>Offshore trading is not illegal in Belarus, however, there is a list of approved offshore countries (Edict of the President of the Republic of Belarus No. 353).</p> <p>The objects of offshore fee are as follows:</p> <ol style="list-style-type: none"> 1) transfer of funds by a resident of a non-resident of Belarus, registered in an offshore zone, 2) the performance of an obligation in kind to non-residents of Belarus, registered in an offshore zone, 3) transition in accordance with the law of property |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
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| | <p>3. Edict of the President of the Republic of Belarus No. 353 of 25.05. 2006 "On approving the list of offshore zones" http://www.pravo.by/main.aspx?guid=3871&p0=P30600353</p> <p>4. Letter of the Ministry of Taxes of Belarus from 22.06.2010 № 4-2-24 / 11596 "On the offshore fee " https://www.gb.by/izdaniya/glavnyi-bukhgalter/offshorni-sbor-v-kontekste-zakonodatels_0000000</p> <p>5. Law of the Republic of Belarus No. 10-Z of 05.01.2009 "On Commodity Exchange" http://www.pravo.by/webnpa/text.asp?RN=h10900010</p> <p>6. Law of the Republic of Belarus No. 284-Z of 08.07.2015 "On Amendments and Addenda to the Law of the Republic of Belarus "On Commodity Exchanges" http://www.pravo.by/main.aspx?guid=12551&p0=H11500284&p1=1&p5=0</p> <p>7. Resolution of the Ministry of Finance of the Republic of Belarus of 16 June 2004 No 714 "On measures to develop exchange trade on commodity exchanges" http://butb.by/торги-лесопродукцией/правовые-документы/</p> <p>8. Resolution of the Ministry of Finance of the Republic of Belarus of 08 October 2015 No 839 "On Measures for the Implementation of the Law of 8 July 2015" http://butb.by/торги-лесопродукцией/правовые-документы/</p> | <p>3. The development of offshore in Belarus is impossible in principle, 2016. BELTA. Belarusian Telegraph Agency. Assessed 21 October 2016 at http://www.belta.by/economics/view/razvitie-offshorov-v-belarusi-nevozmozno-v-printsipe-fridkin-188960-2016/</p> <p>4. Transfer pricing in the Republic of Belarus. Control of the application of transfer pricing in the Republic of Belarus, 2016. The Ministry of Taxes and Duties of the Republic of Belarus. Assessed 21 October 2016 at http://www.nalog.gov.by/ru/pricing/</p> <p>5. Transactions to be monitored in 2016, 2016. The Ministry of Taxes and Duties of the Republic of Belarus. Assessed 22 October 2016 at http://www.nalog.gov.by/ru/sdelki-podl-kontrolyu/</p> <p>6. Exchange auctions for timber, 2016. OJSC "Belarusian Universal Commodity Exchange". Assessed 22 October 2016 at http://butb.by/ http://old.butb.by/engl/?page=19</p> <p>7. Export geography, 2016. UE "Bellesexport". Assessed 25 September 2016 at http://www.bellesexport.by/export/export-geography/</p> <p>8. Bidding Calendar, 2016. UE "Bellesexport". Assessed 27 September 2016 at http://www.bellesexport.by/export/bidding-calendar/9. Commodity Exchange will register OTC transactions, 2015. National Legal Internet Portal of the Republic of Belarus. Assessed 29 October 2016 at http://www.pravo.by/main.aspx?guid=191343</p> <p>Non-Government sources</p> <p>1. Nehaj, N. 2011. Offshore fee in the context of legislation of the Republic of Belarus - Chief Accountant. Practical magazine for accountants. Assessed 20 October 2016 at https://www.gb.by/izdaniya/glavnyi-bukhgalter/offshorni-sbor-v-kontekste-zakonodatels_0000000</p> | <p>rights and (or) duties in connection with the change of persons in the undertaking to which a resident of the Republic of Belarus and the non-resident registered in an offshore zone (Tax code No. 71-Z of 29.12.2009 (Special part, Article 232)). The rate of offshore acquisition - 15% (Article 232 of Tax Code).</p> <p>However, the country's economists expressed confidence that in Belarus the development of offshore trade is impossible (Government source 3): "To do this, Belarus would have to break a number of agreements with other countries, including the avoidance of double taxation and so on". There is no information that the state forest organisations are involved (or may become) in offshore transactions. All export transactions of roundwood are concluded through Belarusian Universal Commodity Exchange. There is no countries of partners (wood buyers) in the list of offshore countries (Government sources 5-7). On January 1, 2012 Article 30-1 of the Tax Code of the Republic of Belarus (Government source 4) (regarding control of the application of transfer pricing in the Republic of Belarus) entered into force.</p> <p>According to the requirements described in Article 30-1 of Tax Code, tax authorities shall be entitled to verify compliance with the price level with the market prices for foreign trade transactions, in cases where their amount exceeds the amount established by the Tax Code. This is when the sum of transactions during a tax period, with one person (organisation), carried out with a related party, or with a resident of offshore areas, exceeds 1 billion of Belarusian rubbles excluding indirect taxes (from 1 January 2016, according to the wording of Article</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|--|--|---|
| | <p>Legal Authority</p> <p>1. Ministry of Taxes and Duties of the Republic of Belarus</p> <p>2. Ministry of Finance of the Republic of Belarus</p> <p>Legally required documents or records</p> <p>Financial reports according to the Law on Financial Statements of Entities</p> <p>Waybills (international form, cmr)</p> <p>Invoices</p> | <p>2. Standards for offshore, 2016. Economic newspaper. Assessed 04 October 2016 at https://neg.by/novosti/otkryti/standarty-dlya-offshorov?highlight=офшор</p> <p>3. Transfer pricing 2016: expansion of the controlled transactions and the introduction of new obligations for taxpayers, 2016. LLC "Revera Consulting Group". Assessed 23 October 2016 at http://revera.by/analytical_materials-transfertnoe_tsenoobrazovanie_2016_rassh.html</p> <p>4. Transfer pricing the explanation of the Ministry of Taxes and Duties, 2012. Information Legal Agency "Register". Assessed 23 October 2016 at http://www.profmedia.by/newse/sk/67985/</p> | <p>30/1 of the Tax Code of the Republic of Belarus) (Government sources 4, 5).</p> <p>In 2016, transactions of 5 categories shall be controlled (Government source 5):</p> <ul style="list-style-type: none"> - Real estate transactions; - Transactions on foreign trade activity; - Transactions with related parties, non-payers of income tax; - Deal with the organisations that implement (acquire) strategic goods; - Deal with large taxpayers. <p>Online auctions are carried out through a special industry exporter of forest products "Bellesexport" via online auctions (http://butb.by/) of the Belarusian Universal Commodity Exchange (section of timber trading).</p> <p>Direct sales (direct contracts without online exchanges) are not allowed (Edict No.504). Thus, the sale price of the lot of wood - this is the equilibrium market price at the time of sale. At present, transfer pricing is not applicable to forestry organisations in Belarus.</p> <p>Online auctions are carried out through a special industry exporter of forest products UE "Bellesexport" via online auctions of the Belarusian Universal Commodity Exchange (section of timber trading) (Government source 8).</p> <p>Description of risk</p> <p>Export transactions of wood are concluded through Belarusian Universal Commodity Exchange. According to Article 11 of the Law of the Republic of Belarus of January 5, 2009 "On Commodity Exchanges» Commodity Exchange shall register all exchange transactions. There are no countries of partners (wood buyers) in the list of offshore countries (Government sources 3, 5-7; Non-</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-------------------------|---|---|--|
| | | | <p>Government sources 1, 2). All direct agreements (OTC transactions) must be registered in the information system of commodity exchanges (not later than three working days after the conclusion of OTC transactions) (in accordance with the Law of the Republic of Belarus of July 8, 2015) (Government source 9). Transfer pricing is not applicable to the forestry enterprises of Belarus at the moment (Government sources 4, 5, 9; Non-Government sources 3, 4). There is not enough evidence to consider this sub-category as specified. Risk conclusion This indicator has been evaluated as low risk.</p> |
| 1.19 Custom regulations | <p>Applicable laws and regulations 1. The Customs Code of the Republic of Belarus No. 204-Z of 04.01.2007 http://kodeksy-by.com/tamozhennyi_kodeks_rb.htm 2. The Customs Code of the Customs Union (ed. 05.08.2015) (Annex to the Agreement on the Customs Code of the Customs Union, the EurAsEC Interstate Council adopted the decision on the level of Heads of State from 27.11.2009 N 17) http://www.tks.ru/codex_ts 3. Edict of the President of the Republic of Belarus No. 522 of 09.10. 2010 "On the establishment of export custom duties on timber" http://www.gtk.gov.by/ru/tarifnoe-regulirivanie-ved/tamozennie_poshlini/vivoznije_tamozennije_poshlini</p> <p>Legal Authority The State Customs Committee of the</p> | <p>Government sources 1. Custom duties, 2016. State Customs Committee of the Republic of Belarus. Assessed 17 September 2016 at http://www.gtk.gov.by/ru/tarifnoe-regulirivanie-ved/tamozennie_poshlini/vivoznije_tamozennije_poshlini 2. The fight against smuggling, 2016. State Customs Committee of the Republic of Belarus. Assessed 22 September 2016 at http://customs.gov.by/ru/activity Non-Government sources 1. Abroskin, A. 2010 When exporting timber company will pay customs duties - Chief Accountant. Practical magazine for accountants. Assessed 20 September 2016 at https://www.gb.by/izdaniya/glavnyi-bukhgalter/abroskin-komentarii-pri-eksporte-lesoma_0000000</p> | <p>Overview of Legal Requirements In order to prevent a domestic hardwood timber (oak, beech) deficit, customs are paid on goods exported from the Republic of Belarus (according to the annex in the Edict of the President No. 522). In this way, a larger proportion of the valuable hardwood is saved for the domestic market. Customs duty is 100 euros per 1 m³. The Republic of Belarus is part of the Eurasian Economic Community and a member of Customs Union. It includes only the individual types of wood, that are classified in headings 4401, 4403, 4404, 4407 (according to the Foreign Economic Activity Commodity Nomenclature of the Customs Union (FEACN of the CU)) (Government sources 1, Non-Government source 1). Export/import licenses are not applicable. Description of risk Classification of wood (wood species, size, quality, specifications, codes) is performed in accordance with 1) the national legislation (STB 1711-2007, STB 1712-2007, STB 1667-2012 (wood species,</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|------------|--|--|---|
| | <p>Republic of Belarus</p> <p>Legally required documents or records Waybills (international form, cmr) Invoices</p> | | <p>size, quality)), 2) exchange agreement (exchange trade rules in JSC "Belarusian universal commodity Exchange") (wood species, size, quality, codes, specifications); classification of wood products (codes) - in accordance with the Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union (EAEC HS) (the Common Customs Tariff of the Eurasian Economic Union (approved by the Board of the Eurasian Economic Commission Decision of 16 July 2012 № 54)). In Belarus protective duties were established on certain types of wood.</p> <p>Also, the demand for hardwoods (oak, beech) exceeds the supply in the domestic market. So actually, forestry organisations do not export wood and wood products, on which duties (in accordance with Presidential Edict No. 522) have been established.</p> <p>Risk conclusion This indicator has been evaluated as low risk.</p> |
| 1.20 CITES | <p>Applicable laws and regulations 1. Resolution of the Supreme Council of Belarus of December 20, 1994 №3462-XII "On accession of the Republic of Belarus to the CITES" http://pravo.levonevsky.org/bazaby/org66/basic/text0582.htm 2. Resolution of the Cabinet of Ministers of the Republic of Belarus on July 3, 1995 No. 350 "On measures to ensure the implementation of the Republic of Belarus the obligations arising from the Convention on International Trade in Endangered Species of Wild Fauna and Flora Endangered" http://laws.newsby.org/documents/sovetm/</p> | <p>Government sources N/A Non-Government sources N/A</p> | <p>There is no CITES species in Belarus This indicator has been evaluated as low risk.</p> |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|-----------|--|------------------------|------------------------------------|
| | <p>pos18/sovmin18483.htm</p> <p>3. Decision of the Council of Ministers on March 18, 1997 No. 218 "On establishing prohibitions and restrictions on the movement of things through the customs border of the Republic of Belarus"</p> <p>http://laws.newsby.org/documents/sovetm/pos17/sovmin17687.htm</p> <p>4. Order of the State Customs Committee of the Republic of Belarus on November 19, 1997 No. 382 - OD "On Export of zoological collections" (contains a range of zoological collections and their parts, limited for export outside the customs territory of the Republic of Belarus, approved by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus on October 10, 1997)</p> <p>http://pravo.levonevsky.org/bazaby/org170/basic/text0916.htm</p> <p>5. Order of the State Customs Committee of the Republic of Belarus of 30 May 1997 No. 172 - OD "On approval of the nomenclature of things , restricted and banned for movement across the customs border of the Republic of Belarus"</p> <p>6. The procedure for issuing permits for the removal of wildlife and their products, bird nests , eggs and nests from the natural environment in the scientific, cultural, educational and aesthetic purposes (approved by Decree of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of 26 March 1997, No. 79)</p> | | |

| Indicator | Applicable laws and regulations, legal Authority, & legally required documents or records | Sources of Information | Risk designation and determination |
|---|---|------------------------|------------------------------------|
| | <p>7. The procedure for issuing permits for movement across the customs border of the Republic of Belarus animal and plant species, their parts or derivatives thereof (derivatives), subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, CITES (approved by Decree of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus of June 12, 1998 No. 177)</p> <p>8. Law of the Republic of Belarus No. 205-Z of 14.06.2003 "On Flora" http://mlh.by/ru/official/tech.html</p> <p>Legal Authority Ministry of Natural Resources and Environmental Protection of the Republic of Belarus State Scientific and Production Amalgamation (National Academy of Sciences)</p> <p>Legally required documents or records There is no CITES species in Belarus</p> | | |
| Diligence/due care procedures | | | |
| 1.21 Legislation requiring due diligence/due care procedures | <p>Applicable laws and regulations Not Applicable – There is no legislation covering Diligence/Due Care procedures</p> <p>Legal Authority N/A</p> <p>Legally required documents or records N/A</p> | N/A | N/A |

Recommended control measures

| Indicator | Recommended control measures |
|--|---|
| 1.1 Land tenure and management rights | N/A |
| 1.2 Concession licenses | N/A |
| 1.3 Management and harvesting planning | N/A |
| 1.4 Harvesting permits | N/A |
| 1.5 Payment of royalties and harvesting fees | N/A |
| 1.6 Value added taxes and other sales taxes | N/A |
| 1.7 Income and profit taxes | N/A |
| 1.8 Timber harvesting regulations | N/A |
| 1.9 Protected sites and species | <p>The following documents could be collected and analysed</p> <ul style="list-style-type: none"> a) Forest Management Plan (FMP shall be approved and valid), b) list of protected areas (e.g. in FMP), c) list of rare and endangered species, d) Protection documents (e.g. Regulations on Reserve, Passport of natural monument, Security obligation), e) List of projected harvesting and silvicultural measures (FMP data) and/or Forest map with delineated forest stands projected for harvesting or silvicultural measures, and/or Forest map ("Planshet") showing harvesting areas, or f) "Act of survey of forest stand". <p>If cutting area is not on the list of protected areas (or planning protected areas) and not in the list of areas with rare and endangered species, then OK. If cutting area is on the list, then analyse a) "Regulation on protected area", or b) "Security obligation" on protection of rare and endangered species, and c) field verification may be needed.</p> <p>Field verification shall confirm that a) harvesting takes place within the area that was prescribed for such harvesting, b) information regarding area, species, volumes and other information given in the harvesting permit are correct and in compliance with legal acts.</p> |
| 1.10 Environmental requirements | N/A |
| 1.11 Health and safety | N/A |
| 1.12 Legal employment | N/A |
| 1.13 Customary rights | N/A |
| 1.14 Free prior and informed consent | N/A |
| 1.15 Indigenous peoples rights | N/A |
| 1.16 Classification of species, quantities, qualities | N/A |
| 1.17 Trade and transport | N/A |
| 1.18 Offshore trading and transfer pricing | N/A |
| 1.19 Custom regulations | N/A |
| 1.20 CITES | N/A |
| 1.21 Legislation requiring due diligence/due care procedures | N/A |

Controlled wood category 2: Wood harvested in violation of traditional and human rights

Risk assessment

| Indicator | Sources of Information | Functional scale | Risk designation and determination |
|---|--|------------------|---|
| 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control. | See “Detailed analysis of sources of information and evidence”, below. | Country | Low risk Justification: All ‘low risk thresholds’ (1, 2, 3, 4 and 5) are met. None of the ‘specified risk thresholds’ are exceeded. |
| 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work. | See “Detailed analysis of sources of information and evidence”, below. | Country | Specified risk for trade union rights, freedom of association and collective bargaining, compulsory and/or forced labour, discrimination of women at work and gender wage discrimination. Low risk for all other aspects of indicator 2.2, mainly child labour Justification: Specified risk thresholds 14 and 15 are exceeded. |
| 2.3. The rights of Indigenous and Traditional Peoples are upheld. | See “Detailed analysis of sources of information and evidence”, below. | Country | Low risk Justification: The low risk thresholds 16 and 21 are met. |

| Indicator | Recommended control measures |
|-----------|--|
| 2.1 | Not applicable |
| 2.2 | CM should be based on clear evidence that the Organization has policies in place that guarantee all rights, especially trade union rights, freedom of association and collective bargaining, no compulsory and/or forced labour, no discrimination of women at work and equal payment of women and men |
| 2.3 | Not applicable |

Detailed analysis of sources of information and evidence

| Sources of information | Evidence | Scale of risk assessment | Risk indication ¹ |
|---|--|--------------------------|------------------------------|
| World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 215 countries (most recently for 1996–2014), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home | http://info.worldbank.org/governance/wgi/index.aspx#reports (click on table view tab and select Country) In 2014 (latest available year) Belarus scores between 35.10 (for Government Effectiveness) and 51.94 (Political stability and absence of violence/terrorism) on the percentile rank among all countries for three of the six dimensions. The other three dimensions are ranked: 6.90 (Voice and Accountability), 13.94 (Regulator Quality) and 22.60 (Rule of Law). (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes). | Country | |
| World Bank Harmonized List of Fragile Situations | http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/FY15FragileSituationList.pdf Belarus does not feature in this list. | Country | |
| Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index. | http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php Belarus does not feature in this list. | Country | |
| Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring. | http://www4.carleton.ca/cifp/app/serve.php/1419.pdf Belarus scores 'medium' on State fragility map 2011. | Country | |
| Human Rights Watch: http://www.hrw.org | https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf <i>Human Rights Watch World Report 2016</i> "President Aliaksander Lukashenka released on humanitarian grounds six opposition figures who had been imprisoned on politically motivated charges, but the overall human rights situation in Belarus in 2015 did not improve. The death penalty remains in use. Official's pressure and arrest human rights activists and critics on spurious charges. Authorities regularly harass independent and opposition journalists. Legislative amendments further restricted freedom of expression, in particular Internet freedom. Observers deemed the October presidential elections insufficiently transparent and flawed due to significant irregularities with vote counting. While Belarus held its first human rights dialogue with the European Union since 2009, | Country | |

¹ A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

authorities continued to refuse cooperation with the United Nations special rapporteur on Belarus. In a positive development, in September, Belarus signed the Convention on the Rights of Persons with Disabilities but has yet to take the necessary steps to become a full party to the treaty.”

