

**"BETWEEN TREES AND TYRANNY: NATURE, HUMAN RIGHTS,
AND PEACEBUILDING IN BELARUS – A CROSS-DISCIPLINARY
APPROACH"**

by Evgenia Trapeznicova

MA Capstone Thesis
SUPERVISOR: Professor Tamara Steger
Central European University Private University
Quellenstrasse 51-55, 1100 Vienna
Austria

ABSTRACT

This study investigates the decline of the rule of law in Belarus, focusing on the authoritarian government's strategy of leveraging nature to consolidate power. With civil activism heavily suppressed, the regime's manipulation of environmental factors as a means of control remains an understudied area, especially within Eastern European contexts. This paper bridges environmental activism and legal studies, proposing that these repressed movements still offer crucial support to the democratic movement in Belarus. The research identifies a foundation for environmental peace-building and the establishment of eco-centric laws rooted in local traditions and aligned with international standards. The study's innovative approach—using body-centered practices—dance, meditation, theatre—to engage activists in legal drafting—proved effective, producing a constitution draft that resonates with personal experiences and may guide future research in this area.

Keywords: political ecology, legal studies, action research, cross-disciplinary, Belarus, environmental justice, cross-species fairness, nature.

ACKNOWLEDGMENTS

I am grateful for the source of love shimmering around and through me, allowing me to be soft enough to feel and strong enough to act. I am grateful to everyone who showed me how they can be proactive and humble, preserving the non-violent attitude of mind in any situation. Grateful to those who created my body, my food, my books, and different dancing styles.

TABLE OF CONTENTS

Abstract.....	ii
Acknowledgments.....	iii
Table of Contents.....	iv
Introduction.....	1
Methodology	3
Theoretical Framework and Conceptual Approach	3
Practical component.....	3
1. Chapter 1 Forests of power	5
1.1 Nature as political power.....	5
1.2 Changing semiotics of the Belarusian forest.....	9
2. Chapter 2 Wild Law.....	14
2.1 The search for the Constitution	14
2.2 Environmental rule of law.....	16
2.3 “Hero projects” and erosion of environmental rule of law in Belarus	18
2.4 Inherent values of the Constitution	22
3. Chapter 3 Academic experiment: drafting new constitution through a body-based approach.....	25
Conclusion	30

INTRODUCTION

This paper was born in the context of erosion of the rule of law in Belarus and a drastic decline in the principles of human and cross-species fairness.¹ Authoritarian government, having suppressed the majority of forms of civil activism, seeks to expand its power vocabulary, including manipulations with nature agency. This form of power exercise in the context of Eastern Europe remains underexplored in academia, as well as the angle that highlights nature's inherent value in the nexus between environmental activism and legal studies. The work aspires to develop a new argument in the conversation about peace-building and environmental justice in the region, postulating that environmental activism and legal activism, carrying the weight of repressions, remain to be is a potentially prominent facet of a democratic movement in Belarus.

The concept of political ecology serves as a cornerstone for this paper. The insights from this field assist the first chapter of this work in providing an integrated approach to understand the interconnectedness of political, ecological, social and economic processes within the context of Belarus. It aims to offer a comprehensive reflection on the power dynamics inherent in these processes.

The second chapter deals with legal mechanisms that hold the potential to provide strategies for a more equitable distribution of socioecological power. The chapter will question whether Constitution is a promising and viable tool in advocating for democratic socioenvironmental structures, and examine how regional legal dynamics influence this discourse.

Finally, the last chapter will document an academic experiment, conducted for the purpose of complementing this research. The observation with a commentary will follow a group of

¹ Stefan Weichert and Emil Filtenborg, "'There's no justice in a dictatorship': How a political crisis exposed Belarus' rule of law problem," *Euronews*, February 2, 2021, <https://www.euronews.com/my-europe/2021/02/02/there-s-no-justice-in-a-dictatorship-how-a-political-crisis-exposed-belarus-rule-of-law-pr>.

activists, who have gathered in one of the conflicted border forest area and attempted to write a green proposal for the future constitution of Belarus through a series of mind-based and body-based reflections.

The component of academic research has proven the hypothesis that natural entities in Belarus are deliberately mobilized and manipulated to serve a particular pattern of social power distribution (on the examples of border areas with Ukraine and Poland, as well as with the example of ‘hero projects’ construction). Research also postulates that the ground needed for the development of environmental peace-building in Belarus is present and can be addressed. Lastly, following the opinion that the new People’s Constitution of Belarus should not follow a uniform design, the work suggests a few principles and values that are both inherent in Belarusian tradition and consistent with international regulations. This part has the potential to be developed further in future research. The described practical component has demonstrated that participating activists have found it significantly easier and more authentic to relate to the subject of law when approached through physical movement, dance, and meditation. As a result of the 3-day residency, the group drafted four environmental provisions. In this way, proposal for a constitution became an embodiment of their personal experiences, rather than a more alienated theoretical concept.

METHODOLOGY

Theoretical Framework and Conceptual Approach

This research integrates interdisciplinary methodologies to explore the intersection between legal, environmental and peacebuilding frameworks through a creative, body-based approach. Grounded in the concept of political ecology, the study seeks to understand how nature is manipulated to serve political ambitions, particularly under repressive regimes such as in current-day Belarus.

The theoretical foundation involves an extensive review of literature on political ecology, focusing on its application to Belarus. Specific instances of environmental repressions in Belarus are highlighted to demonstrate how nature is infused with power dynamics. The research further includes a detailed analysis of two versions of the Belarusian constitution, identifying their environmental provisions and anthropocentric tendencies. Here a comparative approach is employed, aligning the Belarusian local constitutional elements with international standards of green constitutionalism.

Practical component

As a part of action research, seeking for a participative democratic process, the work also includes a practical component. A 3-day residency with a group of Belarusian activists with the aim to draft a green proposal for a new People's constitution through embodied practices such as dance, meditation, and other physical movements. The activities were designed to foster a deep connection between participants and the natural environment, facilitating a more personal and genuine engagement with legal and environmental concepts.

Participant Selection: eight activists with backgrounds in law, environmental activism and dance were selected through an open call to ensure diverse perspectives in the process. Ethical standards were rigorously followed, including obtaining informed consent from all participants

and ensuring their anonymity and confidentiality. The study adhered to ethical guidelines, particularly in the sensitive political context of Belarus.

The methodology demonstrates the efficacy of combining theoretical analysis with practical, body-based approaches to engage deeply with environmental and legal issues, making the process more personally meaningful for activists.

