

**Legislation Development and Digital  
Technology Introduction for Inventorying  
Greenhouse Gases in EAEU Member States**

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### Abstract

The author of this article conducts an analysis of the lawmaking practice in the member states of the Eurasian Economic Union aimed at creating a digital space for the collection, analysis and assessment of the impact on climate including the creation of national greenhouse gas inventory systems. All countries of the EAEU are involved in the process of renewing their own state legislation aimed at creating greenhouse gas inventory information systems to various extents. The author makes a conclusion that it is necessary to provide the EAEU with the relevant competence in the area of the implementation of the climate agenda and to put emphasis on the integrated level of cooperation.

**Key words:** Climate Legislation, Greenhouse Gas Inventorying, Information Technology, International Cooperation.

Climate change is one of the most serious problems of modern times. All countries are vulnerable to adverse consequences of climate change and already feel their amplification. In this regard, the adoption of measures to mitigate the consequences of climate change and adaptation to them is one of the urgent and pressing global priorities. The achievement of sustainable development goals and the introduction of the principles of green economy are at the top of the international climate agenda. Each of the member states of the Eurasian Economic Union (hereinafter the EAEU) has presented its contributions made to the global response to climate change and determined at the national level to the international community within the framework of the Paris Climate Agreement. New technologies, broadly defined to include also the process of digitalization of domestic law, appear to promote the accelerated achievement of the goals set by the states.

The purpose of this article is to analyze the lawmaking practice in the member states of the Eurasian Economic Union aimed at creating a digital space for the collection, analysis and assessment of the impact on climate including the creation of national greenhouse gas inventory systems. The collection of this information is now legitimized at the state level to different extents.

Russia is one of the leaders in the process of the international fight against climate change. It has made a significant contribution to global efforts to combat climate change. On September 21, 2019, the Government of the Russian Federation decreed the adoption of the Paris Agreement. It is noteworthy that Russia's ratification of the Kyoto Protocol as far back as 2005 made it come into force and become a crucial step in international efforts to reduce the anthropogenic burden on the Earth's climate system. Federal Law No. 296-FZ of July 2, 2021 "On the Limitation of Greenhouse Gas Emissions" was adopted and came into force in Russia [2]. According to Article 8 of this Law, the state record of greenhouse gas emissions is implemented by maintaining the register of greenhouse gas emissions. The information about greenhouse gas emissions contained in the register of greenhouse gas emissions is publicly available information according to paragraph 1 of Article 12 of the Federal Law. Under the Decree of the Government of the Russian Federation of March 14, 2022 "On Criteria for Attributing Legal Entities and Individual Entrepreneurs to Regulated Organizations", the reports will be provided by large industrial enterprises with greenhouse gas emissions equivalent to more than 150 thousand tons of carbon dioxide per year [3]. According to the Decree of March 9, 2022, the powers in the area

of regulating greenhouse gas emissions were granted to the Ministry of Natural Resources and Environment, the Ministry of Transport, the Ministry of Energy, the Ministry of Economic Development, the Ministry of Industry and Trade, the Ministry of Agriculture, the Ministry of Construction, Housing and Utilities, the Federal Service for Hydrometeorology and Environmental Monitoring and the Federal Agency for Forestry [4].

The State Program "Digital Kazakhstan" was adopted under Decree of the Government of the Republic of Kazakhstan No. 827 of December 12, 2017. As noted in the document, the area of environmental protection requires up-to-date, reliable and complete information. In this regard, the issues of automating the collection of information about the condition of the environment in the context of influence on climate are of considerable strategic importance because further results of the activities in the area of environmental protection will depend not only on the condition of the facilities and resources and the qualification of the staff but also on the reliability and promptness of the provision of all environmental information (par. 3.1). To implement the national strategy for sustainable development, it was planned to establish the Unified State System for Environmental and Natural Resources Monitoring (par. 5.2) [4]. According to Article 152 of the

Environmental Code of the Republic of Kazakhstan [5], this system includes the information system "National Bank of Data on the State of the Environment and Natural Resources of the Republic of Kazakhstan". The system "National Bank of Data..." must ensure integration and automated data exchange between the following institutions:

- 1) data banks of systems, subsystems and types of monitoring included in the structure of the Unified State System for Environmental and Natural Resources Monitoring;
- 2) the state inventories of natural resources;
- 3) the state waste inventory;
- 4) the state climate inventory;
- 5) the state carbon inventory;
- 6) the state inventory of the consumption of ozone depleting substances;
- 7) the register of emissions and transfer of pollutants of the Republic of Kazakhstan;
- 8) the state register of environmental permits and environmental impact declarations;

- 9) the register of business entities in the field of waste management;
- 10) the state register of objects of historical pollution (Article 155).

On September 24, 2021, the Cabinet of Ministers of the Kyrgyz Republic issued Resolution No. 201-r on the approval of the Action Plan to Implement Decree of the President of the Kyrgyz Republic No. 77 of March 19, 2021 "On Measures to Ensure Environmental Security and Climate Sustainability of the Kyrgyz Republic". The Resolution, in particular, provides for the development and operation of the informational online platform containing climate data and knowledge, creation of a database of projects in the area of climate change, development and introduction of online platforms related to environmental offenses by the 4th quarter of 2023 (items 23 and 24 of the table) [6].

Decree of the Council of Ministers of the Republic of Belarus No. 66 of February 2, 2021 approves the State Program "Digital Development of Belarus" for 2021-2025 [7]. The document provides for activities for the creation of a modern information and communication infrastructure. It is expected that the comprehensive digital transformation of the public

administration processes will help to achieve the Sustainable Development Goals including those in the area of ensuring the environmental sustainability of settlements.

Digitalization is also provided for in the Program of the Government of the Republic of Armenia for 2021-2026: "the creation of a modern digital environment is of strategic importance for Armenia since it is considered an effective tool for management, production and promotion". [8] Within the framework of the climate agenda, it is planned to enhance the unified system for control and monitoring of environmental protection, to introduce unified and modern systems of permits and licenses, to manage source information in a coordinated way, to enhance the system of environmental impact assessment and expert review on the basis of the prevention principle by introducing effective mechanisms aimed at improving the quality of expert review.

All countries of the EAEU are involved in the process of renewing their own state legislation aimed at creating greenhouse gas inventory information systems to various extents.

Subject to provisions of Article 64 of the Paris Agreement as well as Articles 526, 797 and 868 of the Treaty on the Eurasian



Economic Union, it appears that the member states could provide the EAEU with the relevant competence in the area of the implementation of the climate agenda. It is worth mentioning the project "On the Formation of the Eurasian Union of States" of 1994 (hereinafter the EAUS), which at that time proposed such mechanisms as the formation of the environmental fund under the Council of Heads of the EAUS states implementing environmental programs and funded by all the member states, coordination of actions to reduce environmental pollution with international organizations and other mechanisms . This idea seems quite relevant and necessary like never before. These measures will facilitate the transition to the multilateral integrated level of cooperation [9]. The Parties acknowledge that some Parties use voluntary cooperation making their contributions determined at the national level in order to create possibilities to increase the assertiveness of their actions aimed at the prevention of climate change, adaptation and the encouragement of sustainable development and ecological integrity.

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