“Arrests and Harassment of Human Rights Defenders and Critics

The authorities continue to routinely use arbitrary detentions, searches, and interrogations to harass government critics.”

“Freedom of Expression

Authorities routinely harass and interfere with the work of independent and opposition journalists and bloggers. Law enforcement officials intensified prosecutions of independent freelance journalists for cooperation with unregistered foreign media, bringing 28 cases against 13 journalists through August, according to the Belarusian Association of Journalists. All resulted in significant fines. December 2014 amendments to the law on mass media, hastily adopted without public discussion, authorized the Ministry of Information to block website access without judicial review after issuing two warnings, and made website owners responsible for unlawful content. In December 2014, the ministry blocked dozens of websites, including the largest independent information agency, the Belarusian Private News Agency, or BelaPAN, and opposition sites.”

| | | |
|---|---|---------|
| US AID: www.usaid.gov Search on website for [country] + ‘human rights’ | No information found on specified risks after searching Belarus + ‘human rights’ | Country |
| Global Witness: www.globalwitness.org Search on website for [country] + ‘human rights’ | No information found on specified risks after searching Belarus + ‘human rights’ | Country |
| WWF Global http://www.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/ | http://www.panda.org/about_our_earth/deforestation/deforestation_causes/illegal_logging/ No information found on Belarus on illegal logging. http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf No information found on Belarus on illegal logging. | Country |
| Chatham House Illegal Logging Indicators Country Report Card http://www.illegal-logging.info | http://www.illegal-logging.info/content/transparent-timber-flow-baltic-sea-region <i>Transparent timber flow in the Baltic Sea region.</i> <i>Item 2: Occurrence of illegal logging in the Baltic Sea Region and Ways to Combat it</i> “Ottisch considered that, since there are no clear definition of illegal logging, the attempts to quantify the extent of illegal logging often reflects the stockholder’s interests. The definition is complicated as there are many links in the process from the forest to the consumer that can be defined as illegal. | Country |

There is currently a trend towards proof of legality rather than proof of illegality. Mr Ottisch presented an EFI study on the nature and extent of the problems in different regions; Russian Federation, Baltic countries, Nordic countries and Central and Eastern Europe. The study revealed weaknesses of the national data reported by the individual countries to FAO. The results for a number of the countries included in the study showed large discrepancies of the production/consumption statistics eg. Denmark with a surplus of 58%, Finland with a surplus of 7.8%, Belarus with a deficit of -27% and Germany with a deficit of -20%, this could not only be explained by illegal logging. Divergence in the statistics is not necessarily synonymous to illegal logging but factors such as difficulties in obtaining complete data for all types and scales of harvest, processing and trade. Concerning Russia the study estimated that 10-15% (2002) of the wood came from unknown origin.”

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|---|---|---------|
| Transparency International Corruption Perceptions Index | https://www.transparency.org/cpi2015/results Belarus scores 32 points on the Corruption Perceptions Index 2014 on a scale from 0 (highly corrupt) to 100 (very clean). Belarus ranks 107 out of 168 with rank no. 1 being the cleanest country. | Country |
| Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights | https://www.amnesty.org/en/latest/research/2016/02/annual-report-201516/ <i>Amnesty International Annual Report 2016</i> “Legislation severely restricting freedoms of expression, association and peaceful assembly remained in place. Journalists continued to face harassment. Several prisoners convicted in politically motivated trials in previous years were released but compelled to regularly report their movements and activities to police. At least two people were sentenced to death, but no executions were reported. Harassment and persecution of human rights defenders continued, as did discrimination, harassment and violence against members of sexual minorities.” “Freedom of assembly The Law on Mass Events, under which any assembly or public protest is regarded as unlawful unless expressly permitted by the authorities, continued to be regularly applied.” | Country |
| Freedom House http://www.freedomhouse.org/ | http://www.freedomhouse.org/report-types/freedom-world#U-3g5fl_sVc The status of Belarus in the World freedom index 2015 is 'Not free'. https://freedomhouse.org/report/freedom-net/freedom-net-2015 The status of Belarus on the Freedom of the net is 'Not free'. https://freedomhouse.org/report/freedom-press/freedom-press-2015#.VoJLcVmkaF4 The status of Belarus on the Freedom of the press is 'Worst of the Worst'. | Country |
| Reporters without Borders: Press Freedom Index https://rsf.org/en/ranking | https://rsf.org/en/ranking 2016 World Press Freedom Index | Country |

Belarus is ranked no. 157 out of in 180 countries with a score of 47.98 with no. 1 being the most free country.

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| <p>Fund for Peace - Fragile States Index - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Fragile States Index is an annual ranking, first published in 2005 with the name Failed States Index, of 177 nations based on their levels of stability and capacity http://fsi.fundforpeace.org/</p> | <p><i>Fragile States Index 2015</i> http://fsi.fundforpeace.org/ Belarus is ranked 87 out of 178 countries on the Fragile States Index 2015. (No. 1 being the most failed state). This ranks Belarus in the category 'Warning'.</p> | <p>Country</p> |
| <p>The Global Peace Index. Published by the Institute for Economics & Peace, this index is the world's leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It's made up of 23 indicators, ranging from a nation's level of military expenditure to its relations with neighbouring countries and the level of respect for human rights. Source: The Guardian: http://economicsandpeace.org/research/iep-indices-data/global-peace-index</p> | <p>http://economicsandpeace.org/wp-content/uploads/2016/06/GPI-2016-Report_2.pdf <i>2016 Global Peace Index</i> The state of Peace in Belarus is labeled 'Medium' with Belarus ranking number 106 out of 162 countries (no. 1 being the most peaceful country) with a score of 2.202</p> | <p>Country</p> |
| <p>Additional sources of information (These sources were partly found by Googling the terms '[country]', 'timber', 'conflict', 'illegal logging')</p> | <p>Evidence</p> | <p>Scale of risk assessment Risk indication</p> |
| <p>Unece</p> | <p>http://www.unece.org/unece/search?q=belarus+illegal+logging&op=Search <i>Information on Protection of Forest Fund of the Republic of Belarus</i> "1.3. Allowable cut in the Republic under all types of logging is 13 million cubic meters. Maximum scope of illegal logging was registered in year 2000 in the amount of 18,5 thousand cubic meters, what makes 0,14% out of the total amount of the allowable cut. In average, for the last 10 years the scope of illegally logged timber ranges from 8 up to 13 thousand cubic meters. 1.4. Increasing of illegal logging is connected, first of all, with establishment of considerable amount of small private woodworking productions. Measures which were undertook by the forest authorities in the last years led to stable decrease of scopes of illegally logging . First of all it was achieved because forest protection service was provided by transport means, militiamen were hired and paid from the funds of forestry sector."</p> | <p>Country</p> |
| <p>U.S. Department of State</p> | <p>http://www.state.gov/documents/organization/236714.pdf <i>Belarus 2014 Human Rights Report Executive Summary</i> "Belarus is an authoritarian state. The country's constitution provides for a directly elected president who is head of state, and a bicameral parliament, the national assembly. A prime minister appointed by the president is the nominal head of government, but power is concentrated in the presidency, both in fact and in law. Since his election as president in 1994, Aliaksandr Lukashenka has</p> | <p>Country</p> |

consolidated his rule over all institutions and undermined the rule of law through authoritarian means, including manipulated elections and arbitrary decrees. All subsequent presidential elections, including the one held in 2010, were neither free nor fair and fell well short of international standards. The 2012 parliamentary elections also failed to meet international standards. Civilian authorities, Lukashenka in particular, maintained effective control over security forces. The most significant human rights problems continued to be: citizens were unable to change their government through elections; in a system bereft of checks and balances, authorities committed abuses; and persons remained imprisoned on politically motivated charges, while the government failed to account for longstanding cases of politically motivated disappearances”.

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| The Guardian | http://www.theguardian.com/world/2014/jul/29/belarus-fight-both-sides-ukraine-russia-conflict <i>Fighting for Ukraine</i> “Earlier this month, Belarusian and Ukrainian media reported that a Belarusian military unit called Pahonia has been training in the Volyn region of north-western Ukraine, in preparation for combat with pro-Ukrainian forces battling pro-Russian separatists in the country's east. The would-be fighters did not reveal their names, fearing potential pressure from the KGB, Belarus's state security agency, for themselves and those they left at home. But Ukrainian officials say many Belarusians have contacted them to join the unit.” | Country |
| United Nations Human Rights Office of the High Commissioner | http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14743&LangID=E <i>Human Rights Council discusses human rights in Belarus and in the Democratic People's Republic of Korea</i> 18 June 2014 “The Human Rights Council at a midday meeting today held interactive dialogues with Miklos Haraszti, the Special Rapporteur on the situation of human rights in Belarus, and Marzuki Darusman, the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea. Mr. Haraszti, introducing his report, said that there had been no positive change in the reporting period as the Government of Belarus had made little effort to promote and protect human rights. Human rights violations remained of systemic and systematic nature. The Government directly supervised the rule of law institutions, and Belarus remained the only State in Europe without an opposition in the Parliament. Belarus was also the only European country that still retained the death penalty. The lack of the Government's cooperation with the Special Rapporteur emphasized the continued need to report on and monitor the human rights situation in Belarus. Mr. Haraszti stressed that the stakes were high and the people of Belarus deserved that their situation remained fully on the agenda of the international community. Belarus, speaking as the concerned country, said that the mandate of the | Country |

Special Rapporteur should be terminated. Belarus did not consider the mandate as a tool for cooperation in the area of human rights because of the obvious political motivations behind its creation. Belarus would be tactical in assessing the work of the Special Rapporteur, and there was no personal criticism of the Special Rapporteur. At the same time, there could be no cooperation with the Special Rapporteur, mainly because his mandate was a political project of the European Union. Belarus stressed that there was no emergency situation in Belarus requiring the attention of the Council. In the discussion that followed, speakers expressed concern about the ongoing abuse of human rights in Belarus. They particularly focused on the fate of disappeared persons, ongoing imprisonment of eight political prisoners, oppression of civil society, torture and ill-treatment. Many delegations called upon Belarus to establish an immediate moratorium on the death penalty, and extend its collaboration to the Special Rapporteur and grant him unimpeded access to the country. Other delegations said that it was regrettable that the report had been prepared on the basis of secondary sources only. Several delegations spoke against country-specific mandates, which were unfortunately frequently politicized.”

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| From national CW RA: Info on illegal logging | Not available. | - | - |
| Conclusion on country context: Belarus scores medium to low on all indices assessed in this country context analysis. It is an authoritarian state that as such is relatively stable but in which the individual civil rights are not well protected. The state of freedom of the press, expression and assembly are very negative, in one case press freedom in Belarus is categorized as 'worst of the worst'. Based on the available data, illegal logging does not seem to be a large problem. | | Country | |
| Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control. | | | |
| Compendium of United Nations Security Council Sanctions Lists: www.un.org | https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf There is no UN Security Council ban on timber exports from Belarus. | Country | Low risk |
| US AID: www.usaid.gov | Belarus is not covered by any other international ban on timber export. | | |
| Global Witness: www.globalwitness.org | There are no individuals or entities involved in the forest sector in Belarus that are facing UN sanctions. | | |
| From national CW RA | | - | - |
| www.usaid.gov | No information on conflict timber in Belarus found. | Country | Low risk |
| Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1), - conflict emerging as a result of competition over timber or | | | |

other forest resources (Type 2)
Also check overlap with indicator 2.3

| | | | |
|---|--|---------|----------|
| www.globalwitness.org/campaigns/environment/forests | No information on conflict timber in Belarus found. | Country | Low risk |
| Human Rights Watch: http://www.hrw.org/ | No information on conflict timber in Belarus found. | Country | Low risk |
| World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf Now: PROFOR http://www.profor.info/node/1998 | No information found on conflict timber in Belarus. | Country | Low risk |
| Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights http://www.amnesty.org | No information in the Amnesty International Report 2014/2015 on conflict timber in Belarus found. | Country | Low risk |
| World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 213 economies (most recently for 1996–2014), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption http://info.worldbank.org/governance/wgi/index.aspx#home Use indicator 'Political stability and Absence of violence' specific for indicator 2.1 | http://info.worldbank.org/governance/wgi/index.aspx#reports In 2014 (latest available year) Belarus scores on the indicator <i>Political Stability and Absence of Violence/Terrorism</i> 51.94 on the percentile rank among all countries (ranges from 0 (lowest) to 100 (highest rank) with higher values corresponding to better outcomes. No evidence found that this rank has a relationship with conflict timber. | Country | Low risk |
| Greenpeace: www.greenpeace.org Search for 'conflict timber [country]' | No information on conflict timber or illegal logging in Belarus found. | Country | Low risk |
| CIFOR: http://www.cifor.org/ http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm | No information on conflict timber or illegal logging in Belarus found. | Country | Low risk |
| Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging' From national CW RA | No information on conflict timber or illegal logging in Belarus found. | Country | Low risk |
| Conclusion on indicator 2.1: No information was found on Belarus as a source of conflict timber and the forest sector is not associated with any violent armed conflict. There is no UN security ban, other ban or UN sanction. | | Country | Low risk |

- (1) The area under assessment is not a source of conflict timber²; AND
- (2) The country is not covered by a UN security ban on exporting timber; AND
- (3) The country is not covered by any other international ban on timber export; AND
- (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND
- (5) Other available evidence does not challenge 'low risk' designation.

| general sources from FSC-PRO-60-002a V1-0 EN | information found and specific sources | scale of risk assessment | risk indication |
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| <p>Status of ratification of fundamental ILO conventions: http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO:: or use: ILO Core Conventions Database: http://www.ilo.org/ilolex/english/docs/declworld.htm C29 Forced Labour Convention, 1930 C87 Freedom of Association and Protection of the Right to Organise Convention, 1948 C98 Right to Organise and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labour Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958 C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999</p> | <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COU NTRY_ID:103154 Belarus has ratified all 8 fundamental ILO Convention. The status of all 8 conventions is 'in force'.</p> | Country | Low risk |
| | <p>http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COM MENT_ID:3247130:NO <i>Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)</i> <i>Forced Labour Convention, 1930 (No. 29) - Belarus</i> “Articles 1(1), 2(1) and 25 of the Convention. Trafficking in persons. The Committee notes with <i>interest</i> the efforts made by the Government to combat trafficking in persons, including through the adoption of Law No. 350-3 of 7 January 2012 on Combating Human Trafficking which contains provisions on prevention of trafficking, protection and rehabilitation of trafficking victims and liability for trafficking and related offences; the adoption of the National Policy and Action Plan on Trafficking and Illegal Migration 2011–13; the establishment of the National Rapporteur on Human Trafficking under the Ministry of the Interior; as well as an international technical assistance project on combating human trafficking in Belarus carried out by the International Organization for Migration (IOM). Section 181 of the Criminal Code prohibits trafficking for both labour and sexual exploitation and prescribes penalties ranging from three to 15 years of imprisonment in addition to the forfeiture of offenders' assets. The Committee further notes that Belarus acceded to the Council of Europe Convention on Action against Trafficking in Human Beings on 26 November 2013 and that the Convention entered into force in Belarus on 1 March 2014. However, the Committee notes that the UN Committee on Economic, Social and Cultural Rights (CESR), as well as the UN Committee on the Elimination of Racial Discrimination (CERD), in their concluding observations of December 2013 and September 2013 respectively, expressed</p> | Country | Low risk on forced labour |
| | | Country | Specified risk on forced labour |

concern on the fact that despite its efforts, Belarus continues to be a source, transit and destination country for human trafficking, both for purposes of sexual exploitation and forced labour and recommended that Belarus strengthens its efforts to combat trafficking in persons and take preventive measures to address its root causes; provide assistance and protection to victims of trafficking; and promptly and thoroughly investigate, prosecute and punish those responsible (CERD/C/BLR/CO/18-19 and E/C.12/BLR/CO/4-6)."

"Article 2(2)(c). **Prison labour.** In its previous comments, the Committee noted that work of prisoners outside prison premises is allowed in accordance with the legislation in force, and that private companies are entitled to conclude contracts on the use of labour of prisoners with the administration of a correctional institution. The Committee also noted the provisions of the Criminal Enforcement Code, concerning the obligation of convicts to work at the enterprises determined by the administration of correctional institutions, including private enterprises, the refusal to work being punishable with sanctions. While noting that, under the national legislation in force, a convict's conditions of work may be considered as approximating those of a free labour relationship, the Committee expressed the firm hope that measures would be taken to ensure that any work or service by convicted persons for private enterprises is performed only with the free, formal and informed consent of the persons concerned."

Country

Specified
risk on
forced
labour

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3247133:NO

Observation (CEACR) - adopted 2015, published 105th ILC session (2016)

Forced Labour Convention, 1930 (No. 29) – Belarus

"Articles 1(1), 2(1) and 2(2)(c) of the Convention. **Compulsory labour imposed by the national legislation on certain categories of workers and persons.** The Committee notes with *regret* that, since its last comment on the application of the Convention by the Government, several new provisions have been introduced into the national legislation, the application of which could lead to situations amounting to forced labour, and are thus incompatible with the obligation to suppress the use of forced or compulsory labour in all its forms, as required by the Convention. In particular, the Committee draws the Government's attention to the following provisions which have been introduced into its national legislation.

