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Sustainable Development Act

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RT I 1995, 31, 384
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Amended by the following acts

Passed	Published	Entry into force
05.06.1997	RT I 1997, 48, 772	10.07.1997
22.02.1999	RT I 1999, 29, 398	01.04.1999
14.06.2000	RT I 2000, 54, 348	01.01.2001
22.02.2005	RT I 2005, 15, 87	03.04.2005
23.10.2008	RT I 2008, 48, 267	23.11.2008
28.01.2009	RT I 2009, 12, 73	27.02.2009

Part I General Part

§ 1. Purpose of 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 grounds for the sustainable use of the natural environment and natural resources.
- (4) The grounds of sustainable development in other fields are established by Acts, other legislation or national programmes.

Part II Natural Environment and Natural Resources

§ 2. Purpose of sustainable use of natural environment and natural resources

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

§ 3. Principles of sustainable development of natural environment and natural resources

- (1) According to the Constitution of the Republic of Estonia, everyone is required to spare the human and natural environment and to refrain from causing damage to it.
- (2) The freedom to dispose of property and engage in business will be restricted based on the need to protect the nature as a common property of the mankind and national wealth.
- (3) The need to minimize pollution of the natural environment and to use natural resources to an extent that maintains the natural balance are fundamental requirements for economic activity.

(4) Activities of transboundary effect or activities likely to have a significant impact on the environment are planned and environmental management in general is organised in international cooperation.

(5) The use of the natural environment and natural resources is regulated by usage rates and charges calculated on the basis of the cost of the impact on the environment.

(6) Planning documents, programmes and projects affecting the use of the environment and natural resources are public.

§ 4. Implementation of international agreements

(1) Environmental protection obligations under international agreements are 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.

§ 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 that 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, will be established 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 is the usable reserve of a renewable natural resource. In planning economic activities this usable reserve must not be exceeded.

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

§ 6. Non-renewable natural resources

(1) In planning the use of non-renewable natural resources the following main conditions are 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 are excluded from the usable reserve.

(3) Annual allowable rates of use of non-renewable natural resources will be established by the Government of the Republic, except the annual mining rate of oil shale, which will be established by the Earth's Crust Act. The procedure for their use will be established by law.
[RT I 2008, 48, 267 - entry into force 23.11.2008]

§ 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) Associated natural resources must be either used or preserved suitable for use in a quality as close to the unused state as possible.

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

§ 8. Environmental impact assessment and environmental management system

The legal grounds 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.
[RT I 2005, 15, 87 - entry into force 03.04.2005]

§ 9. Preservation of biological diversity

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

(2) The principles of preserving the biological diversity are as follows:

- 1) in the event of natural species – preservation at the level of the lowest taxonomic unit possible and of the largest number of species possible;
- 2) in the event of local breeds of cultivated plants and domestic animals – their registration and the upkeep of databases 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.

§ 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 a regulation of the Minister of the Environment or by a pollution permit.

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

(4) [Omitted from this text.]

§ 11. Environmental monitoring

Environmental monitoring means the systematic observation of the state of the environment and of the factors influencing it for the purpose of forecasting changes to the state of the environment and providing initial data for programmes, planning documents and development plans. The procedure of environmental monitoring is established by law.

§ 12. Planning of balanced development

(1) In economic sectors and areas where the pollution of the 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 a development plan initiated by the state.

(2) A development plan is 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 need of drawing up regional development plans are made by the Government of the Republic.

(4) If necessary, the Government of the Republic may initiate the drawing up of development plans on the grounds not specified in this Act.

(5) A development plan must include a forecast of the use of natural resources and the state of the environment.

(6) The task of and deadline for drawing up the development plans specified in this section will be approved by the Government of the Republic. As an essential political issue, a development plan must be approved by the *Riigikogu*.

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

§ 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 grounds for a balanced relationship between people and their living environment are developed and local development is directed through planning and development activities according to the objectives of the UNESCO MAB Programme.
[RT I 2009, 12, 73 - entry into force 27.02.2009]