1. CHAPTER 1

FORESTS OF POWER

We need to understand the body, not as an organism or entity in itself, but as a system, or series of open-ended systems, functioning within other huge systems it cannot control through which it can access and acquire its abilities and capacities.
–Elizabeth Groth, *Time Travels: Feminism, Nature, Power and The Nick of Time*²

The objective of this chapter is to deliver a postulate that nature is political and apply this postulate to the Belarusian social and historical context.

One of the limitations that I recognize in this paper is the fact that the analysis is presented from a certain political perspective. While it effectively condemns the dictatorial manipulation of nature, it risks overlooking how opposing parties may also exploit nature for different purposes. This bias may lead to certain blind spots in the analysis, still the research strives to stay sensitive to potential oversights.

1.1 Nature as political power

At the heart of Marxist political ecology, as Erik Swyngedouw and Nic Heynen summarize, lies the belief that natural metabolisms and transformations become discursively, politically and economically mobilized and socially appropriated to produce environments that embody and reflect positions of social power³. This sets out the key definitions that I will be operating in the following research.

² Elizabeth Groth, *Time Travels: Feminism, Nature, Power and The Nick of Time* (Durham: Duke University Press, 2005).

³ Erik Swyngedouw and Nik Heynen, "Urban Political Ecology, Justice and the Politics of Scale," *Antipode* 35, no. 5 (2003): 898-918.

For the purposes of providing a broader overview, before zooming in to the regional dynamics, I will discuss a few fitting examples that demonstrate that throughout history natural entities have been instrumentalized by alternating political powers, and that the words of Haraway—“nature is a sociophysical process infused with political power and cultural meaning”—describe a universally applicable observation.⁴

Broadly contested examples of nature becoming a political asset encompass incalculable instances, including a) environmental racism, b) ecological imperialism, c) land dispossession and d) capital accumulation; however, this is not to state that this is an exhaustive list. Regarding environmental racism, a number of studies and legal cases have demonstrated that marginalized communities are disproportionately affected by climate crisis. Poor people, members of minority groups, women, children, older people, people with chronic diseases and disabilities, residents of areas with a high prevalence of climate-related diseases, and workers exposed to extreme heat or increased weather variability are all the most vulnerable to the adverse consequences of climate crisis. This inequity is the result of global dynamics, where low-income countries, which produce the least greenhouse gases (GHGs), are more adversely affected by climate change than high-income countries, which produce substantially higher amounts of GHGs yet are less immediately affected.⁵ This is amplified by long established patterns of wealthy nations exploiting the natural resources of poorer countries for their own benefit – an example of ecological imperialism.⁶ Commonly, grand resource extraction

⁴ Donna Haraway, *Simians, Cyborgs and Women: The Reinvention of Nature* (London: Free Association Books, 1991).

⁵ Riley E. Dunlap and Robert J. Brulle, "Climate Justice and Inequality," in *Climate Change and Society: Sociological Perspectives*, ed. Riley E. Dunlap and Robert J. Brulle (Oxford: Oxford University Press, 2015).

⁶ Zafir Rinat, "Food for Thought: How Rich Countries Exploit the Resources of Poorer Ones - and Get Away With It," *Haaretz*, September 12, 2013.

projects, inspired by generally habitual exploitation of natural resources for capital accumulation, also lead to indigenous loss of ownership. All of these processes are viewed here through the prism of political ecology, the key characteristic of which is its focus on the exploration of the politicization of the environment via conflicts, rather than naturalization of conflicts.⁷

While this framework gives a characteristic of capitalist nature-culture relationship and offers a narrative of humanity's overall course of actions, there are other more specific cases in which nature is deliberately 'produced' to achieve or preserve particular patterns of social power distribution. For this research it is pertinent to discuss these cases in more depth.

I am particularly interested in instances in which States mobilize landscapes for political projects such as warmaking or crisis support. One of the revealing examples of this is the anthropological study of the State-Desert relationship conducted in the region of Sonoran Desert of Arizona, between the USA and Mexico. Jason De Leon's work "*The Land of Open Graves*" illuminates various strategies employed by the US government to depict the desert as a deadly wilderness, thereby attributing responsibility for the loss of thousands of migrant lives to the landscape itself.⁸ This example underscores the social construction of the desert as an entity that absolves the state of accountability for the tragic consequences of its policies. Views developed in this paper oppose the radical position of environmental determinism, which contends that desert naturally leads to conflicts. Instead, a more ethnographic understanding of

⁷ Joan Martinez-Alier, "Social Metabolism, Ecological Distribution Conflicts, and Languages of Valuation," *Capitalism Nature Socialism* 20, no. 1 (2009): 58-87.

⁸ Jason De León, *The Land of Open Graves: Living and Dying on the Migrant Trail*, 1st ed., vol. 36 (University of California Press, 2015).

socio-environmental relations is sought. This priority and focus will be retained throughout the case-study analysis as well.

Another illustrative example, approaching the geography of this paper's interest, is the destruction of Kakhova Hydroelectric Power Station on July 6th, 2023, during Putin's attack on Ukraine.⁹ Strategically and sadly, Vladimir Putin has repeatedly targeted similarly important infrastructure elements, including power stations, hospitals and schools, and nuclear facilities.¹⁰ Kakhovka reservoir supplied 85% of Crimea's (occupied region) water, which means that its destruction cuts water supply and impairs harvesting of grains, fruit and vegetables; it also interrupted water supplies to irrigation systems in other cities, threatens Zaporizhzhia nuclear power plant (ZNPP), the cooling of which relies on water from Kakhovka Reservoir, and resulted in the flooding of a number of wildlife and human habitats. Even at the time of its construction in 1956, Kakhovka was one of a large-scale development projects, taming natural resources at environmental and social cost. Consequently, its demolition represents the second weaponizing of the same resource against land and people, however with two different authoritarian leaders behind it.

This conversation illustrates the pervasive myth of human conquest over nature, the myth that accompanies us since birth in various instances and disciplines, determining silently our choices in both everyday and political lives, becoming pronounced in the body of laws by which we choose to regulate ourselves and in the way of personal and collective thinking. Building on this, the next parts of the paper will explore further into how nature becomes a tool of economic development and a tool of war in the context of Belarus.

⁹ "Ukraine dam: What we know about Nova Kakhovka incident," *BBC News*, June 8, 2023, <https://www.bbc.com/news/world-europe-65818705>.

¹⁰ Benjamin Jensen, "Crippling civilian infrastructure has long been part of Russian generals' playbook – Putin is merely expanding that approach," *The Conversation*, 2022, <https://theconversation.com/crippling-civilian-infrastructure-has-long-been-part-of-russian-generals-playbook-putin-is-merely-expanding-that-approach-192226>.