Country

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risk on
forced
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1. Compulsory labour imposed on workers in the wood processing industry. The Committee notes the adoption of Presidential Decree No. 9 of 7 December 2012 on additional measures for the development of the wood industry, and more particularly section 1.2 which provides that an employee can only terminate his or her contract with the consent of the employer. As highlighted by the United Nations Committee on Economic, Social and Cultural Rights (CESCR) in its concluding observations of December 2013, Presidential

Country

Specified
risk on
forced
labour in
wood
processing

Decree No. 9 effectively takes away the right of workers in the wood processing industry to freely leave their jobs under the penalty of either having to pay back their benefits or to continue working until the required amount has been withdrawn from their salaries (E/C.12/BLR/CO/4-6). The Committee recalls that the effect of statutory provisions preventing termination of employment of indefinite duration by means of notice of reasonable length is to turn a contractual relationship based on the will of parties into service by compulsion of law, and is thus incompatible with the Convention (2007 General Survey, Eradication of forced labour, paragraph 96)."

industry

"2. Compulsory labour imposed on persons in socially vulnerable situations.
-Persons who have worked fewer than 183 days the previous year."
"-Persons interned in "medical labour centres".
"-Parents whose children have been removed."

The Committee further notes that in Resolution 29/17 on the situation of human rights in Belarus, adopted on 26 June 2015, the United Nations Human Rights Council expressed deep concern at the continuing violations of human rights in Belarus, which are of a systemic and systematic nature, as well as the violations of labour rights amounting to forced labour (A/HRC/29/L.12). The Committee also notes the report of the United Nations Special Rapporteur of April 2015 referred to above, which indicates that the legal and administrative environment for the enjoyment of human rights has further deteriorated, in particular with regard to just and favourable conditions of work and the freedom to choose the workplace, and recommended that the Government amend or repeal legislation not in conformity with international labour standards in order to abolish forced labour and involuntary labour (A/HRC/29/43). Finally, the Committee notes the European Parliament Resolution of 10 September 2015 on the situation in Belarus, in which it calls on the Government of Belarus to respect the recommendations of the CESC on the abolition of elements of forced labour in the country (P8_TA-PROV(2015)0319). The Committee notes with *deep concern* these violations of human and labour rights amounting to forced labour in Belarus. *Noting the report of the United Nations Working Group on the Universal Periodic Review of 13 July 2015, according to which the Government has supported the recommendation to follow-up on the recommendations of the CESC regarding the elimination of all forms of forced labour (A/HRC/30/3), the Committee urges the Government to take all the necessary measures to repeal or amend the provisions in its national legislation which could lead to situations amounting to forced labour. The Committee requests the Government to provide information in its next report on any progress made in this respect, and particularly concerning Presidential Decree No. 3 of 2 April 2015 on prevention of dependency on social aid; Presidential Decree No. 9 of 7 December 2012 on additional measures for the development of the wood industry; Law No. 104-3 of 4 January 2010 on the*

Country

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labour

procedures and modalities of transfer of citizens to medical labour centres and the conditions of their stay; and Presidential Decree No. 18 of 24 November 2006 on supplementary measures for state protection of children from “dysfunctional families”.

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3255341:NO

*Observation (CEACR) - adopted 2015, published 105th ILC session (2016)
Freedom of Association and Protection of the Right to Organise Convention,
1948 (No. 87) - Belarus*

“Article 2 of the Convention. **Right to establish workers’ organizations.** The Committee recalls that, in its previous observations, it had urged the Government to take the necessary measures to amend Presidential Decree No. 2, its rules and regulations, so as to remove the obstacles to trade union registration (legal address and 10 per cent minimum membership requirements). The Committee notes with interest the Government’s indication that, following a proposal by the Tripartite Council, Presidential Decree No. 4 of 2 June 2015 abolished the 10 per cent minimum membership requirement by lowering the minimum number for forming an enterprise trade union to ten workers. The Committee further notes the observations of the BKDP that it considers the changes introduced to be cosmetic in nature given that the trade union practice in Belarus does not envisage the creation of autonomous individual unions but rather organizational structures under national sectoral trade unions in accordance with their by-laws. In this respect, the Committee recalls the numerous allegations of obstacles to the registration of such organizational structures due to their difficulties in obtaining legal address. It further recalls that the BKDP had indicated that, faced with such obstacles, independent trade unions generally had been discouraged from seeking registration.

In view of the above, the Committee *deeply regrets* that the Government’s latest report does not indicate any measures taken or envisaged to amend the legal address requirement, as recommended by the Commission of Inquiry. *The Committee once again urges the Government to consider, within the framework of the Tripartite Council, the measures necessary to ensure that the matter of legal address ceases to be an obstacle to the registration of trade unions in practice. The Committee requests the Government to indicate all progress made in this respect.*

Further recalling the specific allegations relating to legal address which were considered by the direct contacts mission that visited the country in January 2014 and its recommendation that mechanisms be developed to find an acceptable resolution of these kinds of disputes in the future, through fact-finding, facilitation and mediation, with full respect of freedom of association principles, the Committee welcomes the Government’s indication that, with the support of the ILO, a tripartite seminar on dispute resolution and mediation is

Country

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freedom of
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scheduled to take place in January 2016. The Committee requests the Government to provide information on the results and concrete outcome of this activity.”

“Articles 3, 5 and 6. **Right of workers’ organizations, including federations and confederations, to organize their activities.** The Committee recalls that it had previously expressed its concern at the allegations of repeated refusals to authorize the BKDP, the Belarusian Independent Trade Union (BNP) and the Radio and Electronic Workers’ Union (REP) to hold demonstrations and meetings. (..) The Committee urges the Government once again to work together with the abovementioned organizations to investigate these cases, and to bring to the attention of the relevant authorities the right of workers to participate in peaceful demonstrations and meetings to defend their occupational interests. It requests the Government to provide information on the measures taken in this regard. The Committee further recalls in this connection that it has been requesting the Government for a number of years to take measures to amend the Act on Mass Activities, and urges the Government to review, with the assistance of the ILO, its provisions in the Tripartite Council, with a view to their amendment, and to report on the progress made.” (..)

“Article 3. **Right of workers’ organizations to organize their activities.** The Committee recalls that it had previously requested the Government to indicate the measures taken to amend sections 388, 390, 392 and 399 of the Labour Code regarding the exercise of the right to strike. The Committee *regrets* that no information has been provided by the Government on the concrete measures taken to amend the abovementioned provisions affecting the right of workers’ organizations to organize their activities in full freedom. The Committee therefore encourages the Government to take measures to revise these provisions, in consultation with the social partners, and to provide information on all measures taken or envisaged to that end.

The Committee notes with regret that, despite some progress noted above, it is bound to conclude, as did the Conference Committee on the Application of Standards, that over ten years since the Commission of Inquiry first issued its recommendations, the Government has failed to address most of them, leaving the overall situation in relation to trade union rights still highly unsatisfactory. The Committee is nevertheless encouraged by the intensified engagement of the Government with the ILO aimed at reviewing and addressing the obstacles faced in this regard, including the tripartite seminar on dispute resolution and mediation planned for January 2016, and expresses the firm hope that it will be in a position to observe significant progress made on the remaining recommendations.”

[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COM
MENT_ID:3149009:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3149009:NO)

Observation (CEACR) - adopted 2013, published 103rd ILC session (2014)

Country

Specified
risk for the
right to
organize

Country

Specified
risk for
trade union
rights

Right to Organise and Collective Bargaining Convention, 1949 (No. 98) - Belarus

“Articles 1, 2 and 3 of the Convention. **Protection against acts of anti-union discrimination and interference.** The Committee recalls that it had previously noted with concern numerous detailed allegations of anti-union discrimination, including discriminatory use of fixed-term contracts, and interference, threats and pressure put on workers to leave their unions and urged the Government to take the necessary measures to ensure that these allegations were brought to the attention of the Council for the Improvement of Legislation in the Social and Labour Sphere (“the Council”) without further delay and to provide information on the outcome of the discussion and on any remedial measures taken. The Committee had further noted with regret the case of Mr Aleksey Gabriel, leader of a primary-level organization of the Belarusian Free Trade Union (BFTU) who was dismissed following the non-renewal of his employment contract, and requested the Government to provide information on his current employment status.

With regard to the case of Mr Gabriel, the Committee notes the Government’s indication that he has reached the retirement age and is currently not employed. With respect to the allegations of anti-union discrimination and interference, the Government indicates that the submission of allegations to the Committee is not enough for these allegations to be examined by the courts, the Prosecutor’s Office or the Council; the complainant organizations must initiate these procedures. The Committee understands that the Government appears to indicate that no complaints relating to the abovementioned cases have been officially addressed to these bodies. Observing with *regret* the long-standing nature of these allegations, the Committee recalls that where cases of alleged anti-union discrimination and interference are involved, the competent authorities dealing with labour issues should begin an inquiry immediately and take suitable measures to remedy any effects of anti-union discrimination and interference brought to their attention. The Committee notes with *deep regret* that despite its numerous requests, the Government appears to have not referred these matters to the Council. Indeed, the Committee observes that the Government’s report does not refer to any discussions on the issue of anti-union dismissals, threats, interference and pressure which had taken place at the tripartite Council within the reporting year. The Committee notes with *concern* new allegations of anti-union discrimination and interference which have taken place in public sector enterprises (“Granit” and Bobruisk Plant of Tractor Parts and Units) submitted by the ITUC. The Committee urges the Government to examine, in the framework of the tripartite Council, the issue of effective protection against acts of anti-union discrimination in law and in practice, in general, as well as all of the outstanding allegations of anti-union discrimination and interference, in particular. It requests the Government to provide information on the outcome of these discussions, which it expects will take place without further delay.

Country

Specified risk for the right to organize and collective bargaining

Furthermore, the Committee once again urges the Government to take measures to ensure that enterprise managers do not interfere in the internal affairs of trade unions and instructions are given to the Prosecutor-General, Minister of Justice and court administrators that all complaints of interference and anti-union discrimination are thoroughly investigated. Should such complaints prove true, the necessary measures should be taken to put an end to such acts and punish those responsible.

Article 4. **Right to collective bargaining.** The Committee recalls that it had previously requested the Government to provide its observations on the allegation by the Belarusian Congress of Democratic Trade Unions (CDTU) of refusal by employers to bargain collectively with its affiliates at several enterprises.”

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3057121:NO

Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013)
Equal Remuneration Convention, 1951 (No. 100) - Belarus

“**Gender wage gap.** The Committee notes the statistical information provided by the Government on wages disaggregated by sex, branch of economy, and type of economic activity. It notes that there is a significant average gender wage gap of 25.4 per cent, as well as gender wage gaps in certain sectors; for example, women’s average monthly wage was 70.2 per cent of that of men in industry, 77.4 per cent in trade and commerce, and 62 per cent in health services. The Committee also notes the Government’s indication that labour is classified into unskilled labour and skilled labour, and that the unified rating and skills guide of work and workers’ occupations and the unified job evaluation guide of the employee’s positions evaluate the value of work using assessment factors such as quantity and quality of work, degree of complexity of the work performed, level of skills, theoretical knowledge and practical skills, degree of responsibility and working conditions. The Committee draws the Government’s attention to the fact that the method used to set salary scales must be free from gender bias and that it is important to ensure that the selection of factors for comparison, the weighing of such factors and the actual comparison carried out, are not discriminatory, either directly or indirectly (General Survey on fundamental Conventions, 2012, paragraph 71). *The Committee asks the Government to provide detailed information on the measures taken or envisaged in order to address the persistent gender wage gaps. The Committee also asks the Government to indicate how it is ensured that the selection of factors for comparison, the weighing of such factors and the actual comparison carried out are not discriminatory, either directly or indirectly. Please continue to provide detailed and up-to-date statistics on wages of women and men, including sex disaggregated data by industry and occupational category.*”

Country

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“Article 1(a) of the Convention. **Sanctions involving compulsory labour as a punishment for the expression of political views or views opposed to the established political, social or economic system.** In its previous comments, the Committee noted that violations of the provisions governing the procedures for the organization or holding of assemblies, meetings, street marches, demonstrations and picketing, established by Law No. 114-3 of 30 December 2007 on mass activities, are punishable by sanctions of imprisonment or the limitation of freedom, for the “organization of group actions violating public order” (section 342 of the Criminal Code), or with an administrative arrest (section 23.34 of the Code on Administrative Offences). The Committee noted that sanctions of imprisonment or limitation of freedom, as provided for in section 342 of the Criminal Code, both involve compulsory labour (sections 50(1) and 98(1) of the Criminal Enforcement Code). The Committee expressed the hope that measures would be taken to amend section 342 of the Criminal Code in order to ensure that no penalties involving compulsory labour may be imposed for the expression of political views.

Country

Specified
risk on
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labour

(..) In this regard, the Committee refers to the discussions in the Conference Committee on the Application of Standards (CAS) in June 2013, 2014 and 2015 concerning the application by the Government of the Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), and observes that, in its June 2015 conclusions, the CAS took note of the comments made by the Committee of Experts concerning the obstacles to the right to participate in peaceful demonstrations under the Law on mass activities and expressed *deep concern* that, ten years after the report of the Commission of Inquiry, the Government has failed to take measures to address most of its recommendations. (..)

The Committee further notes that several other provisions of the Criminal Code, which are enforceable with sanctions involving compulsory labour, are worded in terms broad enough to lend themselves to application as a means of punishment for the expression of views opposed to the established political, social or economic system. In this regard, the Committee draws the Government’s attention to the following provisions:

- section 193(1) of the Criminal Code, which provides that persons participating in the activities of unregistered groups may be sentenced to imprisonment, involving compulsory labour;
- section 339 of the Criminal Code, which criminalizes “hooliganism” and “malicious hooliganism” and provides for sanctions of limitation of freedom, deprivation of freedom or imprisonment, all involving compulsory labour;
- sections 367 and 368 of the Criminal Code, which provide that persons “libelling the President” or “insulting the President” may be sentenced to

limitation of freedom or imprisonment, both involving compulsory labour. The Committee observes that various reports of the United Nations and the European Union state that the above sections of the Criminal Code are often used by the Government to discourage criticism.“

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3247140:NO

Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)
Abolition of Forced Labour Convention, 1957 (No. 105) - Belarus

“Article 1(c) of the Convention. **Sanctions involving compulsory labour for breaches of labour discipline in the public service.** In its previous comments, the Committee noted that pursuant to section 428(1) of the Criminal Code, the non-performance or improper performance by public officials of their duties as the result of a negligent attitude, causing a particularly large-scale damage or substantial harm to the legitimate rights and interests of persons or to state interests, was punishable by limitation of freedom for a period up to one year or imprisonment for a period up to two years, both sanctions involving compulsory labour. The Committee reiterated its hope that the Government would take measures in order to amend section 428(1) by restricting its scope to essential services in the strict sense of the term or to acts which are committed in the exercise of functions which were essential to safety or in circumstances where life or health are in danger, as it was stipulated in section 428(2), or by repealing sanctions involving compulsory labour in order to bring its legislation in conformity with the Convention.” (..)

“Article 1(d). **Sanctions involving compulsory labour as a punishment for participation in strikes.** In its previous comments, the Committee referred to section 397 of the Labour Code, under which participants in a strike deemed unlawful by a court law may be held liable pursuant to disciplinary and other procedures prescribed by law. The Committee further noted that section 342 of the Criminal Code, which provides for sanctions of imprisonment or limitation of freedom, both involving compulsory labour, for the organization of group actions violating public order and resulting in disturbances of operation of transport or work of enterprises, institutions or organizations, and that section 310(1) of the Criminal Code, which provides for similar penal sanctions for the intentional blocking of transport communications, are both applicable to participants in unlawful strikes. The Committee expressed the firm hope that the Government would soon be in a position to indicate the measures taken or envisaged to ensure, both in law and in practice, that sanctions involving compulsory labour cannot be imposed for the mere fact of peaceful participation in strikes.”(..)

http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3057124:NO

Country

Specified
risk on
forced
labour

Direct Request (CEACR) - adopted 2012, published 102nd ILC session (2013)
Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Belarus

“Article 1 of the Convention. **Sexual harassment.** The Committee recalls that section 170 of the Penal Code may not provide adequate protection from all forms of sexual harassment in the workplace. The Committee notes that the Government’s report still does not contain information on any steps taken to adopt legal provisions defining and prohibiting sexual harassment in the workplace. It also notes that the United Nations Committee on the Elimination of Discrimination against Women, in its concluding observations, expressed its concern and recommended that the Government consider adopting civil legislation defining, prohibiting and preventing sexual harassment in the workplace (CEDAW/C/BLR/CO/7, 6 April 2011, paragraphs 31 and 32).”

“**Direct and indirect discrimination.** The Committee recalls its previous comments asking the Government to consider amending section 14 of the Labour Code to provide for a more explicit prohibition of indirect discrimination. In the absence of information on any progress made in this regard, the Committee asks the Government to provide information on any steps taken towards amending section 14 of the Labour Code so as to provide for a more explicit prohibition of indirect discrimination. Please also provide copies of any judicial or administrative decisions relating to cases of indirect discrimination in violation of section 14 of the Labour Code.”

[http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COM
MENT_ID:3255413:NO](http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3255413:NO)

Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)
Worst Forms of Child Labour Convention, 1999 (No. 182) - Belarus
 This documents contains no information that leads to a ‘specified risk’ designation.

| | | | |
|--|---|---------|--|
| | | Country | Specified risk on sexual harassment in the workplace |
| | | Country | Low risk on child labour |
| ILO Declaration on Fundamental Principles and Rights at Work. Country reports. http://www.ilo.org/declaration/lang--en/index.htm Source of several reports. Search for 'racial discrimination', 'child labour', 'forced labour', 'gender equality', 'freedom of association' | No additional information found that lead to 'specified risk' designation. | Country | Low risk |
| ILO Child Labour Country Dashboard: http://www.ilo.org/ipec/Regionsandcountries/lang--en/index.htm | No additional information found that lead to 'specified risk' designation. | Country | Low risk on child labour |
| Global March Against Child Labour: http://www.globalmarch.org/ | No information on child labour in Belarus found. | Country | Low risk on child labour |
| Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: | http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fBLR%2fCO%2f3-4&Lang=en | | |

Committee on the Rights of the Child
Consideration of reports submitted by States parties under article 44 of the Convention
Concluding observations: Belarus
8 April 2011

“III. Main areas of concern and recommendations”

(..)

“Legislation

8. The Committee regrets that the State party has not undertaken a complete review of its legislation in order to harmonize it with the Convention, as recommended by the Committee in 2002. It is further concerned that children’s rights in the State party seem to be governed mainly by Presidential decrees, rather than laws enacted by the Parliament. The Committee is concerned that not all of these decrees have been transformed into laws adopted by Parliament, and that this process is too slow.”

Country

Specified
risk on child
labour

“Child rights and the business sector

25. While welcoming the efforts to develop a draft law on the legal responsibility for corporations, the Committee is concerned that the law has yet be submitted to the Parliament.

