

ACT ON SUSTAINABLE DEVELOPMENT

P A R T I

GENERAL PROVISIONS

Article 1. The Purpose of the Act

(1) This Act establishes the principles of the national strategy of sustainable development.

(2) The national strategy of sustainable development is based on the principles established in the decisions of the United Nations Conference on Environment and Development (Rio de Janeiro, 1992).

(3) Part II of this Act establishes the basis for the sustainable use of the natural environment and of natural resources.

(4) The basis of sustainable development for other sectors of economy is established by law, regulation or national programmes.

P A R T II

THE NATURAL ENVIRONMENT AND NATURAL RESOURCES

Article 2. The Aim of Sustainable Use of the Natural Environment and of Natural Resources

The aim of sustainable use of the natural environment and of natural resources is to guarantee that the environment meets human needs as well as provides the resources necessary for economic development without causing significant damage to the environment and without depleting biological diversity.

Article 3. Principles of Sustainable Development

(1) According to the Constitution of the Republic of Estonia, everyone is obliged to spare the human and natural environment and to avoid causing damage to it.

(2) Rights to dispose of property and to engage in business shall be restricted proceeding from the need to protect the nature as a common property of mankind and a national asset.

(3) The need to minimize pollution of the natural environment, and to use natural resources to an extent which maintains the natural balance, is a fundamental requirement of economic activity.

(4) The planning of actions of transboundary effect or actions likely to have a significant impact on the environment as well as environmental management in general shall be the subject of international co-operation.

(5) Use of the natural environment and of natural resources shall be subject to use rates and charges calculated on the basis of the cost of the impact upon the environment.

(6) Planning documents, programmes and projects affecting the use of the

environment and of natural resources shall be made available to the public.

Article 4. Implementation of International Agreements

(1) Environmental protection obligations under international agreements shall be performed through national programmes approved by the Government of the Republic.

(2) On approving of municipal development plans and in management of business activities, local authorities must take into consideration the obligations under international agreements as well as the national programmes approved to perform these obligations. [as amended on 5 June 1999]

Article 5. Renewable Natural Resources

(1) The stock of renewable natural resources is divided into critical and usable reserves.

(2) The critical reserve of renewable natural resources is the smallest quantity which guarantees the natural balance and renewal, implementation of protection regimes as well as the maintenance of biological and landscape diversity.

(3) The critical reserve of renewable natural resources, including the margin arising from indeterminacy, shall be determined by the Government of the Republic.

(4) The excess of a natural resource over the critical reserve of renewable natural resources as determined by the Government of the Republic shall be the usable reserve of a renewable natural resource. In planning economic activity, this usable reserve shall not be exceeded.

(5) The extent of the usable reserve and the allowable annual rate of use shall be determined by the Government of the Republic taking into account natural growth. The procedure of use of the usable reserve shall be established by law.

Article 6. Non-Renewable Natural Resources

(1) In planning the use of nonrenewable natural resources the following main conditions shall be taken into account:

- 1) the adequacy of explored reserves in the longest possible term;
- 2) the possibility of switching to products made of renewable natural resources or to inexhaustible energy sources;
- 3) the possibility of substituting non-renewable natural resources with waste or other secondary raw materials.

(2) In planning economic activity the reserves of non-renewable natural resources located within protected areas shall be excluded from the usable reserve.

(3) Annual allowable rates of use of nonrenewable natural resources shall be determined by the Government of the Republic. The procedure for their use shall be established by law.

Article 7. Associated Natural Resources

(1) Associated natural resources are any natural resources that are affected by, or

likely to be affected by, the use of another natural resource.

(2) In exploitation of a usable natural resource, associated natural resources shall be either utilized or preserved suitable for using in a quality as close to the unused state as possible.

(3) The procedure for the protection and use of associated natural resources shall be established by law.

Article 8. Environmental impact assessment and environmental management system

The legal bases and procedure for the conduct of environmental impact assessment, organisation of the Community environmental management system and the environmental audit system and the legal bases for awarding Community eco-labels are provided by law.

[as amended on February 2005]

Article 9. Preservation of Biological Diversity

(1) Preservation of biological diversity shall be guaranteed through a national programme and an action plan approved by the Government of the Republic, the drafting of which shall be financed from the national budget.

(2) The principles upon which biological diversity is preserved are as follows:

1) in the case of natural species - preservation at the level of the lowest taxonomic unit possible, and of the largest number of species possible;

2) in the case of local breeds of cultivated plants and domestic animals - their registration and the upkeep of data bases on the largest number of breeds possible;

3) preservation of different types of ecosystems and landscape as well as the establishment of a network of natural and semi-natural communities to counterbalance and compensate for the impact of human settlement and economic activity;

4) the specification of genetic material of social, economic or scientific importance.

Article 10. Environmental Norms and Standards

(1) Environmental norms are reference figures or use rates of natural resources per production unit established for the quality of the environment, the volume of waste, or per production unit.

(2) Environmental norms are made binding by Regulation of the Minister of the Environment or by pollution permit.

(3) Environmental standards are documents setting rules, guidelines and numeric values defined by the involved parties, and regulating activities or results of activities which either have or are likely to have impact on the state of the environment.

(4) [as repealed on 1 April 1999]

Article 11. Environmental Monitoring

Environmental monitoring is the systematic observation of the state of the environment and of the factors influencing it. Its main purposes are to forecast changes to the state of the environment and to provide initial data for planning documents, programmes and projects.

The procedure of environmental monitoring shall be established by law.

Article 12. Planning of balanced development

(1) In economic sectors and areas, where the pollution of natural environment and the use of natural resources could endanger the natural balance or maintenance of biological diversity, the development is directed on the basis of development plans initiated by the state.

(2) Development plans shall be drawn up in order to direct the development in energy, transport, agriculture, forestry, tourism sectors as well as in chemical, building material and food processing industry.

(3) Decisions on the necessity of drawing up regional development plans shall be taken by the Government of the Republic.

(4) In case of necessity the Government of the Republic may initiate the drawing up of development plans on the basis not mentioned in this Act.

(5) A development plan shall include prognosis on the use of natural resources and on the state of the environment.

(6) The task of and time assigned for drawing up the development plans mentioned in this Article shall be approved by the Government of the Republic. As an essential political issue, a development plan shall be approved by the *Riigikogu*. [as amended on 5 June 1997].

(7) The Minister nominated by the Government of the Republic shall be responsible for the implementation of a development plan and for making it available to the public.

Article 13. Biosphere programme area

(1) A biosphere programme area is an area included in the UNESCO MAB (Man and Biosphere) Programme in order to organise education, monitoring and research activities and to integrate the protection and the sustainable use of natural resources.

(2) In a biosphere programme area, the bases for a balanced relationship between people and their living environment shall be developed and local development shall be directed through planning and development activities according to the objectives of the UNESCO MAB Programme.

Chairman of the *Riigikogu*

Ülo Nugis