1.2 Changing semiotics of the Belarusian forest

In this subchapter I examine the way in which political discourses and ideologies in Eastern Europe shape environmental knowledge, policies and practices. To demonstrate this, I will discuss how landscape in Belarus has been reorganized for political interests since 2020 to present day.

A lot of controversy is pervading the forest boundary between the EU and post-soviet states of Belarus, Ukraine and Russia. For many centuries, the woodland of the region has provided refuge for many people throughout Europe's never-ending wars and crises. To name a few examples, it allegedly served as a refuge from plague pandemic in the 15th century, also as a place of Jewish solidarity formation during Holocaust (e.g. the story of Bielski Brothers who built a forest camp on the territory of Belarus and saved the lives of more than a thousand Jews¹¹), and as well as a base for anti-Soviet insurgency (e.g. guerilla groups in different states under soviet occupation, also known as "Forest Brothers").¹² The woodland between Belarus and Poland is called Bialowieza, and is often described as an 'ecological wonder', being the last remnant of the primeval forest that once covered most of Europe – which means it demonstrates unique ecological features of intact forests (Figure 1). And the natural entity between Belarus and Ukraine is known as Polesia, Europe's biggest peatland – the Almany Mires – as well as Europe's largest natural complex of mires, fens, marshes, wetlands and ponds (Figure 2).

¹¹ Franziska Reiniger, "Solidarity in the Forest – The Bielski Brothers," Yad Vashem, The World Holocaust Remembrance Center, accessed June 8, 2024, <https://www.yadvashem.org/articles/general/solidarity-bielski-brothers.html>.

¹² Hal Elliott Wert, "The Forest Brothers Against the Soviets," *HistoryNet*, July 19, 2017, <https://www.historynet.com/forest-brothers-soviets/>.

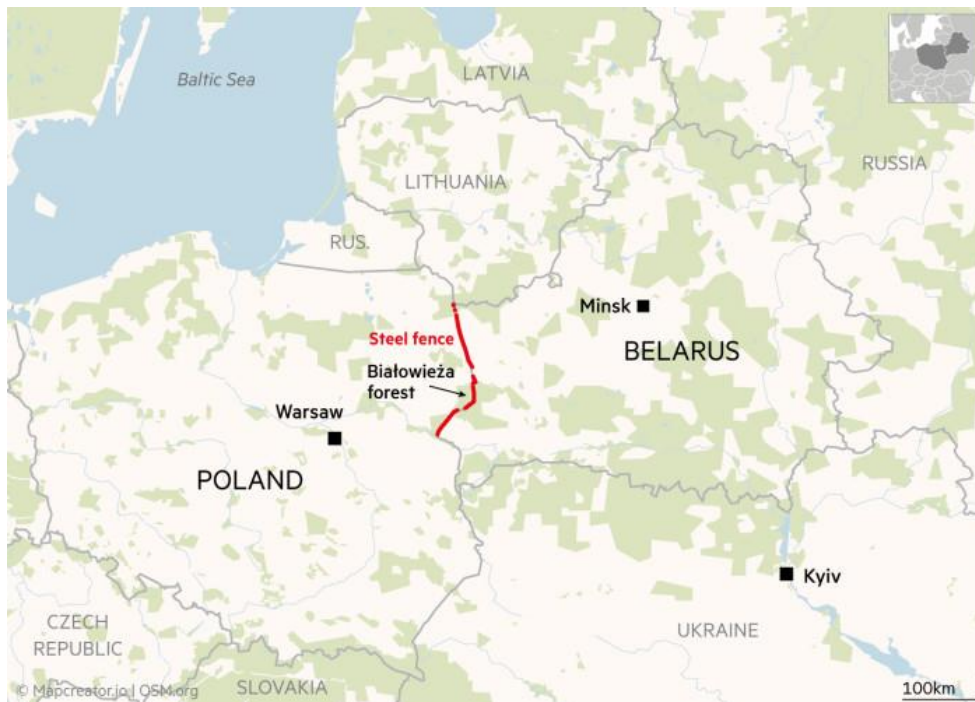


Figure 1. Polish-

Belarusian border and Bialowieza forest on the map.



Figure 2.

Belarusian-Ukrainian green border and Polesia region on the map.

It is crucial to direct attention to the fact that these two vital and abundant wilderness areas are unwillingly enacting political processes of the region. I posit that the Belarusian government is nowadays weaponizing the forested border areas between Belarus and Poland to incite a migrant crisis, and the forested border between Belarus and Ukraine to further militarization objectives.

Elaborating on these two claims, I will give a brief overview of modern-day Belarus and explain the link that I am stretching between environmental and oppositional.

As a result of presidential elections falsification in 2020 and subsequent mass protests, groups of people identified as ‘oppositional’ have been facing tortures and prosecution.¹³ Continuous intimidation and harassment have been affecting civil society actors from various areas, not exclusively explicitly political, including those groups of people affiliated with environmental initiatives. This has been and continues to be a part of State’s overarching attempt to silence resistance emerging at any level of civil unity. To illustrate, 110 eco-centered organizations have been liquidated¹⁴, and Belarus has exited a key environmental agreement – Aarhus convention.¹⁵ With little to no civil society involvement in the area, most nature protection projects have been terminated on the Belarusian territory, mainly ones aimed at assisting nature’s adaptation to climate change. To give an example, “Polesia – Wilderness Without Borders” has been a crucial conservational collaboration between Belarus and Ukraine, which now is not possible due to the absence of civil actors on the Belarusian side.¹⁶ Access to various natural areas in the same region in the south (Figure 2) has been strategically restricted and there is no publicly open data on activities carried out in the forests. Activists who have fled

¹³ Sergei Golubok, "Crimes against Humanity in Belarus: Referral to the International Criminal Court," *iSANS*, accessed June 8, 2024, <https://isans.org/analysis/policy-papers/crimes-against-humanity-in-belarus-referral-to-the-international-criminal-court.html>.

¹⁴ Monitor: Tracking Civic Space. "Concern as Authorities Continue Systematic Retaliation Against Civil Society." 2022. <https://monitor.civicus.org/explore/concern-authorities-continue-systematic-retaliation-against-civil-society>.

¹⁵ United Nations Human Rights Office of the High Commissioner. "Belarus: UN Experts Denounce Withdrawal from Aarhus Convention." Press release, August 2022. <https://www.ohchr.org/en/press-releases/2022/08/belarus-un-experts-denounce-withdrawal-aarhus-convention>.

¹⁶ Wild Polesia website. Accessed June 8, 2024. <https://wildpolesia.org/our-work/>.

the region report acquiring information from alternative sources, suggesting that these territories are utilized for military training (in the context of full-scale invasion of Ukraine).