26. The Committee recommends a speedy enactment of the law on legal responsibility for corporations. It further urges the State party to establish and implement regulations to ensure that the business sector complies with international and domestic standards on corporate social responsibility, particularly with regard to child rights, in line with the United Nations Business and Human Rights Framework which was adopted unanimously in 2008 by the Human Rights Council and which outlines the duty of States to protect against human rights abuses by businesses, corporate responsibilities to respect human rights and the need for more effective access to remedies when violations occur.”

No information on child labour in Belarus in this report.

Country

Low risk on
child labour

Committee on the Elimination of Discrimination against Women
<http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx>
 (Use the link to ‘Key documents’ on the left hand side. Go to “observations’ and search for country.) (Refer to CW Cat. 1)
 Or:
 Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fBLR%2fCO%2f7&Lang=en
Concluding observations of the Committee on the Elimination of Discrimination: Belarus
06 April 2011

“C. Principal areas of concern and recommendations”

(..)

“Definition of equality and non-discrimination

11. The Committee, while noting that the general principles of equality and non discrimination are guaranteed in article 22 of the Constitution and contained in domestic legislation, remains concerned about the absence of a

Country

Specified

specific prohibition of discrimination against women in all areas of life in its national legislation, in line with articles 1 and 2 of the Convention. It also notes the absence of a law on gender equality or of comprehensive anti-discrimination legislation covering sex and gender-based discrimination in the State party.”

risk on
discriminati
on of
women

“Employment

31. The Committee reiterates its concern about continuing horizontal and vertical segregation in the labour market despite women’s high education levels, their concentration in the lower-paid public sector, the persistent gender wage gap forcing many women to work extra hours, women’s limited involvement in business and entrepreneurship, and the lack of information on the situation of women in the private and informal sectors. The Committee notes with concern that unemployment is higher among women than men, that women are unemployed for longer periods, and that fewer women register as unemployed due to low unemployment benefits and compulsory public work. It also expresses concern that article 170 of the Criminal Code may not provide adequate protection from sexual harassment in the workplace, as the burden of proof is very high in criminal cases and certain discriminatory practices in the form of sexual harassment might not amount to behaviour punishable under this provision.

Country

Specified
risk on
gender
wage
discriminati
on

Country

Specified
risk on
discriminati
on of
women

32. The Committee recommends that the State party:

- (a) Adopt additional policies and measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee’s general recommendation No. 25, with time-bound targets and indicators to achieve substantive equality of men and women in the labour market, promote employment of women, eliminate occupational segregation, and close the gender wage gap;
- (b) Regularly review the wage levels in female-dominated employment sectors;
- (c) Eliminate gender bias on the part of private employers to ensure that wage bonuses for women and men are not determined on the basis of traditional stereotypes portraying men as the breadwinner of a family;
- (d) Strengthen its efforts to promote women’s entrepreneurship through special programmes, training, loans and counselling;
- (e) Collect sex-disaggregated data on the situation of women and men in the private and informal sectors and take effective measures to monitor and improve the working conditions of women in those sectors;
- (f) Consider adopting civil legislation defining, prohibiting and preventing sexual harassment in the workplace and shifting the burden of proof in favour of the victim.”

Human Rights Watch: <http://www.hrw.org/>

https://www.hrw.org/sites/default/files/world_report_download/wr2016_web.pdf
Human Rights Watch World Report 2016
“Freedom of Association

| | | | |
|---|---|---------|--|
| | <p>Authorities continue to enforce legislation criminalizing involvement in an unregistered organization, and at the same time arbitrarily deny registration to and attempt to dissolve nongovernmental organizations (NGOs). In March, the Ministry of Justice attempted to dissolve the only officially registered regional human rights organization, the Mahilau Human Rights Center, citing problems with its legal address. The group's representatives maintain that security service officials pressured their landlord to revoke their rental agreement. Authorities brought a similar lawsuit against the group in 2014. In April, the ministry withdrew the lawsuit."</p> | Country | Specified risk for freedom of association |
| <p>Child Labour Index 2014 produced by Maplecroft. http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/</p> | Belarus scores in between 'medium risk' and 'low risk' on the Child Labour Index. | Country | Low risk on child labour |
| <p>http://www.verite.org/Commodities/Timber</p> <p>(useful, specific on timber)</p> | Belarus is not mentioned on this site. | Country | Low risk on forced labour |
| <p>The ITUC Global Rights Index ranks 139 countries against 97 internationally recognised indicators to assess where workers' rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. There are 5 ratings with 1 being the best rating and 5 being the worst rating a country could get. http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en</p> | <p>In the ITUC Global Rights Index 2015, Belarus is classified in the category 5: "No guarantee of rights"</p> <p>"Countries with the rating of 5 are the worst countries in the world to work in. While the legislation may spell out certain rights workers have effectively no access to these rights and are therefore exposed to autocratic regimes and unfair labour practices."</p> | Country | Specified risk for freedom of association, collective bargaining and strike. |
| <p>Gender wage gap (in OECD countries) http://www.oecd.org/gender/data/genderwagegap.htm</p> | Belarus does not feature on this site. | - | - |
| <p>World Economic Forum: Global Gender Gap Report 2014 http://reports.weforum.org/global-gender-gap-report-2014/rankings/ Search for country rankings for the adjusted and the unadjusted pay gap</p> | <p>http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=BRS <i>Global Gender Gap Report 2014.</i> Belarus ranks no. 32 out of 142 countries with a score of 0.73 (The highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)).</p> <p>On the more specific sub-index on Economic participation and opportunity Belarus ranks no. 3 with a score of 0.82.</p> <p>Within that index, the most specific and relevant indicator is the Wage equality for similar work. Here no data are available for Belarus.</p> | Country | Low risk on gender wage discrimination |
| use, if applicable: | Belarus does not feature in this report. | - | - |

http://www.ilo.org/global/publications/books/WCMS_324678/la ng--en/index.htm

Global Wage Report 2014/15

“The Global Wage Report 2014/15 analyses the evolution of real wages around the world, giving a unique picture of wage trends and relative purchasing power globally and by region.”

Google the terms '[country]' and one of following terms 'violation of labour rights', 'child labour', 'forced labour', 'slave labour', 'discrimination', 'gender pay/wage gap', 'violation of labour union rights' 'violation of freedom of association and collective bargaining'

<https://www.fidh.org/en/region/europe-central-asia/belarus/14364-forced-labor-and-the-pervasive-violation-of-workers-rights-in-belarus>

FIDH: Worldwide Movement For Human Rights

Forced Labor and the Pervasive Violation of Workers' Rights in Belarus 10/12/2013 REPORT

“Belarus authorities use of every means possible to feed the country's economy to the detriment of its citizens' economic and social rights.

Internationally publicized as the «last European socialist paradise», Belarus forces large portions of its population to work, sometimes without pay and especially without the possibility to protest harsh or unfair conditions. These are the main observations of a report published today by FIDH and HRC Viasna.

Economic and working issues are quite sensitive in Belarus, especially in the current climate. Nearly every day, reports of students working on the construction of sports facilities dedicated to the international hockey championship, of conscripts going to harvests, of local authorities imposing unpaid work on the working population (a system called subbotnik) are related by the media.

The 80-page joint FIDH – HRC “Viasna” report, presented in Minsk on the occasion of International Human Rights Day, deals with the daily violations of workers' rights in Belarus. Prepared following an international investigative mission in several regions of Belarus in June 2013, it highlights the wide use of forced labor and severe economic and social conditions which many citizens are confronted to.

Trade union rights are widely denied in Belarus. Obstacles to the establishment of independent trade unions are frequent and commonplace. Workers engaged in trade union activities are systematically repressed. Regulations have ubiquitously imposed the replacement of permanent labor agreements by short term contracts in various sectors, placing practically all workers in a precarious situation and threatening them with the non-renewal of their contract in the advent of a conflict with management or if they become members of an independent trade union. Another element which weakens workers' abilities to defend their rights is the fact that basic wages are completed by bonuses, which can represent a significant increase of their monthly income. Bonuses, however, are not wages and can be arbitrarily eliminated at any time. More than 70% workers work under such conditions, with short term contracts not exceeding 3 years.

More generally, forced labor is widespread in Belarus, in various sectors and in

Country

Specified risk on forced labour

Country

Specified risk on violation of trade union rights

Country

Specified risk on forced labour

various forms.

Presidential Decree No. 9 “On Additional Measures to Develop the Woodworking Industry” signed on December 7, 2012 makes it virtually impossible for workers to terminate their contracts from their own initiative. During their military service, conscripts are obliged to carry out unpaid work that is unrelated to military activities. National, regional and local authorities regularly impose unpaid work on the already working population. Although in theory, participation is on a voluntary basis, in practice, there is little possibility to avoid it.

Another serious concern is the pervasive discrimination and stigmatization of people suffering from alcoholism or drug-dependency who are also subjected to forced labor. Forced labor is also imposed on prisoners in various types of detention facilities. Prisoners cannot choose the work they perform, nor can they refuse to work without facing sanctions.

In the cases of children separated from their parents through administrative proceedings, their parents become ‘obligated persons’: they have the legal obligation to compensate the state financially for the fostering of their children. If they do not, civil courts sentence them to State assigned work, and withholds 70% of their wages.

These repressive methods are also used against most vulnerable groups of the population. Instead of ensuring that seriously ill people have an access to government health programs, the existing legislation severely punishes them, in spite of all international norms and proper means to rehabilitate alcoholics and drug addicts. The highly discriminating legal term “anti-social elements” is used to mention such people.

Under the Constitution, “specialized secondary and higher education is available to all in accordance with the abilities of each individual. Everyone can receive a free and proper education on a competitive basis in state educational institutions” (Article 49). Nonetheless, graduates from public education institutions, which are financed by the State, are obliged to work at the end of their studies for one or two years (depending on the institution they studied at) in a job assigned by the state. There is no recourse to oppose such assignments; the only way to avoid it is to reimburse all the expenses incurred by the government. Such expenses are calculated by the authorities, and due to the inflation, they generally amount to very high sums that people are unable to reimburse.

These repressive practices in the sphere of working relations have also led to discriminations against persons perceived as opponents of the regime.

On 29 November 2013, the UN Committee on Economic, Social and Cultural Rights raised in its concluding observations the issue of forced labor and the violations of workers’ rights, after FIDH and HRC «Viasna» presented their joint report to the Committee. In particular, the Committee called on Belarus to review the current system of short-term contracts, abolish compulsory labor for alcoholics, drug addicts and «anti-social elements», ensure freedom of activity

Country

Specified
risk on
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g industry

for trade unions and take some positive steps to ensure a real and effective social protection of the rights of the Belarusian population.”

(See the full report at: <https://www.fidh.org/IMG/pdf/rapportbelarusuk623-bassdef.pdf>)

<http://beta.globalmarch.org/worstformsreport/world/belarus-2002.html>

Global March Against Child Labour

Worst Forms of Child Labour Data: Belarus

“For the year 2000, the ILO projects that there will be 0 economically active children between the ages of 10-14.”

Country

Low risk on worst forms of child labour

<http://belarusdigest.com/story/will-child-labour-and-tax-unemployed-help-lukashenka-avoid-economic-reforms-16280>

BelarusDigest

Will Child Labour And 'Tax On The Unemployed' Help Lukashenka Avoid Economic Reforms?

Vadzim Bylina, 29 November 2013.

“This November a budget deficit and the lack of a labour force for state enterprises compelled the Belarusian authorities to initiate several controversial laws to help overcome the economic crisis.

The government plans to recruit teenagers to underpaid, unskilled jobs and to complicate the procedure for their dismissal and hiring which, in turn, will help to strengthen control over the labour force. (..)

Employing teenagers

On 8 November Alexander Lukashenka publicly sacked key top officials during his visit to Barysaudreu. To “fix a mess” a working group was sent to verify how things were in areas where industrial enterprises are established. Very soon Barusaudreu announced three subsequent Saturdays to be ‘Subbotnik’ obligatory for all employees. ‘Subbotnik’ remained from Soviet Union and means unpaid work at day off.

In the subsequent week the information about child labour at that enterprise broadcasted in independent media. Teenagers from Barysau schools were forced to clean up the area of Barysaudreu for free. That is not the single case when media reported about child labour. The same was commonplace in the USSR when schoolchildren were forced to work at state agriculture enterprises in autumn when labour shortages became common due to the harvesting season.

Very low salaries at state enterprises for unskilled jobs resulted in reduced numbers in the labour force. The Labour Ministry sees one of the ways of solving the problem in expanding the list of jobs 14-18 year old teenagers can do. According to the chief of social, educational and ideological work of the Labour Ministry Raisa Sidarenka, the ministry can offer teenagers work as tissue cleaners, to produce parts for bicycles and motorcycles, to manufacture

Country

Specified risk on child labour

souvenirs etc.

Belarusian officials have stated that teenagers must work despite their young age. For instance, the Minister of Education Siarhey Maskevich believes that it is preferable that the free time of young people should spent working. On 18 January 2013 the government adopted the resolution which provides for reopening of 'labour and recreation' summer camps for children to let teenagers work during summer holidays.

In the camp children will have an opportunity for both: to relax and to work. Such camps previously functioned during Soviet times. It is important to add that recreation camps can host only children under the age of 15.

Contracts system toughening

To strengthen the control over labour force Alexander Lukashenka plans to toughen the contract system introduced in 1999. Previously, the contract system allowed state enterprise managers to lay off labour union activists. Now it should complicate the procedure for their dismissal and hiring.

At the time of his visit to Keramin, a ceramic factory, on 12 November Aleksandr Lukashenka demanded the re-introduction of character letters. The document shall be issued at the previous workplace and should be presented while getting hired somewhere. This practise was in use in the Soviet Union and allowed managers to recommend the worker for the next workplace and, thereby, to influence the future career of an employee.

In addition, the president ordered them to extend the contract system in all enterprises. According to independent labour union leader Henady Fedynich, today around 95% of workers in Belarus are employed under conditions based on the contract system. He claims that the purpose of character letters is to intimidate workers." (..)

<http://belarusdigest.com/story/belarus-may-introduce-forced-labour-fight-sponging-19919>

BelarusDigest

Belarus May Introduce Forced Labour To Fight Sponging

Vadzim Smok, 29 October 2014

"On 20 October the government announced a plan to introduce punishment for sponging ('tuneyadstvo'). It was practiced in Soviet times and it may return to Belarus again. About 10% of population able to work do not pay taxes although the official unemployment rate is only 0,5%.

Belarus has one of the largest shadow economies in the region. Over the last years the Belarusian authorities often tolerated illegal economic activity in return for political loyalty. But as the state finances become thin and political situation seems under control, the authorities seek to exploit the huge shadow sector.

The government suggests various options to resolve the problem, from a fixed fee on spongers to forced employment, but decision is yet to be taken. Such measures may create a legalised violation of human rights, but the regime

Country

Specified
risk for
trade unions
rights

Country

No
conclusion

looks very determined to extract new funds at high political price.

The War on Spongers Is Coming

On 20 October Aliaksandr Lukashenka held a meeting with the government to discuss current problems of the labour market in Belarus. The country is facing the same demographic problems as practically all European countries: the number of able-bodied population decreases, which results in the lack of labour force and pressure on social system, especially pensions and healthcare.

Moreover, about 500 000 Belarusians either do not work at all, or do not work officially according to the governmental data. This equals to more than 10% of the population able to work. They use free education, healthcare and pay reduced price for public services, but do not contribute to the state budget.

Lukashenka looked unusually emotional and determined during the sponging discussion: "It is high time to stop the sponging! In the name of revolution 400,000 of Belarusians must be involved in work!"

Finally, Lukashenka appointed the head of Presidential Administration Andrej Kabiakoŭ and State Secretary of Security Council Aliaksandr Miazheŭ responsible for developing measures against spongers. As both of them occupy highest positions in the regime's hierarchy, it looks like they regard the problem as very serious. And the solution must be found fast – Lukashenka ordered to start the implementation of new policies from the new year.

What Belarusian leader did not mention is that Belarus has one of the largest shadow economies among the post-socialist countries. According to World Bank estimates, in 2010 Belarus had a shadow economy amounting to 46% of GDP.

During the years of stability in 2000s, when economy boosted due to high Russian subsidies, the regime tolerated the shadow activity of the citizens in exchange for political loyalty. But as economic situation worsened in recent years, the government seeks new sources of filling the budget.

Who are Belarusians Spongers

Several groups of citizens are most likely to be targeted under the new law.

The government officials usually talk about alcoholics who do not work because of addiction. In this case, however, administrative measures will hardly work, as they do not work currently. For instance, local authorities force state enterprises to employ parents, who were deprived of parental rights, and have to pay for their children's care in orphanage.

Usually being alcoholics, they barely show up at work. Even forced delivery of such citizens to their workplaces by the policemen does not help. Needless to say, the employers, who have to employ them, strongly oppose such measures.

More sober citizens, who consciously evade taxes, work either abroad or in the shadow economy. A considerable number of people work in Russia, visiting their families in Belarus from time to time. Most of them descend from eastern Belarus and work in construction.

Another group comes from the EU borderland. They smuggle cigarettes, alcohol and fuel to the EU and all kinds of goods from there. Online earners, like freelancers and Internet-gamblers, will also suffer from the new law, as will do many small businesses that operate illegally.

However, some social groups indeed face unemployment and it is unclear how the problem can be solved in their case. In many villages and small towns few jobs usually exist and they are badly paid, while being officially unemployed looks rather a burden in Belarus. With a monthly benefit of only \$12, people have to do dirty jobs and later they receive job offers with minimal wages. No wonder the majority of the unemployed seek other ways of earning for their living.

First Initiatives of the Government

The police is particularly interested in sponger issue, because 60% of criminals in 2014 neither worked nor studied anywhere. Thus, forced labour could become a measure to reduce crime. At a meeting with Lukashenka, the Ministry of Internal Affairs suggested to establish an administrative liability for spongers, including forced employment. The citizens who do not pay taxes for over 6 month in a year will be charged a fine. Repeat offenders can be arrested and forced to work.

Another governmental initiative, announced by Deputy Prime-Minister Anatol Tozik, suggested to raise minimal work experience for getting a pension from 10 to 15 years. The pension age for tax evaders will rise by 5 years. And they will only receive basic free services from the state, and will have to pay for a complete package, available for free to other citizens. However, Anatol Tozik says that so far it is not clear who will be regarded as spongers, and how the whole system will work.

Will the USSR Practice Return?

In the USSR, sponging was a crime and people unwilling to work could get up to one year in jail. According to socialist ideology, work was considered a duty, not a right of a citizen. The 1936 Constitution of the USSR even contained the famous Lenin's phrase "Those who do not work, should not eat". As it often happened during Lukashenka's rule, the government suggested to revive administrative Soviet methods to solve current economic problems.

The International Labour Organisation defines forced labour as all involuntary work or service exacted under the menace of a penalty. This does not include any work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country. According to the Constitution of Belarus, a citizen has to participate in financing of state expenditures, and Belarusian authorities refer to that point when discussing the sponger issue. Earlier, Belarusian authorities already used the forced labour methods to help to implement the modernisation of wood industry. However, the Belarusian Ministry of Internal Affairs in an interview to TUT.by assured that Belarus will not return to the Soviet practice of criminalising the sponging. The coming months will show how the authorities see the balance of human rights and

state economic interests.”

<http://www.ndtv.com/world-news/belarusian-ruler-introduces-forced-employment-506645>

NDTV

Belarusian ruler introduces forced employment

Associated Press | Updated: December 05, 2012

“BORISOV, BELARUS: Vladimir Dodonov wants to flee Belarus for neighboring Russia before it becomes illegal to leave his job at a wood-processing plant.

Belarus' authoritarian president, Alexander Lukashenko, has decided to stem an exodus of qualified workers to Russia, starting by banning those who work in wood-processing industries from quitting. Critics have compared the measure to serfdom and warned that it would only deepen the former Soviet republic's economic troubles and fuel protests against Lukashenko.

Dodonov, 37, who earns the equivalent of \$140 a month at the Borisovdrev plant, says he could make several times as much in Russia and would have left earlier if he hadn't had to care for his ailing mother. "How can you survive on such a miserable salary?" he said this week. "Naturally, I'm thinking about leaving for Russia before they turn me into a slave."

It could be too late.

"You will be sentenced to compulsory labor and sent back here if you leave,"

Lukashenko warned on Friday during a visit to the plant, located in the industrial city of Borisov, about 70 kilometers (some 45 miles) east of the Belarusian capital, Minsk.

The president said his decree would apply to more than 13,000 employees of nine state-run wood-processing plants and 2,000-3,000 construction workers involved in modernizing them. Lukashenko said on a visit to the plant that his decree would become effective on December 1. Even though he hasn't signed it yet, Borisovdrev workers who tried to quit this week were barred from doing so by the administration under various pretexts.

Lukashenko promised to raise an average worker's salary at the plant from the current \$150 a month to \$400-\$500, roughly what it would be in Russia. He pledged to increase it further to \$1,000 by 2015, but some of the workers were skeptical." (..)

Country

Specified risk on forced labour (in wood processing industry)

<http://www.industrialunion.org/unions-in-belarus-report-new-violations>

IndustriALL; Global Union

Unions in Belarus report new violations; 10.05.2016

“Leaders from three of IndustriALL Global Union’s affiliates in Belarus reported widespread violations of trade union rights in the country, during their meeting with IndustriALL assistant general secretary, Monika Kemperle on 29 April in the capital Minsk.

Leaders from the Belarusian Radio and Electronic Industry Workers' Union

Country

Specified risk for trade unions rights

(REP), the Free Metalworkers' Union and the Belarusian Independent Trade Union of Miners, Chemical workers, Oil-refiners, Energy, Transport, Construction and Other Workers revealed the difficult conditions that activists from independent trade unions are facing in Belarus. The union leaders have also called for solidarity support to the workers persecuted by the management for their trade union activity.

One of the recent cases concerned Natalya Anikeyeva, a painter at the Minsk Tractor Plant and a REP union member. In February 2016, Natalya Anikeyeva established a local REP union at the Minsk Tractor Plant.

Workers relied on union support in achieving a salary increase and better working conditions. The newly formed local union asked the management to start collective bargaining to amend the collective agreement in terms of salary payment and health and safety issues. When the management refused to negotiate, the local union sent a letter to the Ministry of Industry.

Workers' wages depend on the quantity of painted pieces at the factory. If painters strictly followed the technical process rules, they would only earn an equivalent of 77 euros per month. So in order to increase production and wages, workers are encouraged by management to violate the process rules, consequently decreasing the quality of the product.

The Ministry of Industry inspected the plant, and now the employer is trying to get rid of the union activist by transferring her to another workplace. Her colleagues are being forced to sign a letter blaming Anikeyeva for a revolt. But Anikeyeva believes that the real goal is to fire her for her union activities. She is afraid that all the workers who supported her will be also fired.

Another case concerns Mikhail Soshko, a union activist who had worked at the Slonim Worsteds-Goods Factory for 30 years and was fired three years before his retirement, in violation of the collective agreement. Those who dare to express their support for Soshko have also become subjects to repression.

REP wants a fair attitude towards workers from management; respect for workers' right to freely join the union; and a just solution to the issue of salaries.

Gennady Fedynich, chairman of the REP, said: "We need to put pressure on the management, for instance by contacting Minsk Tractor Plant's customers abroad. The employer should be charged for violating international labour standards.

Monika Kemperle said, "It can't be that enterprises ignore workers' rights and show such little respect for labour law. IndustriALL will use all possible tools to put an end to the workers' rights violations at both enterprises."

| | | | |
|--|----------------|---------|--|
| From national CW RA | Not available. | - | - |
| Conclusion on Indicator 2.2: | | Country | Specified risk for trade union rights, |
| <ul style="list-style-type: none"> While Belarus has ratified all eight ILO Core Conventions, some of the labour rights are not sufficiently covered by legislation. There is evidence that Belarus is a source, transit and destination country for human trafficking, both for purposes of sexual exploitation | | | |

and forced labour. The ILO is of the opinion that Belarus does not do enough to combat trafficking in persons. For example: "The Committee notes with regret that, since its last comment on the application of the Convention by the Government, several new provisions have been introduced into the national legislation, the application of which could lead to situations amounting to forced labour, and are thus incompatible with the obligation to suppress the use of forced or compulsory labour in all its forms, as required by the Convention." Presidential Decree No. 9 of 7 December 2012 on additional measures for the development of the wood industry effectively takes away the right of workers in the wood processing industry to freely leave their jobs. Also, sanctions of imprisonment or limitation of freedom, as provided for in section 342 of the Criminal Code, can both involve compulsory labour. In conclusion, there is ample evidence that forced labor is widespread in Belarus, in various sectors and in various forms. No specific information could be found whether forced labour does or does not take place in the forest sector. Considering the evidence that forced labour is widespread, specified risk on forced labour is concluded.

- Regarding child labour, the UN Committee on the Rights of the Child regrets that Belarus "has not undertaken a complete review of its legislation in order to harmonize it with the Convention" but its report contains no information on child labour in Belarus, nor did the ILO report. Overall very little evidence on child labour is found. One article with specific information and cases of child labour was found but that did not point to the forest sector. Low risk on child labour is concluded.
- There is strong evidence that trade union rights and workers' rights like freedom of association and collective bargaining are not upheld. The ILO is very strong about this and the ITUC classifies Belarus in the category "No guarantee of rights" which means that it is amongst the countries that "5 are the worst countries in the world to work in".
- The ILO also is of the opinion that the legislation in Belarus "may not provide adequate protection from all forms of sexual harassment in the workplace" and "remains concerned about the absence of a specific prohibition of discrimination against women in all areas of life in its national legislation, in line with articles 1 and 2 of the Convention. It also notes the absence of a law on gender equality or of comprehensive anti-discrimination legislation covering sex and gender-based discrimination in the State party." Thus, there is evidence of discrimination of women at work.
- There is also evidence of gender wage discrimination. The gender wage gap is persistent and structural and may also occur in the forest sector.

freedom of association and collective bargaining, compulsory and/or forced labour, discrimination of women at work and gender wage discrimination

The following specified risk thresholds are exceeded:

(14) The applicable legislation for the area under assessment contradicts indicator requirement(s);

AND

(15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.

Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.

| general sources from FSC-PRO-60-002a V1-0 EN | information found and specific sources | scale of risk assessment | risk indication |
|--|--|--------------------------|-----------------|
| ILO Core Conventions Database http://www.ilo.org/ilolex/english/docs/declworld.htm - ILO Convention 169 | http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:103154 Belarus has not ratified ILO Convention 169. | Country | Specified risk |
| Survival International: http://www.survivalinternational.org/ | No sources mention IP/TP presence in Belarus, neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP/TP presence or a discussion or debate about such a presence. | Country | Low risk |
| Human Rights Watch: http://www.hrw.org/ Amnesty International http://amnesty.org | | | |
| The Indigenous World http://www.iwgia.org/regions United Nations Special Rapporteur on the rights of indigenous | | | |

peoples
<http://www.ohchr.org/en/issues/ipeoples/srindigenouspeoples/pages/sripeoplesindex.aspx>
UN Human Rights Council Universal Periodic Review
<http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>
UN Human Rights Committee
<http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx>
search for country
Also check: UN Committee on the Elimination of All Forms of Racial Discrimination
<http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx>
Intercontinental Cry <http://intercontinentalcry.org/>
<http://www.scribd.com/doc/216154458/Indigenous-Struggles-2013>

<http://intercontinentalcry.org/wp-content/uploads/2013/01/Indigenous-Struggles-2012.pdf>

Forest Peoples Programme: www.forestpeoples.org
FPP's focus is on Africa, Asia/Pacific and South and Central America.

Society for Threatened Peoples:
http://www.gfbv.de/index.php?change_lang=english

Regional human rights courts and commissions:

- Inter-American Court of Human Rights

<http://www.corteidh.or.cr/index.php/en>

- Inter-American Commission on Human Rights

<http://www.oas.org/en/iachr/>

<http://www.oas.org/en/iachr/indigenous/>

- African Commission on Human and Peoples' Rights

- African Court on Human and Peoples' Rights

- European Court of Human Rights

Data provided by National Indigenous Peoples', Traditional Peoples organizations;

Data provided by Governmental institutions in charge of Indigenous Peoples affairs;

Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);

National land bureau tenure records, maps, titles and registration (Google)

Relevant census data

- Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws)
- Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws)

National/regional records of claims on lands, negotiations in progress or concluded etc.

Cases of IP and TP conflicts (historic or ongoing). Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)

Social Responsibility Contracts (*Cahier des Charges*) established according to FPIC (Free Prior Informed Consent) principles where available

Google the terms '[country]' and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights'

From national CW RA

Not available.

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Conclusion on Indicator 2.3:

There are no indigenous peoples and no traditional peoples in Belarus.

Country

Low risk

Therefore, the following 'low risk' thresholds apply:

(16) There is no evidence leading to a conclusion of presence of indigenous and/or traditional peoples in the area under assessment;

AND

(21) Other available evidence do not challenge 'low risk' designation.

Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

Overview

Historically all forest in Belarus have been influenced by anthropogenic activities (forestry, drainage, etc.). From the beginning of the 20th century to the end of World War II, the country's total forest area significantly decreased from 37 % to 21.5 %. Due to reforestation measures, its forest coverage has increased almost to 40%. Today the total area of forest land in Belarus is 94 995 km² which represents 39.5 % of the country's total area (national forest cadastre as of 1st January 2015). Forests in Belarus are semi-natural with insertions of natural forests (mainly in territories with low/poor accessibility e.g., bogs and swamps). There are no forest plantations for commercial timber production in Belarus.

Forests in Belarus are divided into two management group types: protection forests and production forests.

- **Protection forests:** The protection forests are in Belarus referred to as '1st group of forests'. The 1st group of forests are non-productive forests intended for maintaining non-timber forest benefits (ecological, environmental and social). These forests are divided into protection categories depending on their function. There are 15 protection functional categories: forests of wildlife sanctuaries, forests of national parks, forests of natural monuments of national significance, forests of genetic reserves, forests with scientific, historical and cultural significance, urban forests, forests of forest-park parts of green zones around cities and other settlements, forests of first and second belt of zones of sanitary protection of water sources, forests of first and second zones of sanitary protection of health resorts, anti-erosion forests, forests of reserves of national significance, protective belts along railways up to 500 meters wide on both sides from axis of outer railway tracks, protective belts along republican highways up to 250 meters wide on both sides from axis of highway, forests of third zone of sanitary protection of health resorts, forests of forestry parts of green zones around cities and other settlements, forbidden belts along banks of river, lakes, reservoirs and other water bodies. Timber harvesting and other activities are prohibited or restricted in 1st group forests depending on the forest's function(s). In Belarus 47.9 % of forests are protection forests.
- **Production forests:** In Belarus, production forests are referred to as '2nd group of forests'. The 2nd group of forests are managed mainly for timber production and consists of one functional category – "exploitation forests". In Belarus 52.1 % of forests are production forests. There are patches of production forests that possess significant non-timber values, including areas with rare plants or animals, rare biotopes, bog forests, historical places, forest monitoring plots, among others. These patches are under protection as "special protective areas", representing separate sub-compartments or group of sub-compartments. There are 23 categories of special protective areas. Timber harvesting and other activities in special protective areas are prohibited or restricted depending on the management objectives. The total area of special protective areas is 11630.8 km² (12.2% of the total forest area or 25.6% of forests of the 2nd group).

At the end of 2015, a new Forest Code was adopted by the Belarusian government in which some significant changes were made. According to the new Forest Code forests will be divided into 4 categories:

1. **Nature protection forests:** including forests on nature protection territories, forests representing habitats of rare plant and rare animal species, and forests representing rare habitats and rare landscapes.
2. **Recreational forests:** including city forests, forests around populated places, and places around recreational objects.
3. **Protective forests:** including forests in water protection zones, forests around sources of fresh water, and forest along highways and railways.
4. **Exploitative (timber production) forests:** forests intended mainly for timber production.

The new Forest Code will come into force on the 1st of January 2017. All legislative documents (laws, by-laws and technical codes of standard practice) must be revised according to the new Forest Code by the end of 2016. All forest management plans and forest inventory documents must be aligned with the new Forest Code by the end of the year 2020. The environmental legislation will not change. The changes in forest classification included in the new Forest Code intend to align both the forest and the environmental legislation.

All forestland and forests in Belarus are state property. There are two Forest management units (FMU) types: 1) state forestry enterprises that focus mainly on forestry and 2) state nature protection institutions – Berezinsky Biosphere Reserve and national parks that focus mainly on nature protection, tourism and recreation.

All timber logging and forestry operations are implemented or under the supervision of state forestry enterprises or nature protection institutions. Every forest management unit have an individual forest management plan (“Project of Organizing and Development of Forestry”) designed for a 10-year period. Information about forest types, categories of protection and special protected areas are included in the forest inventory materials and the forest management plans for every forest management unit in the Republic. All forest management plans and forest inventory materials in Belarus are developed by the state forest inventory enterprise “Belgosles” and updated every 10 years. Plans for each forest management unit and stored by both the forest management unit and “Belgosles”.

The nature conservation system in Belarus consists of 1213 areas (specially protected natural areas, SPNA (not to be confused with the special protective areas under 2nd group forests)):

1 wildlife sanctuary – Berezinsky Biosphere Reserve (which corresponds to the IUCN Category 1a of protected areas), 4 national parks (IUCN Category II), 85 nature reserves of national significance (IUCN Category IV), 249 nature reserves of local significance (IUCN Category IV) and 874 nature monuments of national and local significance (IUCN Category III). There is one area with special protection status in Belarus, the ‘Polesye State Radiation-Ecological Reserve’, created on the territory polluted after the disaster in Chernobyl nuclear power station. The total area of specially protected natural areas of Belarus is 16 154 km², or 8.7 % of the country's territory.

The Berezinsky Biosphere Reserve and national parks as nature conservation institutions consist of two parts: the national park itself and the Experimental Forestry and Game Ground. The Experimental Forestry and Game Grounds are adjacent to the national park and intended to satisfy the requirements of local economy on timber and non-timber forest products. Forest management regime Experimental Forestry and Game Grounds is the same as the management regime in regular state forestry enterprises.

Every national park, Berezinsky Biosphere Reserve and the largest national reserves also have management plans, which contain nature conservation measures. The limitations of management activities in SPNAs are prescribed in the relevant “Provision about Specially Protected Natural Area”, adopted by the relevant authority according to the territorial status of the SPNA (i.e. by the Council of Ministers for SPNAs of national significance and by the relevant territorial authority for regional SPNAs). Provisions in Specially Protected Natural Areas are based on surveys conducted by specialists (geographers, biologists, etc.) under the request of the Ministry of Natural Resources and Environmental Protection.

Furthermore, other nature conservation areas include 26 Ramsar convention areas and one area of UNESCO world heritage (National Park “Belovezhskaya Pushcha”) designated in The Republic of Belarus.

Additionally, Belarus ratified Convention on Biological Diversity at June 10, 1993. NBSAP approved at 3rd September, 2015. The goals of Belarus’s National the Biodiversity Strategy and national targets correspond with Aichi targets and are detailed in its national action plan.

All forest areas where well-known conservation values (environmental, ecological, social) are identified and under protection as SPNA or special-purpose forests (inside 1st group of forests or special protective areas) according to the present Forest Code, will in the future fall under the categories of nature protective forests, recreational forests and protective forests according to new Forest Code.

See the Information Sources table for references for the overview section.