The other green border with Poland has been heavily affected as a result of mass protests of 2020 as well (Figure 1). For whatever tactic ideas – be it of anger or to divert attention – following the turmoil after the revolution attempt, the Belarusian government decided to open up a new pathway for migration. A massive carefully designed campaign has reached Iraq, Lebanon, Syria and other countries, disseminating information about Belarus as an easy ‘window to Europe’.¹⁷ The campaign promoted Belarus as an accessible gateway to the EU, and was supported by initiatives such as marketing tourist visas and establishing daily flights from the Middle East to Minsk. These efforts resulted in an influx of migrants, transforming the forested areas of Belarus into a new alternative to the Mediterranean Sea route.¹⁸ Political ambitions, orchestrated through nature. In response to that, Polish defense ministry has built a fence on the border with Belarus to halt the migrant flow.¹⁹

These two examples show the power-laden political-ecological dynamics surrounding nature entities in Belarus. Research in the area would benefit from a comprehensive multidisciplinary analysis conducted to examine the impact of political configurations. Not attempting to do such an analysis, I will nevertheless formulate a number of statements. From a symbolical

¹⁷ For example, journalists report findings on tourism agencies in Belarus, that have offered promises that "it would take only a few hours to get through the forest and swamps," to cross the border. Scott Neuman, "How a Political Standoff Trapped Hundreds of Migrants at the Belarus-Poland Border," *NPR*, November 17, 2021, <https://www.npr.org/2021/11/17/1056129127/poland-belarus-eu-migrant-border-crisis>.

¹⁸ One study, exploring this case from the perspective of human rights and human trafficking, is the work of Muraszkievicz Julia. Julia Muraszkievicz and Ryszard Piotrowicz, "State-Sponsored Human Trafficking in Belarus: The Weaponization of Migration and Exploitation," *Journal of Human Trafficking*, (2023): 1–16, doi:10.1080/23322705.2023.2235969.

¹⁹ Vanessa Gera and Kirsten Grieshaber, "Poland Completes Belarus Border Wall to Keep Migrants Out," *The Associated Press*, June 30, 2022, <https://apnews.com/article/russia-ukraine-africa-poland-forests-middle-east-443c8068ea7b5d1d8f6980da6e3879af>.

perspective, the social meaning of a forest has shifted profoundly – from the locus of resistance and opposition in the past towards the place of surveillance and oppression in present. From the environmental perspective, it is evident that NGOs liquidation results in the degradation of natural systems, while establishment of the fence on Polish-Belarusian border leads to the disruption of multiple migration flows (not to mention the environmental crises happening directly on the Ukrainian territory as a result of war actions²⁰). From the legal perspective it is evident that the existing system of laws and environmental protection acts fails to adequately address human rights, as well as justice for inter-species and future generations. It also fails to exist independently from authoritarian political agenda. From the perspective of deep ecology, in other words environmental philosophy that promotes the inherent worth of all living beings regardless of their instrumental utility,²¹ it is saddening to witness that the intrinsic interests of natural entities, and their ‘right’ to flourish, are entirely misaddressed in the on-going crisis. Having recognized lack of fair and peaceful treatment between natural entities and the State, and leaving most of these directions to be explored in further works, I will now pick up the legal dimension of the issue. The direction that this intersection hopes to establish is the potential for environmental peacebuilding, asserting that “the environment can be a source of cooperation, conflict reduction and eventually, the creation of peace.”²²

²⁰ A rich source of studies on this topic is the collection of research done by Ukraine War Environmental Consequences Work Group (UWEC).

²¹

Arne Naess, "The Shallow and the Deep, Long-Range Ecology Movement: A Summary," *Inquiry* 16 (1973): 95–100.

²² Toshihiro Ide, "Does Environmental Peacemaking Between States Work? Insights on Cooperative Environmental Agreements and Reconciliation in International Rivalries," *Journal of Peace Research* 55 (2018): 351-365.

2. CHAPTER 2

WILD LAW

2.1 The search for the Constitution

Current political climate in Belarus is marked by the democratic opposition, led by Sviatlana Tsikhanouskaya, the president chosen by the people following the 2020 elections, being compelled to operate from abroad.²³ This happens under the threat of execution in case of the leader returning back to Belarus, where the power has been hijacked by the illegitimate president figure (the one that has been monopolizing the power for the past 30 years).²⁴ Two of the main objectives of ‘Tsikhanouskaya Office’ is to represent Belarus in international relations and to consolidate democratic powers to accommodate for the transition from dictatorship to democracy in the upcoming years.²⁵ As a part of this process, for the past 4 years Public Constitutional Commission has been preparing constitutional reform – in order to be equipped with the document by the time transition starts. As outlined by the leader of this reform, its value is in building a ‘completely new system based on a parliamentary form of government, separation of powers and local self-government’.²⁶ The Constitution is being referred to as “People’s Constitution”²⁷, and it seeks to engage with citizens, national and

²³ Thomson Reuters, "Exiled opposition leader vows to fight on after Belarus hands down 15-year treason sentence," *CBC News*, March 6, 2023, <https://www.cbc.ca/news/world/belarus-opposition-treason-sentence-1.6769806>.

²⁴ Emma Rogers and Jonathan Chew, "How Alexander Lukashenko Has Maintained His Grip Over Belarus for Decades," *The Dispatch*, June 11, 2021, <https://thedispatch.com/article/how-alexander-lukashenko-has-maintained/>.

²⁵ "Sviatlana Tsikhanouskaya's Office," accessed June 8, 2024, <https://tsikhanouskaya.org/en/office.html>.

²⁶ "Lebedzko: «Praekt Kanstytucii Novaj Belarusi—eto real'naja al'ternativa toj Kanstytuciji, kotoraja gotovitsya sejchas pod rukovodstvom Lukashenko»,", *Salidarnasc'*, August 16, 2021, <https://gazetaby.com/post/lebedko-proekt-konstitucii-novoj-belarusi-eto-real/178732/>.

²⁷ for clarity and for the distinction between official Constitution and oppositional one, I will keep using the name “People’s Constitution” to refer to the latter.

international experts to further develop and improve the draft (as of May 2024, 3rd version of the draft is publicly available to be read and commented²⁸).