Risk assessment

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|---|---|------------------|------------------------------------|
| 3.0 | 4, 5, 8, 12, 13, 14, 15, 17, 19, 21, 24, 25, 26, 34, 36 Personal communications 1, 2 | <p>HCV Occurrence</p> <p>Belarus has no territories (areas of wood origin) located within “Global 200” Eco-region (according to the World Wildlife Fund), Biodiversity Hotspots (as defined by International Environment Conservation Organization “Conservation International”), Key Biodiversity Areas (World Conservation Union, IUCN), High-Biodiversity Wilderness Areas (HBWA, by Conservation International), Frontier Forest (World Resources Institute) and Intact Forests Landscapes (Greenpeace).</p> <p>Belarus is signatory state of international agreements such as Convention on Biological Diversity, Ramsar Convention, and Bern Convention (https://www.cbd.int/countries/?country=by).</p> <p>There is a system of protection of rare, threatened and endangered species in Belarus. It takes into account universal criteria and categories of IUCN (IUCN, 2001. IUCN Red List Categories: Version 3.1). The list of rare, threatened and endangered species was approved by resolution of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under 09.06.2004 No. 14 "On approval of the list of rare and endangered species of wild animals and plants included in the Red Book of the Republic of Belarus".</p> <p>Belarusian classification of rare ecosystems (“Rare and typical for the territory of Belarus biotopes and natural landscapes, with conservation value significant on national and (or) international levels” in terms of legislation acts) is based on the Annex I of the European Union Habitats Directive and Annex I to</p> | Country | Low risk. |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|--|------------------|------------------------------------|
| | | <p>Resolution 4 (1996) of the Bern Convention on endangered natural habitat types using the EUNIS habitat classification with some additions. This classification has official status as detailed in the legislative document – ‘TCP 17.12-06-2014 (02120). Environmental protection and nature use. Territories. Vegetation world.’ Rules of definition and protection of typical and rare nature biotopes, typical and rare nature landscapes” was adopted in 2014.</p> <p>Furthermore, Belarusian forest and environmental legislation has been designed taking into account the aforementioned international agreements and definitions.</p> <p>Despite the fact that forests in Belarus are not assessed specifically for HCVs, there is plenty of proxy information which is sufficiently linked to forests related to HCV sub-categories 1, 2, 3, 4 and 6 - particularly as forest management plans contain information about SPNA (Specially Protected Nature Areas) in the territory of a FMU and protective forests. All SPNA were well surveyed for rare species and rare habitats by respective specialists during the organizing/reorganizing process SPNAs. Information about biodiversity outside SPNAs is also included in forest inventory data. However, for most of state forestry enterprises where no special scientific research has been conducted, knowledge about biodiversity may be lacking. This lack of information on biodiversity could also be due to the fact that information about red-listed species and rare ecosystems is often not up to date within FMU.</p> <p>There is no term “High Conservation Value” or “High Conservation Value Forests” in Belarusian legislation, and no special surveys on HCV identification in Belarus have been conducted. In 2005-2007, the project “Belarusian-Polish Forest Mapping project” was conducted as a part of BirdLife International’s initiative to map Europe’s biologically important forests (BIF). As noted in the project report, “methods applied in this project, and the map of BIFs can be used in the process of forest certification, in particular as guidelines for designation of some types of High Conservation Value Forests”. Despite the maps are from 2005-2007 the results of the project are still relevant and can be used for assessment of spatial distribution of forests with potentially high level of biodiversity (biologically important forests). Results of the project thus can be used as proxy for HCV 1, 2 and 3 identification. Results of the project were distributed among all FMU’s in form of digital GIS projects (Final Report, BirdLife European Forest Task Force. http://91.121.182.66/forestmapping/files/35/BPFM_report.pdf).</p> <p>For the current assessment, HCV in Belarus are identified as follows: HCV 1 – all forest sites with protected species, protected on national level (“Red Book of the Republic of Belarus: plants”, “Red Book of the Republic of Belarus: animals”), Specially Protected Natural Areas, Ramsar territories, BIFs</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|--|------------------|------------------------------------|
| | | <p>HCV 2 – large woodland and wetland-woodland territories: Berezinsky Biosphere Reserve, National Park “Pripyatsky”, National Park “Belovezhskaya Pushcha”, forests in the largest unfragmented woodland and wetland-woodland territories in National Reserves, BIFs.</p> <p>HCV 3 – rare forest biotopes (Puhachevski A.V. [et al.]. Rare biotopes of Belarus).</p> <p>HCV 4 – water protective zones around water bodies and watercourses, anti-erosion forests, floodplain forests, bog forests.</p> <p>HCV 5 – There are no indigenous people in Belarus. There are no communities heavily dependent on forests for their livelihoods. All people in Belarus are allowed to collect berries and mushrooms for own consumption (see 1.13), but these practices are not fundamental for satisfying the basic needs of local communities in Belarus. Thus, no HCV 5 have been identified and is considered not applicable.</p> <p>HCV 6 –forest around cultural places, UNESCO World Heritage site.</p> <p>Threats & Safeguards identification and evaluation</p> <p>There is no specific HCV assessment for Belarus. Furthermore, Belarusian legislation does not use the definition of HCVs. However, the concept of forest management with conservation of important non-timber (ecological, protective and social) forest benefits are prescribed in main forestry and environmental laws – Forest Code of the Republic of Belarus, Law of Belarus "On Specially Protected Natural Areas", Law of Belarus "About plant world", Law of Belarus " On Protection of Environment". Belarus has well-grounded system of Specially Protected Natural Areas. All SPNA's are well surveyed for rare landscapes, rare habitats and rare species. Information about biodiversity within a SPNA can be found in the “Scientific, Technical and Economic Substantiation for SPNA organizing/reorganizing” and “Provisions on Specially Protected Natural Areas”.</p> <p>As forest lands in Belarus are state property, forestry management and SPNA management is under strict control of the government. All forest management units follow requirements applicable for non-timber forest benefits conservation.</p> <p>However, for territories where there are no special surveys for rare species and habitats identification (Sub-category 1, 2 and 3), there is risk of forest management activities threatening the unknown occurrences of habitats of RTE species and biotopes. Moreover legal procedure to include information about new RTE species and biotopes in acting forest management plan exists, but this practice is poor. Forest management plans can incorporate new RTE species usually during process of development of new plan - which takes place every 10 years. In some cases, this can cause conflict between forestry practice and nature protection practice and therefore causing threats to RTE species by forest</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|--|---|------------------|------------------------------------|
| | | <p>management activities.</p> <p>Moreover, there is evidence of attempts by forest managers to get timber from territories where logging is prohibited or restricted. See HCV 3.</p> <p>Analysis of FSC Public Summary Reports shows that main issues with forest management in HCV forests for Belarusian FMU's are not related to direct threats to HCV (logging, fragmentation, species removal), but with the absence of HCV occurrence maps, the absence of public reports and system of monitoring of HCV. However, there is sufficient information on the HCVs present in the country, although not all locations are specifically known in the field.</p> | | |
| 3.1 HCV 1 | <p>4, 5, 9, 10, 12, 13, 15, 17, 19, 24, 25, 31, 32, 35, 36, 37, 40</p> <p>Personal communications 1, 2, 3, 4, 7, 8</p> | <p>Many rare and endangered species especially live in the old coniferous forests stands in Belarus, and many of the species live in forest areas interspersed with marches and peatlands (UNECE 2016).</p> <p>Areas with rare, threatened and endangered species correspond with areas containing species listed on the IUCN Redlist. All Red Listed species sites are objects of special protection in the Republic of Belarus (Law of the Republic of Belarus No. 1982-XII of November 26, 1992 "On Protection of Environment"). The Belarus system for the protection of rare, threatened and endangered species took into account universal criteria and categories of the IUCN (IUCN, 2001. IUCN Red List Categories: Version 3.1).</p> <p>National Parks, Biosphere Reserve and Ramsar convention sites can be considered as territories of HCV 1 as nationally and internationally recognized territories with concentrations of biological diversity.</p> <p>Botanic Nature Monuments are SPNAs created for rare plants and rare biotopes conservation are considered territories of HCV 1.</p> <p>HCV 1 also includes forests in floodplains and wetlands as they are territories with a significant conservation value due to hosting of a number of rare animals and plants.</p> <p>All aforementioned territories with HCV 1 are protected by environmental and forestry legislation,</p> <p>Belarusian legislation is designed taking into consideration the international agreements and definitions (IUCN Red List Categories, Ramsar Convention, Convention on Biological Diversity, Bern Convention). This legislation covers all identified HCV1. Therefore, HCV1 is categorised under the official classification under Belarusian legislation;</p> | Country | Specified risk |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|---|------------------|------------------------------------|
| | | <p><u>Ramsar territories as territories with high importance for certain rare bird species.</u> Ramsar areas overlap with forest areas.</p> <p>Specially Protected Natural Areas: Biosphere Reserves without Forestry-Hunting Experimental Enterprises; National Parks without Forestry-Hunting Experimental Enterprises; Botanic nature monuments created for rare plants conservation.</p> <p><u>Objects for special protection</u> in terms of “Law on Protection of Environment” – forest sites with protected species, included in Red-books of the Republic of Belarus (“Red Book of the Republic of Belarus: plants”, “Red Book of the Republic of Belarus: animals”).</p> <p><u>Special Protective Areas:</u> Forest sites with rare and endangered wild animals and wild plants; Forest sites with relic or introduced tree species (only sites with relic species); Forests in wetlands; Forests in floodplains.</p> <p>After the new Forest Code will come into force the sub-categories of category “Nature Protective forests” will refer to HCV 1: Forests in biosphere reserves, national parks; Forests in botanic nature monuments created for rare plants conservation; Forests in sites of rare plants or (and) rare animal habitats, placed under protection of FMU (with “Passports ...” and “Protective obligations”).</p> <p>These areas will be the same as the areas under the current legislation, but the terminology and references in legislation will change.</p> <p>Threats & Safeguards identification and evaluation Due to the legal system of environmental protection in Belarus all known sites of RTE species are under protection. Most sites with high importance for concentration of biodiversity are under protection as SPNA. Management plans for SPNA’s are designed taking into account ecological characteristics of RTE species to minimize threats.</p> <p>There are conservation plans for rare species of wild animals and plants. In 2011–2014, conservation</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|---|------------------|------------------------------------|
| | | <p>plans were developed and approved for 31 plant species and 11 animal species (UNECE 2016).</p> <p>As for protected areas, there are examples of illegal forest management techniques used and cases of illegal harvesting (Indicator 1.10). However, these actions have not been considered systematic (goinspekciya.gov.by; 2014) to a degree, that threatens RTE species in protected areas.</p> <p>There is no database on Red List species sites in the Republic. Information about such sites is stored by regional governmental authorities (regional executive committees) and at forestry organizations where such sites were identified.</p> <p>New sites of rare species/biotopes can be identified by respective specialists of National Academy of Sciences, Universities, and NGOs during scientific and other research (both inside and outside SPNAs). In case there is no information about RTE species in the territory of the FMU, the forest manger can make a request to specialists to conduct a special survey for rare species identification. However, this practice is voluntary and there has been no systematic survey of the forests in Belarus outside SPNAs. Additionally, there is no overview on how many FMUs have mapped RTE species sites.</p> <p>Specialists who do identify new rare species site shall make protective documents – “Passports on rare species site” and “Protective obligation on rare species site”. Limitations on management activities are to be prescribed in “Protective obligation” and based on respective legislation acts:</p> <ul style="list-style-type: none"> - “TCP 17.05-01-2014 (02120). Environmental protection and nature use. Vegetation world. Rules of protection of wild plants included in Red Book of the Republic of Belarus and its habitats”, - “TCP 17.07-01-2014 (02120). Environmental protection and nature use. Animal world. Rules of protection of wild animals included in Red Book of the Republic of Belarus and its habitats”. <p>Passports on rare species’ sites and Protective obligations on rare species site are to be checked by respective specialists of National Academy of Sciences then these documents are to be approved by regional government authority. After approval, documents are to be delivered to FMU. Limitations prescribed in “Protective obligation” should be used for correction of Forestry management plan of FMU.</p> <p>Areas with rare species identified and documented (safeguarded by respective documents) are under governmental protection. Since the new legislative acts in 2014 were adopted, every RTE species site approved will have the management regime prescribed in "Protective obligation" - from ban of every activity to permission of certain types of harvesting. For example, for light-demanding species selective cuttings can be applied. However, in most cases harvesting is prohibited in RTE species sites.</p> <p>There is no legal procedure to include information about new RTE species in acting forest management</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|---|---|------------------|------------------------------------|
| | | <p>plan. New information can be added to forest management plan only during process of development of a new plan. In some cases, this can cause conflict between forestry practice and nature protection practice and therefore threats to forest sites with RTE species. Threats (removal, fragmentation) exist when specialists have not identified sites/habitats and respective documents and plans are not produced and approved. In this case, forests are considered as productive (if other limitations are not prescribed) and sites with RTE species can be damaged by harvesting activities.</p> <p>Introduction of new species in forestry is prohibited and management plans include control measures for invasive species. Introduction of alien / invasive species is not considered an issue in relation to forestry (9). An inventory and database of alien invasive species are maintained for each administrative directive under the State Flora Cadastre (UNECE 2016). There are no forest dependent endemic species (UNECE 2016) in Belarus.</p> <p>Given the locations of HCV 1 values outside SPNAs are not well known and/or for areas where no special RTE survey was conducted there is risk of removal or damage of RTE species populations by forest management activities and the risk is considered specified. Cases of violation of sites with known RTE species are rare and small-scaled.</p> <p>Risk specification</p> <p>‘Specified risk’ thresholds apply: HCV 1 is identified and its occurrence is likely in the area under assessment and it is threatened by management activities.</p> | | |
| 3.2 HCV 2 | <p>4, 5, 10, 15, 17, 21, 25, 27, 30, 35, 36, 40</p> <p>Personal communications 1, 3, 7, 8</p> | <p>Occurrence</p> <p>HCV 2 is identified as large unfragmented tracts of natural and semi-natural forest-land, with a relatively low level of human impact. In the territory of Belarus, areas that can be classified as HCV 2 occurs only in territories with low accessibility or territories that have been protected as SPNA for a long period such as the Berezinski Biosphere Reserve, the National Parks “Prypiatski” and “Belavezhskaja Pushcha” and the large forest and forest-wetland National landscapes and hydrological reserves. Another two National parks (“Narochanski” and “Braslawskie ozera”) represent fragmented nature territories and are not included as HCV2. In Belarus there are also large landscape-level wetland or forest-wetland ecosystems significant at global, regional or national levels. Some of the protected Ramsar areas (as mentioned above as SPNA under 3.1 and 3.0) are considered as HCV2.</p> <ul style="list-style-type: none"> • Berezinski Biosphere Reserve, National Parks “Prypiatski” and “Belavezhskaja Pushcha” (Belarusian part of transboundary UNESCO site “Białowieża Forest) are identified as HCV2 • Large forest and forest-wetland National landscape and hydrological reserves with low level of | Country | Specified risk |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|---|------------------|------------------------------------|
| | | <p>human disturbance (can be bordering/overlapping with Ramsar areas) are considered as HCV 2. However, to date, the spatial distribution of these areas are not fully delineated on maps and/or via other documents.</p> <p>Under the FSC national system there is no national definition on HCV2 in Belarus and there is no researches on “large unfragmented tracts of natural and semi-natural forest-land, with a relatively low level of human impact” mapping .</p> <p>According to FSC’s definition and cross-referenced with the Global Forest Watch IFL maps it can be concluded there are no IFLs in Belarus.</p> <p>Threats & Safeguards identification and evaluation</p> <p>HCV 2 territories designated above have preserved its HCV 2 properties due to the fact they were protected as SPNA or these territories were unsuitable for economic activities. Territories with HCV2 situated in SPNAs have appropriate restriction and bans on forest management activities. In the Biosphere Reserve and strict protected zones of National Parks all extractive activity is prohibited. In other parts of SPNA’s clearcutting is prohibited. Other harvesting methods are permitted if they do not lead to loss of forests nature protection functions Restrictions and harvesting methods prescribed in “Provisions of SPNA”, designed by request and approved by the Ministry of Natural Resources. These restrictions and harvesting methods must be considered and included in a forest management plan. Observance of a special management regime in SPNA is mandatory for all FMU managers. These measures are considered adequate not to lead to fragmentation of HCV2 areas under SPNA.</p> <p>As identified in indicator 1.9, there are some issues with illegal logging/applying of harvesting techniques which have occurred in protected areas (Goinspekciya.gov.by; 2014). However, these violations are not considered to be on a scale that are not leading to HCV 2 fragmentation and are not considered to damage the areas properties as HCV2.</p> <p>There no comprehensive research that has led to the identification of all likely HCV 2 areas in Belarus – which is also further complicated by the fact that working group on standard development with its stakeholders have not finalised a national definition of HCV 2, why it is probable that not all areas with HCV 2 are protected under national laws and/or international agreements.</p> <p>In 2016 new program of development of forestry in the Republic of Belarus was adopted (Resolution of The Council of Ministers of the Republic of Belarus “On State program “Belarusian forest” for years 2016-2020 approval” No 215 dated March 18, 2016). The program states that network of forestry roads</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
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| | | <p>will be increased by 596.1 km. New roads constructing may lead to further fragmentation of forests related to HCV 2 (personal communications 7, 8).</p> <p>As not all areas with HCV 2 in Belarus are identified because of absence of research and/or mapping. New forestry road construction can potentially lead to fragmentation of unidentified HCV 2 forests. Thus, using a precautionary approach HCV2 is considered specified risk for forests outside SPNA.</p> <p>Risk specification HCV 2 is identified and/or its occurrence is likely in the area under assessment, and there are threatened by management activities.</p> | | |
| 3.3 HCV 3 | <p>1, 2, 4, 5, 7, 10, 15, 17, 19, 24, 26, 28, 33, 36, 37</p> <p>Personal communications 1, 2, 3, 7, 8</p> | <p>Occurrence Rare and endangered natural ecosystems in Belarus are represented by rare in national and (or) international level types of natural habitats. A list of types of rare habitats in Belarus was compiled in 2013 (Puhacheuski A.V. [et al.]. Rare biotopes of Belarus). This list contains 43 types of rare habitats and can be considered as fully rare habitats that may occur in Belarus. Of the 43 rare habitats 38 are recognized as rare at the international level ("Habitat directive"), 5 are recognized as rare on a national level. A national system of rare habitats protection based on this list was adopted by the government in 2014. The New Forest Code is designed taking into account this national system of rare habitats.</p> <p>Thus, until now, there has been no unified system for rare habitats protection, but rare ecosystems have been and are under different types of set-aside protection areas (national or local SPNA, special protective areas).</p> <p>The system of rare natural ecosystems protection is similar to the system of protection of rare species identified on the Belarusian Red list, which is incorporated into Belarusian legislation. Most of the sites with significant proportion of rare ecosystems are under protection as SPNA or special protective areas.</p> <p>Belarus HCV 3 can be commonly found in:</p> <p><u>Specially Protected Nature Areas (SPNA):</u></p> <ul style="list-style-type: none"> – Biosphere Reserve (Place of concentration of naturally rare and anthropogenically rare biotopes) – National Parks (Place of concentration of naturally rare and anthropogenically rare biotopes); – Landscape and wetland Reserves, biological Reserves, designed for conservation and restoration of most valuable plant communities (Place of concentration of naturally rare and | Country | Specified risk |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|---|------------------|------------------------------------|
| | | <p>anthropogenically rare biotopes);</p> <ul style="list-style-type: none"> Hydrological nature monuments and biological nature monuments, that represent territories with relic or most valuable vegetation (Naturally rare or Anthropogenically rare (depending on territory)). <p><u>Nature areas for special conservation in terms of “Law on Protection of Environment”</u> – Rare and typical for the territory of Belarus biotopes and natural landscapes, with conservation value significant on national and (or) international level (Naturally rare or Anthropogenically rare (depending on territory)).</p> <p><u>Special protective areas:</u></p> <ul style="list-style-type: none"> Specially protected parts of Reserves (national and regional) (Place of concentration of naturally rare and anthropogenically rare biotopes); Forest areas in wetlands (Naturally rare or Anthropogenically rare (depending on territory). ; Forest areas in floodplains (Naturally rare or Anthropogenically rare (depending on territory)). <p>After new Forest Code will come into force in 2017 and what is currently considered special protective areas will fall under the new Forest Code category of Nature Protective forests and for HCV3 this will include:</p> <ul style="list-style-type: none"> Forests inside Biosphere Reserves, National Parks, landscape and wetland Reserves; Forests inside biological Reserves, designed for conservation and restoration of most valuable natural plant communities; Forests inside hydrological nature monuments and biological nature monuments, that represent territories with relic or most valuable vegetation; Forests inside rare and typical for the territory of Belarus biotopes and natural landscapes, with conservation value significant on national and (or) international level. <p>Threats & Safeguards identification and evaluation</p> <p>The system of protection of rare biotopes and landscapes (as well as terms “rare biotope” and “rare landscape”) was adopted by government in 2014 and are yet to be implemented. Amount of territories outside SPNA where special survey on rare biotopes and rare landscapes have been conducted is small.</p> <p>New sites of rare habitats can be identified by respective specialists of the National Academy of Sciences, Universities, and NGOs during scientific surveys (inside and outside SPNAs) or by the request of a government/forestry organization.</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|--|------------------|------------------------------------|
| | | <p>The Publication of Puhacheuski et al. is developed as a reference book and guide for identification of rare and endangered ecosystems. The Official document (TCP) contains list and relevant rules for conservation of biotopes/landscapes. A specialist who identifies a new site incites protective documents called "Passport on rare biotope" and "Protective obligation on rare biotope". Limitations on forest management activities are to be prescribed in "Protective obligation" and based on respective legislation act 'TCP 17.12-06-2014 (02120). Environmental protection and nature use. Territories. Vegetation world. Rules of definition and protection of typical and rare nature biotopes, typical and rare nature landscapes.' The "Passport on rare biotope" and "Protective obligation on rare biotope" documents are to be checked by respective specialists of the National Academy of Sciences and then to be approved by a regional government authority. After official approval, the documents are to be delivered to FMU manager. Limitations prescribed in "Protective obligation" should be then included in forestry management plan of FMU.</p> <p>BIFs is also another good proxy data source from the "Belarusian-Polish Forest Mapping project".</p> <p>Additionally, in cases where there is no information about rare biotopes in the territory of a FMU, the administration of the FMU can make a request to appropriate specialists for special survey for rare ecosystems identification and further protection</p> <p>The safeguarding process (from forming protective documents until a decision on rare biotope protection) can take up to a year to complete. Since territories with rare ecosystems receive status of protected area only after safeguard documents have been approved, there is a risk that a RTE ecosystem may be threatened by forest management activities before the approval of the safeguard documents takes place.</p> <p>The legal procedure to include information about new RTE species in acting forest management plan exists, but this practice is poor. New information added to forest management plan usually during process of development of a new plan – which takes place every 10 years. In some cases, this can cause conflict between forestry practice and nature protection practice and, therefore, lead to habitat removal and/or fragmentation.</p> <p>Moreover, there has been examples of FMU managers attempting to obtain permission on performing timber felling in set-aside areas with values related to HCV 3 with a method not appropriate for these territories. For example: A National Park administration tried to get permission for sanitary felling in the floodplain oak forests, where felling was denied. Permit was not issued. (Wildlife.by 2013; Rajevskaya</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
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| | | <p>2015); and the administration of another FMU had requested the abolition of the prohibition of clear-cutting in the territory of the hydrological reserve of local importance “Bulev Mokh”, situated on the territory of FMU, where clear-cuttings are denied. No justification for clear-cutting was provided, including no scientific basis on how clear-cutting would match the declared status and objectives of the reserve – restoration and conservation of valuable forested bog complex and saving it in its natural state (NEPCon 2016). The permission was mistakenly issued but rapidly withdrawn. In indicator 1.9 cases of illegal harvesting and incorrect harvesting techniques have been identified. However, it is not considered at a scale or intensity that constitute a risk to HCV3 values (personal communication 1, 3).</p> <p>Lastly, Belarus is signatory state of the Convention on Biological Diversity. As mentioned in the fifth national report (CBD 2014), the previous National Biodiversity Strategy and Action Plan (NBSAP) was developed before the conference in Nagoya in 2010, so Belarus’ NBSAP was created without taking into consideration the Aichi targets. However, the majority of national targets have since been aligned with the Aichi targets. According to the 5th National CBD report forest plant species and ecosystems are in good conditions and in stable state. Due to big areas of unfragmented forest territories, sizes of populations of forest plants and animals are generally stable (Source: CBD 2014). However, as of September 2015 only 8,7% of land area was protected, and thus, not fulfilling the Aichi target 11 of 17% land area protection. However, new areas under protection are increasing (UNECE 2016) and there is progress in achieving the targets set in the national action plan.</p> <p>Although most of territories with significant proportion of RTE ecosystems and habitats are under protection as SPNA and particularly as special protective areas, there are locations outside SPNAs where forests with HCV 3 values are not well surveyed and not well known. This leads to a risk of removal of HCV3 values though the use of inappropriate logging techniques causing habitat degradation and/or habitat removal. Thus, threats to rare ecosystems exist when they have not been identified by specialists and respective documents have not been made and approved to safeguard HCV 3 values. Additionally, whilst Belarus has made good progress on its CBD commitments it still has not met all its national targets including meeting Aichi Target 11.</p> <p>Risk specification</p> <p>HCV 3 is identified and its occurrence is likely in the area under assessment and there are threatened by forest management activities.</p> | | |
| 3.4 HCV 4 | 4, 5, 10, 30, 34, Personal | <p>Occurrence</p> <p>In Belarus, forests in wetlands and floodplains play an important role in regulation of water regime and preventing soil erosion. Forests on steep slopes, sands and open peatlands are important for prevention</p> | Country | Low risk |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
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| | communications 1, 3, 8 | <p>water and wind erosion. Forests along rivers and creeks as well as around lakes and reservoirs are also important for water regulation.</p> <p>Forests territories in wetlands, floodplains, steep slopes, sands and peatlands are recognized as valuable on national level and are under protection by water and forestry legislation (Water Code; Forest Code). HCV4 areas can be identified as:</p> <p><u>Forest of protection categories:</u></p> <ul style="list-style-type: none"> – Forests of 1st and 2nd belt of zones of sanitary protection of water sources (buffer zones); – Anti-erosion forests; – Forbidden belts along banks of rivers, lakes, reservoirs and other waterbodies; <p><u>Special protective areas:</u></p> <ul style="list-style-type: none"> – riverside forests; – forests areas in ravines and adjacent; – forest areas in quarries after exploitation and adjacent; – forest areas on steep slopes; – forest areas on sands and peatlands; – forest areas in floodplains; – forest areas in anti-erosion forests; – forest areas in wetlands. <p>All aforementioned set-asides by the old Forest Code will be included under the category “Protective forests” under the new Forest Code. Once the new Forest Code comes into force starting in 2017, all forests of category “Protective forests” will relate to HCV4.</p> <p>Threats & Safeguards identification and evaluation Belarus has strict legislation on water protection. Delineation of water protection zones is obligatory in forest management planning. Size of water protection zone depends on key characteristics (i.e., area, length, etc.) of waterbody.</p> <p>Logging in protective forests is restricted or denied. In forests of 1st and 2nd belt of zones of sanitary protection of water sources and anti-erosion forests principal felling is prohibited. In other forests with</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|---|--|------------------|------------------------------------|
| | | <p>water protection importance only selection felling of low intensity is permitted. These measures are sufficient to secure water quality and avoid negative impacts on human health.</p> <p>As part of the legal requirements water protection zones are mapped in management plans and notes in the datasheets are made for all erosion zones. According to both the new and the old Forest code the areas of erosion are ravines, quarries after exploitation, as well as forest areas on sands and peatlands. Each of these areas are protected from clearcutting with a 100-meter buffer zone. Also steep slopes shall be protected.</p> <p>Environmental legislation and maintaining buffer zones in relation to water and soils are well respected (See Category 1.10 for details on the relevant legal environmental regulations and the level of compliance by FMUs). The legislative requirements and adequate implementation of the legislation is considered sufficient not do damage HCV 4 values (personal communications 1, 3, 8).</p> <p>Risk specification Based on the available information, the risk for this indicator has been assessed as Low risk.</p> | | |
| 3.5 HCV 5 | 10, 11, 20 | <p>There are no communities heavily dependent on forests for satisfying their livelihoods. All people in Belarus are allowed to collect berries and mushrooms for personal consumption (see 1.13), but these practices are not fundamental for satisfying the basic needs of local communities in Belarus. Thus, no HCV 5 have been identified and the sub-category is considered not applicable.</p> <p>There is no HCV 5, and its occurrence is unlikely in the area under assessment; thus it is considered Low risk.</p> | Country | Low risk |
| 3.6 HCV 6 | 3, 10, 16, 30 Personal Communication 5+6 | <p>Occurrence In the territory of the Republic of Belarus HCV 6 can be identified as:</p> <ol style="list-style-type: none"> 1) Archaeological Monuments (burial mounds, site of ancient settlement). These areas are recognized on national level and included into the list of historical and cultural values in Belarus (3) 2) WW2 Memorial Grounds (places of partisans posts, beds of honour). Voluntarily protected. Information of these sites can be found only in management plans, 3) Special protective areas of pertaining to the category "Forest areas in genetic reserves or forest with scientific, historical and cultural significance" (areas with historical and cultural significance). These areas are safeguarded upon the request of a regional governing authority. Also forests located within the boundaries of territories that are objects of historical and cultural value are legally protected in accordance with the Law of the Republic of Belarus "On Protection of Historical and Cultural Heritage of the Republic of Belarus" under the Forest Code and the Law of the Republic of Belarus "On protection of historical and cultural heritage of the Republic of Belarus". | Country | Low risk |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
|-----------|------------------------|--|------------------|------------------------------------|
| | | <p>There are no UNESCO cultural heritage sites within forests in Belarus.</p> <p>In 2017, when the new Forest Code will come into force, forests with scientific/educational significance will be protected after agreement between FMU manager and scientific or educational organization is signed.</p> <p>Belarus is well surveyed for places with historical and archaeological values and management provisions for the sites are included in FMU management plans. There is no unified database on places of historical and archaeological importance. Information about HCV 6 sites are stored by regional governing authorities and in FMU management plans in the offices of forestry organizations.</p> <p>Threats & Safeguards identification and evaluation</p> <p>Places recognized as having historical and cultural heritage of the Republic of Belarus are safeguarded with “Protective obligations on historical and cultural values”. These safeguard documents for historical and cultural places of value are incited by respective experts – archaeologists and historians. “Protection obligations” are then approved by a regional government authority. Any activity that can cause damage to historical and cultural values in protected areas is prohibited.</p> <p>Monuments from WW2 are not legally protected, but these sites are normally respected and protected by forest managers (personal communication 6). Information on such sites are incorporated into management plans.</p> <p>A list of historical and cultural values has been compiled by a special committee of the Ministry of Culture, and has been adopted by the government. Information on the historical and cultural values of each administrative region is stored with the regional governing authority.</p> <p>Furthermore, local communities have the option to request forestry organisations to protect certain culturally significant places in the forest. These areas are not required to be incorporated into management plans, but these areas are usually voluntarily protected (Personal communication 6).</p> <p>There is no indication that legislation on cultural heritage has been violated by forest managers. This observation was corroborated by the expert review of this risk assessment (Personal communication 5+6).</p> | | |

| Indicator | Sources of Information | HCV occurrence and threat assessment | Functional scale | Risk designation and determination |
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| | | Risk specification HCV 6 is identified and/or its occurrence is likely in the area under assessment, but it is effectively protected from threats by management activities. | | |

Recommended control measures

| Indicator | Recommended control measures |
|-----------|--|
| 3.0 | .. |
| 3.1 HCV 1 | 1) Consultations with respective experts (for example from National Academy of Sciences) regarding the presence of HCV 1 in area of timber sourcing. 2) Verification of documents in FMU: <ul style="list-style-type: none"> Examine the forest management plan ("Project of Organizing and Development of Forestry") for information about conservation set-asides (protection categories, especially protective areas according to old Forest Code, forests of category "Nature protection forests" according to new Forest Code on the territory of FMU). Forestry operations must correspond to regime prescribed by forest management plan. If there is SPNA on the territory of FMU it shall be verified whether "Provision on Specially Protected Nature Area". "Provision" contains limitations on forestry operations in the areas, which shall be included in forest management plan. Examine passports and protective obligations on rare species habitats. Limitations in protective obligations must be also included in forest management plan. Forestry operations as specified in the management plan, if permitted, must correspond to protective obligations. |
| 3.2 HCV 2 | 1) Check maps of SPNAs (Register of Specially Protected areas of Belarus [http://www.ipps.by:9084/apex/f?p=101] , World Database on Protected Areas http://www.protectedplanet.net/search/map?q=belarus). Timber in these areas should not be harvested with methods that do not increase landscape fragmentation (large-scale clearcuttings). 2) For identifying presence of areas with HCV 2 on the territory of FMU, organization should request to scientific organizations to make respective research. Research should be based on "Common Guidance for the High Conservation Values" by the HCV Resource Network (https://www.hcvnetwork.org/resources/folder.2006-09-29.6584228415). Forest maps and satellite imagery can be used as a good reconnaissance source of information for research. 3) Check documents on planned forestry road construction. Confirm there are no plans or no active forestry roads constructed in HCV 2 territories. Management plans should not contain plans of roads construction in the territories related with HCV 2. |
| 3.3 HCV 3 | 1) Consultations with respective experts (for example from National Academy of Sciences) regarding the presence of HCVs 3 in area of timber sourcing. 2) Verification of further documents in FMU: <ul style="list-style-type: none"> Examine forest management plan ("Project of Organizing and Development of Forestry") for information about conservation set-asides (protection categories, especially protective areas according to old Forest Code, forests of category "Nature protection forests" according to new Forest Code on the territory of FMU). Forestry operations must correspond to regime prescribed by forest management plan. If there is SPNA on the territory of FMU – one have to verify "Provision on Specially Protected Nature Area". "Provision" contains limitations on forestry operations in SPNA that must be included in forest management plan. Examine passports and protective obligations on rare biotopes. Limitations in protective obligations must be included in forest management plan. Forestry operations, if permitted, must correspond to protective obligations under passport and protective obligations. . |
| 3.4 HCV 4 | N/A |
| 3.5 HCV 5 | N/A |
| 3.6 HCV 6 | N/A |

Information sources

| No. | Source of information | Relevant HCV category and indicator |
|-----|---|-------------------------------------|
| 1 | Convention on Biological Diversity. Belarus – Country Profile. https://www.cbd.int/countries/profile/default.shtml?country=by#facts . | Overview, HCV 3 |
| 2 | CBD (2014): Convention on Biological Diversity. The Republic of Belarus. Fifth National Report https://www.cbd.int/doc/world/by/by-nr-05-ru.pdf | Overview, HCV 3 |
| 3 | Dzjarzhauny spis gistoryka-kul'turnyh kashtounascej Rjespubliki Belarus' [State list of historical and cultural values of the Republic of Belarus. Minsk. Publisher: BELTA, 2009.] | HCV 6 |
| 4 | Forest Code of the Republic of Belarus, December 24, 2015, No. 332-Z. | Overview 3.0 HCV 1, 2, 3, 4 |
| 5 | Forest Code of the Republic of Belarus, June 14, 2000, No. 420-Z. | Overview 3.0 HCV 1, 2, 3, 4 |
| 6 | Forest resources. Ministry of Forestry of the Republic of Belarus. http://www.mlh.by/en/forestry/resources.html | Overview |
| 7 | NEPCon (2016): FSC Forest Management Certification Main assessment Report for: Gomelski RFB (includes Mozyrski Experimental FME, Kalinkovichski FME, Petrikovski FME) in Republic of Belarus. http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000g0PuMEAU | HCV 3 |
| 8 | FSC Public Search. [http://info.fsc.org/certificate.php] | 3.0 |
| 9 | Gosudarstvennyj lesnoj kadastr respubliki Belarus' po sostojaniju na 1 janvarja 2015 goda [State Forest Cadastre of the Republic of Belarus as of 1st of January 2015]. Minsk. Belgosles. 2015. | Overview |
| 10 | Guidance on the preparation for voluntary forest certification in Belarus. M. V. Yermokhin et al. Minsk. 2016. [in Russian]. (http://ru.fsc.org/download..1009.htm) | HCV 1, 2, 3, 4, 5, 6 |
| 11 | LandMark: The Global Platform of Indigenous and Community Lands. http://www.landmarkmap.org/map/ | HCV 5 |
| 12 | Krasnaia Kniga Respubliki Belarus'. Rasteniya: Redkie i Nakhodiashchiesia pod Ugrozoi Ischeznoveniia Vidy Dikorastushchih Rastenyi [The Red Book of the Republic of Belarus. Plants: Rare and Endangered Species of Wild Plant]. Minsk. Publisher: Belarускаia Entsyklapedyia imia Petrusia Brouki, 2015. | Overview 3.0 HCV 1 |
| 13 | Krasnaia Kniga Respubliki Belarus'. Zhivotnye: Redkie i Nakhodiashchiesia pod Ugrozoi Ischeznoveniia Vidy Dikikh Zhivotnykh [The Red Book of the Republic of Belarus. Animals: Rare and Endangered Species of Wild Animals]. Minsk. Publisher: Belarускаia Entsyklapedyia imia Petrusia Brouki, 2015. | Overview 3.0 HCV 1 |
| 14 | Law of Belarus of June 14, 2003 "About plant world" | Overview 3.0 |
| 15 | Law of the Republic of Belarus No. 1982-XII of November 26, 1992 "On Protection of Environment". | Overview 3.0 HCV 1, 2, 3 |
| 16 | Law of the Republic of Belarus of January 9, 2006, No. 98-Z "On protection of historical and cultural heritage of the Republic of Belarus". | HCV 6 |
| 17 | Law of the Republic of Belarus of October 20, 1994 "On natural areas of preferential protection" | Overview 3.0 HCV 1, 2, 3 |
| 18 | National strategy for development of the system of specially protected natural areas until January 1, 2030. Resolution of the Council of Ministers of the Republic of Belarus No. 649 dd. July 2, 2014. (http://www.minpriroda.gov.by/uploads/files/Resolution-Council-of-Mionisters- | Overview |