This academic work was born out of acknowledgement of significance of such political initiative, since generally Constitutions are extremely legally rigid, not easily prone to change and adapt to the environment. Drafting an entirely new Constitution, that aims to secure human rights and freedoms, provides a unique opportunity to make a less uniform document, the environmental provisions of which reflect regional context and state of affairs, as well as general standards of good governance. Even though Belarus is one out of 150 countries that have enshrined environmental protection in their constitutions²⁹, I believe current composition does not embody genuinely ‘green’ values. To name, it lacks specific commitments or targets from individual or State side, does not provide clear enforcement and accountability measure, is very limited in its ties to local context, does not emphasize inherent value of nature outside of its utility, and has no mention of procedural rights. A more in-depth analysis will be a part of the next chapter. Apart from that, as a group of authors from Grantham Research Institute on Climate Change and the Environment suggest, ‘climate constitutionalism’ becomes a new turn in green constitutionalism, wherein nations express climate concerns in the language of constitutional rights.³⁰ According to the mentioned commentary, 11 countries have specifically dedicated ‘climate causes’ in their constitution. Another direction that green

²⁸ "Constitution of the Republic of Belarus." *Constitution of the Republic of Belarus*, Kanstytucyja Online. Accessed June 7, 2024. <https://kanstytucyja.online/index.php/const/en>.

²⁹ United Nations Environment Programme. *Environmental Rule of Law: First Global Report*. 2019.

³⁰ Karla Martinez Toral, Catherine Higham, Joana Setzer, and Navraj Singh Ghaleigh, "The 11 nations heralding a new dawn of climate constitutionalism," *Grantham Research Institute on Climate Change and the Environment*, December 2, 2021.

constitutionalism/jurisprudence is taking in some regions of the world is recognition of the rights of nature. As of 2022, nature's rights laws exist in 24 countries.³¹

This project aspires to use the opportunity to reflect on the two existing Constitutions – the one of 1994, by which Belarus officially operates, and the one in the drafting process – and suggest the way to make the final draft sustainably green in a way that responds to current sociopolitical issues. Some of the beliefs that this paper upholds are the ideas that rights and duties embedded in the Constitution should be actionable, that formulations chosen should maintain a balance between being broad and contextual, and that obligations should be extended beyond state-citizen verticality. Before proceeding to the discussion of the constitutional values, the next subchapter will briefly outline the situation in which environmental rule of law finds itself.

2.2 Environmental rule of law

Environmental law has blossomed from its infancy in the early 1970s into young adulthood today.³² Every country has at least one law or regulation protecting the environment³³, however despite such global recognition of the detrimental impact of human activity on the environment and the adverse consequences of environmental degradation on human rights, the existing system has significant limitations in ensuring justice for nature. As the 'First Global Report' on 'Environmental Rule of Law' states, often environmental laws exist only on paper because government implementation and enforcement is irregular, incomplete, and ineffective.³⁴

³¹ Craig M. Kauffman, "Global Patterns and Trends in Rights of Nature Legal Provisions: Insights from the Eco Jurisprudence Monitor," in *More Than Human Rights: Law, Thought, and Narrative for Earthly Flourishing*, ed. César Rodríguez-Garavito (New York: NYU MOTH Project, 2024).

³² Carl Bruch, "Growing Up: International Environmental Law Enters Adolescence," *Environmental Forum* 23 (2006): 28-33.

³³ Brown Weiss, "The Evolution of International Environmental Law," *Japanese Yearbook of International Law* 54 (2011): 1-27.

³⁴ United Nations Environment Programme, *Environmental Rule of Law: First Global Report* (2019).

The construction of Human Rights framework is also known to be unfavorable for the protection of environmental well-being. A big impediment to ensuring environmental and ecological justice is the state-centered and human-centered nature of legal systems. While it is crucial to recognize the primary duty held by the state, expanding responsibility to encompass companies, private actors, and individuals, unfortunately, presents a challenge to the current legal system. The conventional view often results in numerous actors escaping accountability, leaving significant hazard-driving factors inadequately addressed or overlooked. Venezuela is one remarkable example of a Constitution that not only holds the rights for people, but also highlights the duties of the State.³⁵ Neither of the two discussed Belarusian constitutions establish directive and actionable language to outline State responsibility. Prominently though, People's Constitution of Belarus uses very strong language to express that "every citizen shall protect the environment and biodiversity, [...], taking into consideration the interests of future generations". Acknowledging that sustainable future is the right of all, including future generations, is an important element of the legal foundation for promoting environmental ethics.

Another milestone in the worldwide history of environmental justice is the recognition of the right to a healthy environment. It initially happened in the regional systems (1981 - African Charter on Human and Peoples' Rights, 1988 – San Salvador Protocol, 2004 – Arab Charter). In Belarus, 'the right to a favorable environment and compensation for damage caused by violation of this right' was established in the legal act "On Environmental Protection" in 1992.³⁶ Forty years after the African charter, the right to a clean, healthy and sustainable

³⁵ Constitute Project, "Venezuela's Constitution of 1999 with Amendments through 2009," accessed June 7, 2024, https://www.constituteproject.org/constitution/Venezuela_2009.

³⁶ The Law of the Republic of Belarus, "On Environmental Protection," No. 1982-XII, November 26, 1992.

environment has also been recognized globally by the UN General Assembly. Belarus was one of the few post-Soviet republics that enacted such special laws on nature protection, and the right to a healthy environment, alongside the right to obtaining information, were introduced in transitioning Soviet systems for the first time.³⁷ Notably, it likely came as a result of the Chernobyl catastrophe, following massive concealment of the effects of the disaster from the authorities. As significant as it is, and as many positive changes as such law brings, the language of discussed legal advancements is clearly anthropocentric, thus furthermore crystallizing a utilitarian view on nature.³⁸

2.3 “Hero projects” and erosion of environmental rule of law in Belarus

I believe that Soviet legacy has had a prominent effect on current ecopolitics in the region; looking into this connection will help to locate the research in the context of Russia’s continuing war on Ukraine and the role that Belarusian State and Nature play in it.

The Natural Protected Areas system in Belarus during the Communist period was always determined by the common Soviet policies for NPAs.³⁹ Between 1920 and 1950 a number of significant legal acts were adopted on the Soviet territories. Among them a special decree “On the Protection of Monuments of Nature, Gardens, and Parks,” from 1921, which banned any development of natural resources in zapovedniks (strict nature reserves)⁴⁰; a special model

³⁷ Tatiana R. Zaharchenk, "On the Way to Transparency: A Comparative Study on Post-Soviet States and the Aarhus Convention," Woodrow Wilson International Center for Scholars, Washington, D.C., 2009.

³⁸ At the same time, according to the criticism of some Belarusian legal scholars, this law is still not anthropocentric enough, and ‘needs a more explicit link to the fact that nature needs to be protected only as long as there’s Man’ [Tamara Makarova, "Social Importance of Environmental Law: Criteria of Values and Effectiveness of Law," *Kazan University Law Review* 2, no. 3 (2018): 7-17, doi:10.30729/2541-8823-2018-3-2-7-17.].

³⁹ Aliaksandr Novikau, "The Evolution of the Natural Protected Areas System in Belarus: From Communism to Authoritarianism," *Global Ecology and Conservation* 26 (2021).

⁴⁰ David R. Weiner, *Models of Nature: Ecology, Conservation, and Cultural Revolution in Soviet Russia*, Pitt Series in Russian and East European Studies (Pittsburgh, PA: University of Pittsburgh Press, 2000).

regulation on nature reserves established by the People's Commissariat for Education in 1929; and the Regulation of the Nature Reserves from 1940, which significantly strengthened the requirements for the protection and regime of protected areas. However, between 1950 and 1955, the roles of Soviet zapovedniks underwent revision due to increased utilization of natural resources within the Soviet Union. In 1950, Alexander Bovin, the Minister of Forestry of the Soviet Union, submitted a proposal to the Council of Ministers of the USSR, suggesting a reevaluation of the protection status of nearly all natural reserves in the country. As a result, 88 out of 128 Soviet zapovedniks were liquidated—and 2 out of 3 in Belarus (Bialowiezskaya pushcha survived).⁴¹

This increased utilization of natural resources, which led to the destruction of the status of all but one nature reserves, can also be referred to as a 'hero project'. "Hero projects" is a name that Paul Josephson uses to talk about large-scale technologies for military, resource exploitation, and power production that have been central to Soviet development model.⁴² "We have seen that the Kremlin used hero projects essentially to enrich its own leaders by building an economically powerful and military secure empire",—he points out in the newest research exploration conducted on the role of extractive industries in Russia's modern-day military ambitions.⁴³ It is crucial to stay mindful of the fact that USSR leaders believed that nation's future depends on production, extraction and trade of natural and mineral resources.⁴⁴ Seeing

⁴¹ Aliaksandr Novikau, "The Evolution of the Natural Protected Areas System in Belarus: From Communism to Authoritarianism," *Global Ecology and Conservation* 26 (2021).

⁴² Such as smelters and mines, pipelines and railroads, hydropower stations and canals, and nuclear reactors.

⁴³ Josephson, Paul R., *Hero Projects: The Russian Empire and Big Technology from Lenin to Putin* (New York, 2024; online edn, Oxford Academic, 14 Dec. 2023), <https://doi.org/10.1093/oso/9780197698396.001.0001>, accessed 16 Apr. 2024.

⁴⁴ Alexander Etkind, *Internal Colonization: Russia's Imperial Experience* (London: Wiley, 2011).

it alongside Putin's statements, such as "nation can be strong and the people secure only if the state manages Russia's vast resources carefully and firmly" makes it clear that 'nature capture' is a long-established and inherited through changing leaders instrument of imperial power.⁴⁵

I believe that Belarusian econationalist identity has been shaped and consolidated through the grip of Soviet Union, in which Stalin's "Great Plan for the Transformation of Nature"⁴⁶, together with "Hero Projects" has served to mobilize resources needed to prepare the 'nation' for war. Thus, this paper argues, that State-Nature dynamics in Belarus facilitate revitalization of the Russian military.

Some examples of this are those elicited in the first chapter, namely state-sponsored migrant crisis on the border with Poland, and concealment of military activity on the border with Ukraine. Legally-wise, the way in which Belarusian state consolidated its own authoritarianism in political nature engagement was leaving the Aarhus convention in the aftermath of mass protests, in 2022.⁴⁷ The main objective of the convention is to promote procedural rights: public access to information, public participation in decision-making processes, and access to justice in environmental matters.⁴⁸ Even during the years of formal participation in the convention, Belarus was repeatedly reported for non-compliance (in particular, the cases of Hydropower (2008) and Nuclear Power Plant (2009), in which the public was neither consulted nor informed

⁴⁵ Irina Amelina, "Putin Nazval Osnovoy Razvitiya Strany Ustoychivoe Upravlenie Ee Prirodnymi Resursami," *OSN News*, May 24, 2022, <https://www.osnmedia.ru/obshchestvo/putin-nazval-osnovoj-razvitiya-strany-ustoychivoe-upravlenie-ee-prirodnymi-resursami/>.

⁴⁶ Stephen Brain, "The Great Stalin Plan for the Transformation of Nature," *Environmental History* 15, no. 4 (October 2010): 670-700, accessed May 16, 2023, <https://www.jstor.org/stable/25764488>.

⁴⁷ United Nations Human Rights Office of the High Commissioner. "Belarus: UN Experts Denounce Withdrawal from Aarhus Convention." Press release, August 2022. <https://www.ohchr.org/en/press-releases/2022/08/belarus-un-experts-denounce-withdrawal-aarhus-convention>.

⁴⁸ Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, done at Aarhus, Denmark, June 25, 1998, UNECE.

about the construction before it started).⁴⁹ Even though current constitution guarantees everybody the right to clean environment, quoting Belarusian lawyer Alexander Pylchenko, “Under a dictatorship, there cannot be independent judges and courts”.⁵⁰ In the words of Special Rapporteur on the human rights situation in Belarus, “For almost three decades Belarus has failed to ensure the independence of its judiciary”, that’s why discussing new environmental provisions only makes sense in a forward-looking scenario, with the newly established and reformed judicial system.⁵¹

In the light of this work, it is interesting to bring up the case of Lithuania, as one of the bright examples of an environmental movement serving as a surrogate for pro-independence sentiments. As a consequence of a political opportunity structure, environmental initiatives in the USSR have met more favoritism than other social movements, and thus have served as a platform for dissent.⁵² Following the Chernobyl disaster in 1986, social groups mobilized through the environmentalist platform to voice the need for greater autonomy from Moscow, dissatisfaction with central authority and pro-independence claims. This was not the case in other Soviet republics: environmental movements in Russia, from the point of view of some scholars, have mostly been isolated from other social movements⁵³; and in Belarus they only

⁴⁹ Marianne Dellinger, "Ten Years of the Aarhus Convention: How Procedural Democracy Is Paving the Way for Substantive Change in National and International Environmental Law," *Colorado Journal of International Environmental Law and Policy* 23, no. 2 (Summer 2012): 309-366.

⁵⁰ Stefan Weichert and Emil Filtenborg, "'There's no justice in a dictatorship': How a political crisis exposed Belarus' rule of law problem," *Euronews*, February 2, 2021, <https://www.euronews.com/my-europe/2021/02/02/there-s-no-justice-in-a-dictatorship-how-a-political-crisis-exposed-belarus-rule-of-law-pr>.