| No. | Source of information | Relevant HCV category and indicator |
|-----|--|-------------------------------------|
| | Programme-final.docx) | |
| 19 | Wildlife.by (2013): Natspark «Pripjatskij» predlozhit rubit' svoi pojmennye dubravy. [National Park "Pripjat" has offered to cut its floodplain oak forests] http://www.wildlife.by/node/26920 . | 3.0 HCV 1, 3 |
| 20 | NEPCon Interim Standards for Assessing Forest Management in the Republic of Belarus. Version 19 December 2014. http://www.nepcon.org/sites/default/files/library/NEPCon-FM-interim-Standard-Belarus-19Dec14_0.pdf | HCV 5 |
| 21 | Osobo okhraniaemye prirodnye territorii Belarusi. Spravochnik/N.A. Yurgenson i dr. [Specially protected nature areas of Belarus. Reference book/ N.A. Yurgenson et al.]. Minsk. Publisher: GU "BellSA". 2012. | 3.0 HCV 2 |
| 22 | Presidential Decree as of July 7, 2008 No. 364 "On approval of the Regulation on the distribution of forests into groups and categories of protection, conversion of forests from one group or category of protection to another and allocation of especially protected forest areas" | Overview |
| 23 | Presidential Decree of July 24, 2014 No.367 "On approval of the State Program of the system of protected areas development for 2015-2019" | Overview |
| 24 | Rajevskaya, A (2015): Pripjatskie dubravy budut po-prezhnemu rubit'? [Pripjat oaks will still be cut down?] http://greenbelarus.info/articles/22-04-2015/pripjatskie-dubravy-budut-po-prezhnemu-rubit . | 3.0 HCV 1, 3 |
| 25 | Ramsar Sites Information Service https://rsis.ramsar.org/ris-search/?f[0]=regionCountry_en_ss%3ABelarus | 3.0 HCV 1, 2 |
| 26 | Redkie biotopy Belarusi / A.V. Pugachevskij [i dr.]. [Puhacheuski A.V. (et al.). Rare biotopes of Belarus. Minsk. Publisher: Altiora, 2013.] | 3.0 HCV 3 |
| 27 | Register of Specially Protected areas of Belarus [http://www.ipps.by:9084/apex/f?p=101] | HCV 2 |
| 28 | Resolution of The Council of Ministers of the Republic of Belarus "On the National Action Plan for the Conservation and Sustainable Use of Biological Diversity for 2016-2020 and on amendments to the Resolution of the Council of Ministers of the Republic of Belarus No 1707 dated November, 19, 2010" (https://www.cbd.int/doc/world/by/by-nbsap-v2-p2-en.pdf) | Overview, HCV 3 |
| 29 | Resolution of the Council Of Ministers of the Republic of Belarus No. 649 dd. July 2, 2014 "On The Development Of The System Of Specially Protected Natural Areas" | Overview |
| 30 | TCP (Code of Technical Practice) 143-2008 (02080) Rules for wood harvesting in the Republic of Belarus | Overview HCV 2, 4, 6 |
| 31 | TCP 17.05-01-2014 (02120). Environmental protection and nature use. Vegetation world. Rules of protection of wild plants included in Red Book of the Republic of Belarus and its habitats. | Overview HCV 1 |
| 32 | TCP 17.07-01-2014 (02120). Environmental protection and nature use. Animal world. Rules of protection of wild animals included in Red Book of the Republic of Belarus and its habitats. | Overview HCV 1 |
| 33 | TCP 17.12-06-2014 (02120). Environmental protection and nature use. Territories. Vegetation world. Rules of definition and protection of typical and rare nature biotopes, typical and rare nature landscapes. | Overview HCV 3 |
| 34 | Water Code of the Republic of Belarus, April 30, 2014, No. 149-Z | 3.0 HCV 4 |
| 35 | World Database on Protected Areas http://www.protectedplanet.net/search/map?q=belarus | HCV 1, 2 |
| 36 | Yermokhin, M. (eds), Stachura-Skierczyńska, K., Bobiec A., Puhacheuski A., Walsh, M., 2007. Belarusian-Polish Forest Mapping: Final Report, BirdLife European Forest Task Force. (http://91.121.182.66/forestmapping/files/35/BPFM_report.pdf) | 3.0 HCV 1, 2, 3 |
| 37 | UNECE (2016): Belarus. Environmental Performance Reviews. Third Review. United Nations. Environmental Performance Reviews Series No. 44. New York and Geneva, 2016.ECE/CEP/178. Available at: http://www.unece.org/environmental-policy/environmental-performance-reviews/enveprpublications/environmental-performance-reviews/2016/3rd-environmental-performance-review-of-belarus/docs.html . [Accessed 8 December 2016] | HCV 1, 3 |
| 38 | Resolution of The Council of Ministers of the Republic of Belarus "On State program "Belarusian forest" for years 2016-2020 approval" No 215 | HCV 2 |

| No. | Source of information | Relevant HCV category and indicator |
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| | dated March 18, 2016. Available at: http://www.pravo.by/main.aspx?guid=12551&p0=C21600215&p1=1&p5=0 [Accessed 9 December 2016] | |
| 39 | Goinspekciya.gov.by (2014): Information about the work of the State Inspectorate for Fauna and Flora Protection under the President of the Republic of Belarus from 11 to 17 August 2014. Available at: http://gosinspekciya.gov.by/news/inspectorate/19august2014svodka.html [Accessed 10 December 2016]. | HCV 1 |

Experts consulted

| | Name | Organization | Area of expertise (category/sub-category) |
|----|-----------------------|---|---|
| 1. | Maxim Yermokhin | Lead researcher, Institute of Experimental Botany of NAS of Belarus. Coordinator of FSC standard development group for Belarus | Overview , HCV 1, 2, 3, 4, 6 |
| 2. | Mikhail Maximenkau | Senior researcher, Scientific and Practical Center for Bioresources of NAS of Belarus. | Overview, HCV 3 |
| 3. | Iryna Viarshytskaia | Researcher, Institute of Experimental Botany of NAS of Belarus. | HCV 1, 2, 3, 4 |
| 4. | Vasil Shakun | Senior researcher, Scientific and Practical Center for Bioresources of NAS of Belarus. | HCV 1 |
| 5. | Alena Kasjuk | Researcher, State Scientific Institution «Institute of History of the National Academy of Sciences of Belarus» | HCV 6 |
| 6. | Anton Astapovich | Social association "Belarusian Voluntary Society for Protection of Historical and Cultural Monuments" | HCV 6 |
| 7. | Kanstantsin Chykalau | Nongovernmental environmental organization "Bahna" | HCV 1, 2, 3 |
| 8. | Aliaksandr Vincheuski | Public organization "APB-BirdLife Belarus" | HCV 1, 2, 3, 4 |

Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

Risk assessment

| Indicator | Source of information | Functional scale | Risk designation and determination |
|-----------|--|------------------|--|
| 4.1 | <p>Government sources</p> <p>1. State Inspectorate informs, 2016. The official website of the State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus. Assessed 17 June 2016 at http://gosinspekciya.gov.by/information/</p> <p>2. The State Control Committee reviewed the results of checking the forest industry, 2015. The official website of the State Control Committee of the Republic of Belarus. Assessed 10 May 2016 at http://kgk.gov.by/ru/news-press-center-ru/view/v-komitete-gosudarstvennogo-kontrolja-rassmotreny-rezultaty-proverki-lesnoj-otrasli-107632/</p> <p>3. Rudenik, V. 2015. At the same rake. Control activities. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - pp. 9-11.</p> <p>4. What will be outcome of complacency? According to the materials of the Boards. 2015. In Journal "State Control: Analysis, Practice, comments» no. 4 (18), December 2015, - p. 8.</p> <p>5. Typical violations identified by verifications. Control activities, 2016. The official website of the Ministry of Forestry of the Republic of Belarus. Assessed 7 May 2016 at http://www.mlh.gov.by/ru/official/kontra.html</p> <p>6. Joint inspection organs of state control and the prosecutor's office, 2014. The official website of the State Control Committee of the Republic of Belarus. Assessed 15 March 2016 at http://kgk.gov.by/ru/vazno_znat-ru/view/Sovmestnaja-proverka-organov-goskontrolja-i-prokuratury-vyjavila-mnogochislennye-narusheniya-i-9831/</p> <p>7. Fighting corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at http://prokuratura.gov.by/ru/main.aspx?guid=10143</p> <p>8. General Prosecutor's Office offers to step up fight against corruption, 2016. The official website of the General Prosecutor's Office of the Republic of Belarus. Assessed 17 August 2016 at</p> | Country | <p>Belarus' Constitution determines that all forests are owned entirely by the state (Forest Code of the Republic of Belarus of 2015 (No. 332-Z) (Article 5); the Ministry of Forestry of the Republic of Belarus is the primary designated government agency responsible for forest utilization, reproduction, conservation and protection.</p> <p>Deforestation is prohibited under the terms of the Forest Code (Article 8). According to the Edict of the President of the Republic of Belarus No. 667 of 27.12.2007 exceptions may be granted if the applicants prove that important reasons exist for the seizure of forest land sites (conversion to non-forest lands).</p> <p>Conversion shall be formally authorized by different regional and/or sub-regional authorities in charge of this or in accordance with the decision of the of the President of the Republic of Belarus (Edict of the President of the Republic of Belarus No. 667 of 27.12.2007, p.1.2, p. 2; also in Regulations, e.g. Regulations on the procedure of seizure and allocation of land sites, Chapter 2, 3, 4).</p> <p>Forestry losses (due to conversion to non-forest lands) should be financially compensated (Edict of the President of the Republic of Belarus No. 667 of 27.12.2007, p.1¹. These finances should be used for the creation of new forests and forest growing purposes, etc. (in Regulations on the procedure for compensation of losses of forestry production, p.4, approved by the Resolution of the Council of Ministers of the Republic of Belarus No. 462 on March 26, 2008).</p> <p>Conversion under the scope of this category and indicator is prohibited by the legislation listed. Where conversion is allowed in special circumstances, compensation is achieved</p> |

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| <p>http://prokuratura.gov.by/ru/main.aspx?guid=95845#doc</p> <p>10. Forests and forestry of Belarus in 2013, 2014. Reference materials: RUE "Magazine editors "Forestry and hunting", Minsk, 2013. – P. 33.</p> <p>11. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/</p> <p>12. The state program "Belarusian forest" for 2016-2020 years is approved, 2016. The official website of the Ministry of Forestry. Assessed 23 September 2016 at http://mlh.by/ru/news/3105.html</p> <p>13. National Forest Cadastre of the Republic of Belarus, 2016. Ministry of Forestry – Minsk: LRUE Belgosles, 2016 - 90 p.</p> <p>14. National Forest Cadastre of the Republic of Belarus, 2015. Ministry of Forestry – Minsk: LRUE Belgosles, 2015 - 95 p.</p> <p>Non-Government sources</p> <p>1. Belarus, 2010. Law Enforcement and Governance in the forest sector (FLEG). Assessed 19 May 2016 at http://fleg1.enpi-fleg.org/index.php?id=14&L=1</p> <p>2. In Shumilino area healthy trees were cut down instead of sick trees, 2016. Belarusian TUT.BY Portal. Assessed 26 October 2016 at http://news.tut.by/society/517513.html</p> <p>3. Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 17 June 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/</p> <p>4. Feasibility study for the timber origin tracing system establishment based on product labeling and electronic record keeping for the Republic of Belarus, 2015. European Neighbourhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program. Regional ENPI-FLEG Program in Belarus. Assessed 04 July 2016 at http://www.enpi-fleg.org/docs/brief-review-of-the-forest-policy-and-forest-legislation-of-the-republic-of-belarus/</p> | <p>through the establishment of new forest. The country implemented an institutional mechanism for the compensation of transfer of forest land to non-forest land (State program "Belarusian forest" 2016-2020, approved by the Resolution of the Council of Ministers of the Republic of Belarus No. 215 on March 18, 2016).</p> <p>Under the state program it is planned annual afforestation of land for forestry purposes. So that in the period from 2016 to 2020 the forest cover should be increased by 0.5% (from 39.6% (2016) to 40.1% (2020) (Summary of targets for the State program " Belarusian forest" for 2016 - 2020).</p> <p>Over the whole of Belarus, during two last year's conversion to non-forest land in total was 1155 ha of forest (2015), and 392 ha in 2014. At the same time 49 700 ha (2015) and 22 300 ha (in 2014) were transferred to forestry enterprises for reforestation and forest growing purposes (Source: National Forest Cadastre of the Republic of Belarus 2015, 2014).</p> <p>Conversion of forest areas is allowed, but applicable national legislation does not allow forest conversion unless it is authorized by regional or sub-regional responsible authorities and performed according to national legislation. Conversion processes are kept under control and normally subject to compensation mechanisms. The legislation is considered sufficient to ensure no conversion takes place above the threshold of this indicator.</p> <p>Although some violations of timber harvesting law have been reported by state competent authorities (see Government sources 1-8), and Belarus scores below critical thresholds in the Transparency International Corruption Perceptions Index and the World Bank's Worldwide Governance Indicators for rule of law, none of these concern illegal conversion or clearing of natural forest.</p> <p>Based on the assessment of the National Forest Cadastre data for the 2005-2015 period (Source: National Forest Cadastre of the Republic of Belarus, 2005-2016, Minsk: LRUE Belgosles) estimated a national average converted</p> |
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| | <p>fleg.org/docs/feasibility-study-for-the-timber-origin-tracing-system-establishment/</p> <p>5. Shmatkov, N. (WWF Russia), 2015. A research proves high effectiveness of law enforcement on timber origin and legality in Belarus - Regional ENPI-FLEG Program in Belarus - The program on "Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia (ENPI FLEG). Assessed 20 February 2016 at http://www.enpi-fleg.org/news/a-research-proves-high-effectiveness-of-law-enforcement-on-timber-origin-and-legality-in-belarus/</p> <p>6. Bui, A. 2012. Ways of improving of timber recording system in Belarus on the basis of foreign experience: Improving Forest Law Enforcement and Governance in the European Neighbourhood Policy East Countries and Russia: practical publication / A. Bui, U. Mashkouski, S. Minkevich - Minsk: MLH RB, OOO "V.I.Z.A. GROUP ", 2012. – P. 87.</p> <p>7. Table of results: Corruption Perceptions Index 2015. Transparency International. Assessed 19 July 2016 at http://www.transparency.org/cpi2015#results-table</p> | <p>forest area of about 952 ha/year. Conversion mostly occurred from forest to industrial and urban areas. At national scale this negative variation is compensated by natural forest expansion and human-induced reforestation (area covered by forests has increased from 7 857185 ha (2005) to 8 239 782 ha (2015) (+382 615 ha)).</p> <p>According to the "Brief Review of the Forest Policy and Forest Legislation of the Republic of Belarus" (in Journal "Sustainable forest management", No 2 (42) 2015) (V. Krasovskij, V. Usenia, 2015), forest coverage in Belarus had a +1.7% annual variation between 2004 and 2014, and the forested area increased by around 360 700 ha (+ 2.6%) between 2004 and 2014. The expansion of national forests is confirmed by other official sources, e.g. the Annual Report on State Register of Forest Fund published by the LRUE Belgosles of the Ministry of Forestry (the latest report dated as January 1, 2016).</p> <p>State control competent authorities (State Control Committee of the Republic of Belarus, State Inspectorate for Protection of Fauna and Flora under the President of the Republic of Belarus) monitor forest management and use, and while some violations of other laws are sometimes reported, none of these concern illegal conversion or clearing of natural forest (Government sources 1-8, Non-Government sources 2). There is no evidence that indicates that the legislation is not enforced.</p> <p>Risk conclusion This indicator has been evaluated as low risk</p> |
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Recommended control measures

| Indicator | Recommended control measures |
|-----------|------------------------------|
| 4.1 | N/A |

Controlled wood category 5: Wood from forests in which genetically modified trees are planted

Risk assessment

| Indicator | Sources of information | Functional scale | Risk designation and determination |
|-----------|--|------------------|---|
| 5.1 | <p>Legal acts:</p> <ol style="list-style-type: none"> 1. Law of the Republic of Belarus No. 96-Z of 09.01.2006 "On the safety of genetic engineering" http://biosafety.org.by/legislation 2. Law of the Republic of Belarus No. 97-Z of 06.05.2002 "On accession of the Republic of Belarus to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity" http://biosafety.org.by/legislation 3. Law of the Republic of Belarus No. 115-Z of 24.06.2002 "On accession of the Republic of Belarus to the International Convention for the Protection of New Varieties of Plants" http://biosafety.org.by/legislation 4. Law of the Republic of Belarus No. 20-Z of 02.05.2013 "On Seeds" http://biosafety.org.by/legislation 5. Law of the Republic of Belarus No. 231-Z of 18.05.2007 "On amendments to some Codes of the Republic of Belarus on the responsibility for the violation of genetic engineering safety laws" (in the Code of Administrative Offences and the Criminal Code of the Republic of Belarus). http://biosafety.org.by/legislation 6. Resolution of the Council of Ministers of the Republic of Belarus No. 1160 on September 8, 2016 "On approval of provisions on the procedure of state expertise of the safety of genetically engineered organisms" (ed. 29.03.2013) http://biosafety.org.by/legislation <p>Web pages:</p> <ol style="list-style-type: none"> 1. The website of the National Coordination Biosafety Center in Belarus, 2016. Assessed 24 September 2016 at http://biosafety.org.by/ 2. The website of the Forest Institute of the National Academy of Sciences of Belarus, 2016. Assessed 22 September 2016 at http://www.forinst.basnet.by/ 3. The website of the State Scientific Institution "Institute of Genetics and Cytology of the National Academy of Sciences of Belarus", 2016. Assessed 24 September 2016 at http://gens.by/ 4. Genetically modified products in Belarus: they are in Belarus or not, 2012. News portal. Assessed 24 September 2016 at http://news.tut.by/society/317222.html 5. Belarus comes into GMO era, 2012. Belarusian agriculture. Assessed 24 September 2016 at http://news.tut.by/society/317222.html <p>Research articles:</p> <ol style="list-style-type: none"> 1. Konstantinov, A.V. Basic trends of the use of transgenic woody plants in forestry / A.V. Konstantinov. In Proceeding of Scientific papers of Institute of Forest of NAS Belarus. - Gomel, 2012. - Vol. 72: Problems of Forest and Forestry. - P. 210-219. | Country | <p>In accordance with the law "On the safety of genetic engineering" field testing or release of non-pathogenic genetically modified organisms into the environment for the tests might be only carried out based on a special permit of the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus. The permit is issued upon the conclusion of the state expertise of safety of genetically engineered organisms.</p> <p>There is no evidence of any commercial use of GM trees in the country. At this time there are no trials of GM trees in the country.</p> <p>Risk conclusion This indicator has been evaluated as low risk</p> |

Recommended control measures

| Indicator | Recommended control measures |
|-----------|------------------------------|
| 5.1 | N/A |