⁵¹ United Nations. "Report of the Special Rapporteur on the Situation of Human Rights in Belarus, Anaïs Marin." A/HRC/53/53, May 3, 2023.

⁵² Jane Dawson, *Eco-nationalism: Anti-nuclear Activism and National Identity in Russia, Lithuania, and Ukraine* (Durham, NC: Duke University Press, 1996).

⁵³ C. Rootes, "Environmental Movements and Green Parties in Western and Eastern Europe," in *The International Handbook of Environmental Sociology*, ed. M. Redclift and G. Woodgate (Edward Elgar Publishing, 1997).

gained power some years after the Chernobyl catastrophe. Nowadays, in the face of heavy repressions and prosecutions of environmental activists, such ‘environmental favoritism’ is impossible. Still, some researchers argue that environmentalism in Belarus has always been interconnected with democratization.⁵⁴ This paper preliminarily disagrees with this, and has in its goals, among other things, starting the investigation into the potential of a future environmental/ecological movement in Belarus – one that would support independence and peace-building, and would be born through the synergy of public support and legal frameworks.

2.4 Inherent values of the Constitution

Based on the review of international and regional practice in drafting sustainable constitutions and other legal instruments, a few common patterns can be singled out; namely 1) the right to clean environment, 2) the State’s and individual’s duty to protect, 3) recognition of the rights of the future generations and other marginalized communities, 4) acknowledgement of the inherent value of natural entities, 5) enforcement mechanisms and avenues for legal recourse, 6) procedural rights. I will elaborate on these in the paragraphs to follow.

As the previously mentioned UNEP report highlights, a widespread problem with the framework laws is that many are based on laws of other countries and fail to represent the conditions, needs, and priorities of the countries into which they were imported. In the attempt to reflect on priorities for the new constitution, it is of utmost importance for me to locate it entirely in the cultural and regional dynamics of Belarus, while linking it to the international standards.

⁵⁴ Aliaksandr Novikau, "The Evolution of the Environmental Movement in Belarus: From Chernobyl to Global Climate Change," *Environmental Sociology* 1, no. 2 (2015): 92-101, doi:10.1080/23251042.2014.1002187.

Summarizing the ideas of the first chapter, recognizing the right of nature not to be instrumentalized, and taking note of the recent ecopolitical dynamics, it is important to write out a constitutional nature peace statement, manifesting the obligation of everyone not to weaponize nature against another entity's freedom. It is worth mentioning that current Constitution does have a 'peace' provision of sort, but only in relation to nuclear power (and not a very factually preserved one).

Another aspect to reflect on is the tradition of Eastern European Paganism, that was quite prominent in the formation of Belarusian identity before forceful Christianization, and still remained present in some parts of the country. Slavic pagan tradition perceives humans not as distinct from nature, but as rooted within the natural world. I deem that seeing this tradition as a reference point instead of often referenced 'indigenous knowledge' is more grounded and sensible.

Inherent value of natural entities has not been explicitly mentioned in Belarusian jurisdiction, but it has partly been implied in the legal act "On Environmental Protection" in 1992.⁵⁵ This document has provisions on the compensation for damage caused to the environment, where the 'damage to the environment' is not defined through the direct link to human rights violations, but is mentioned as a violation by itself. The definition of the damage, which is operationalized in the law, is 'prohibition of economic and other activities which may lead to degradation of natural ecological systems, modification and (or) destruction of genetic funds of plants and wildlife, depletion of natural resources and other negative changes in the environment'. Not clearly stating, but such provisions leave space for the recognition of inherent value of natural entities. The most recent changes to the document enshrined the

⁵⁵ The Law of the Republic of Belarus, "On Environmental Protection," No. 1982-XII, November 26, 1992.

president's right to exempt those who caused harm from compensation for damage caused to the environment. This action is consistent with other Belarusian State recent disinvolvements with domestic and international legal documents, and it is a task for newly developed documents to pronounce the position statement more clearly.

Even though the legal system of Belarus has passed a few acts that state the right to demand information about the ecological state of affairs, none of the procedural rights are explicitly mentioned in the Constitution. Similarly to other cases of environmental injustice, these rights on paper have been numerous violated. A report on judicial activity from Belarusian environmental NGO “EcoHome” mentions at least 30 significant cases in which the right to information has been either not satisfied or not satisfied sufficiently.⁵⁶ The same concerns the right to participation and the right to consent – judicial practice repeatedly neglects all of these definitions. To a large extent this is related to the absence of judiciary independence and the inability to document ‘antistate’ activity.

To conclude, some aspects that I deem missing from both drafts of the Constitution are 1) ones upholding deep ecology and anti-anthropocentric principles discussed in the previous chapter, 2) ones bringing regional history of ‘nature capture’ into the picture and delivering a peace-building statement within the environmental provisions, 3) ones accrediting pagan heritage in the link to nature protection, and 4) ones securing procedural agency of citizens.

⁵⁶ *EcoHome*, "Report on Judicial Activity," June 30, 2020, https://ecohome.ngo/wp-content/uploads/2020/07/Obzor-sudebnoj-praktiki_30.06.2020.pdf.

3. CHAPTER 3

ACADEMIC EXPERIMENT: DRAFTING NEW CONSTITUTION THROUGH A BODY-BASED APPROACH

The uniqueness of the work is its cross-disciplinary dimension. I believe that a certain corporeality and body-based approach should form an experiential part of any scientific discipline, even when historically they have been developing as a pure mind-driven discovery. Embodied experiences are crucial in understanding and engaging with complex social and legal issues. In agreement with “Embodied cognition” work by Lawrence Shapiro, this study sits on the belief that cognitive processes are grounded in bodily experiences and are shaped by surroundings and the context (also referred to as a ‘situated cognition’).⁵⁷ Therefore, embarking on this academic endeavor is viewed by me as an opportunity to challenge the view of cognition as purely internal and disembodied, and to address this issue in identification with personal, collective and universal.

Pondering on the eco-centric legal system reform in Belarus seems to me incomplete without a series of nature-based reflections. With this in mind, the ambition of this academic project to create a proposition of the experimental ‘green’ constitution for the period of political transition in Belarus is naturally supplemented with a forest field trip. With reverence to Barbara Ehrenreich’s analysis of how embodied forms of expression have been used to resist authority, build solidarity, and enact social change, this project hopes to have both written and a performative part as end result.⁵⁸

⁵⁷ Lawrence Shapiro, "The Embodied Cognition Research Programme," *Philosophy Compass* 2, no. 2 (2007): 338–346.

⁵⁸ Barbara Ehrenreich, *Dancing in the Streets: A History of Collective Joy* (New York: Metropolitan Books, 2006).

The practical embodied research part started with assembling a group of Belarusians through an open call, final eight participants were chosen based on their motivation letters and diverse background. Two people from the group have legal background, three people are environmental activists, and two have dance/performative experience. At the same time, a team of Belarusian expert collaborators has been recruited. It included an expert in environmental law from the oldest Belarusian eco-initiative (that was liquidated after the repressions of 2020), an expert in the assessment of war impacts on the environment, an expert in deep ecology discipline, and an expert in dark ecology philosophical thought. All names are kept confidential for the purpose of safety. For 3 months, from March to June, two teams were engaged in closely coordinated work, at first in the format of online workshops, lectures and debates, and later during a collective trip to Bialowieza woodland in between Poland and Belarus.

Now will follow a succinct documentation of the trip: its characteristics, focus, and outcomes. Having in mind the aspiration to contribute to the embodied, integral, and genuine approach towards knowledge-production, the program of this 3-day residency was based on the interconnection of body-based and mind-based activities. Apart from that, special attention was dedicated to community-building and activism-strengthening techniques.

The first day started with arrival and community cooking, which was followed by sharing food and having an opening circle. Next came the first grounding practice on the grass, which has drastically changed collective mood. Participants shared that after the practice they felt calmer and more centered, ready to enter thinking process. With such transition, the activity of knowledge-sharing began. Based on personal experience and online-webinars in the previous two months, everybody had sufficient time to reflect on the main values and key points of the future constitution at first individually, then in pairs, trios, and finally in the whole group. Such repetition and consolidation of knowledge created a profound knowledge base and a rich soil

for future discussions. After 2.5 hours of collective brainstorming, the group went on the forest exploration, in the direction of Belarusian border. It was crucial for the project to avoid one-sided perspective on nature, associating it merely with peace and relaxation. The woodland, in which the project was taking place, is a conflictual place, as the theoretical research of the first chapters also demonstrates. The attempt to contemplate on the uneasy fate of the forest to carry political ambitions turned out to be successful in a way no one expected. Around 500 meters away from the border, the participants have briefly encountered a group of illegal migrants, accompanied with the sounds of gunshots. Rushing away, in such proximity to ‘homeland’ (all participants but one, including the facilitator/the author of this paper, are unable to return home for political reasons), has provoked multiple feelings and reflections. At home (1.5km away from the border), the evening has finished with clowning (as an expression practice), another round of community cooking and Belarusian movie screening.

The next day kicked off with the Buddhist practice of loving kindness meditation (‘metta’), and was followed by a series of dancing-with-nature exercises. These activities were aimed at the remembrance of non-violent nature of mind, as well as the recognition of equal value of all human and non-human entities. After breakfast and collective cooking, participants continued their work on the Constitution, putting together the first rough draft of it. The division into 4 working groups helped to focus on specific aspects of the Constitution, each group working on one sub-article. Afterwards, the group has collectively debated on each point and finalized the draft. Having let go of the concentration of mind power through a little body-care exercise, the group got ready to go into the field – to start conceptualizing the idea of the performance. The ambition of the project was to find a performative means of expression, that could become a medium to convey the text of our constitutional proposal. The evening was spent in nature, in the individual and collective search for expression, through thinking and trial. Community cooking and bonfire with traditional Belarusian songs further consolidated the group.

Finally, the last day was fully dedicated to performing and filming. From early morning the group started implementing conceived aural and visual ideas. The project (its offline part) was finished with the closing circle of gratitude and appreciation.

As a result of this residency, the following environmental provision were worked out:

1. Being an integral part of nature, every human has the right to live in a safe and healthy natural environment. Furthermore, every person has the right to protect this environment through legislative and other instruments.
2. The state is obliged to take measures to mitigate climate change, including aiming for climate neutrality, reducing emissions, restoring damaged ecosystems, and using resources with care and responsibility in order to preserve them for the planet and future generations.
3. The state is obliged to take measures to educate citizens about the environment and to promote the development of environmental culture and awareness.
4. Every person is guaranteed the right to information about the current ecological state of nature and the consequences of both ongoing and planned interventions. Every person has the right to initiate activities aimed at protecting the ecological state of nature and to participate in decision-making on issues affecting the quality of the natural environment.⁵⁹

⁵⁹ Translated by author from Belarusian (“1. З’яўляючыся часткай прыроды, чалавек мае права на жыццё ў бяспечным і здаровым прыродным асяроддзі, а таксама на абарону гэтага асяроддзя праз заканадаўчыя і іншыя інструменты 2. Дзяржава абавязана прымаць меры па мітыгацыі змены клімата, гэта ўлучае ў сабе

The project didn't stop here and the group is currently involved in communication with environmental lawyer from Belarus to 'polish' and do 'reality-check' with this final Constitution draft. Later, the draft will be sent as a proposal to the Public Constitutional Commission. Alongside with this, a performative documentary film is being created about this experience, the movie will be released in summer 2024.

імкненне да кліматычнай нейтральнасці, скарачэнне выкідаў, аднаўленне ўжо пашкоджаных экасістэм і беражлівае выкарыстанне рэсурсаў з мэтай зберагчы іх для планеты і наступных пакаленняў. 3. Дзяржава абавязана прымаць меры па экалагічнай адукацыі грамадзян і грамадзянак, і садзейнічаць фарміраванню экалагічнай культуры і свядомасці. 4. Кожнай асобе гарантуецца права на інфармацыю аб экалагічным стане прыроды і аб любых наступствах умяшанняў у прыроду, якія дзейнічаюць і плануюцца. Кожная асоба мае права на ініцыяцыю дзейнасці, накіраванай на ахову экалагічнага стану прыроды, а таксама на ўдзел у прыняцці рашэнняў па пытаннях, якія ўплываюць на якасць прыроднага асяроддзя.”).

CONCLUSION

The paper has demonstrated that natural entities in Belarus are indeed deliberately ‘produced’ to achieve or preserve particular patterns of social power distribution. The research in particular looked closely at the cases of nature mobilization on the border with Poland and with Ukraine, as well as at the history of environmental repressions in the country. The work concluded that national environmental policy supports and sponsors wars and migration crises, and that State’s attitude to nature is consistent with its overarching authoritarian regime.

The paper suggested that there are local historical and cultural grounds, that are favorable for the development of environmental peacebuilding, as well as for the development of eco-centered body of laws. Through the analysis of international and regional legal systems, the work made a couple of propositions on the nature of provisions that could be included in the People’s Constitution of Belarus. It was determined that People’s Constitution should not follow a uniform design, but should rather reflect local context and priorities. Ecolegal relations are approached in the research through a more ethnographic understanding.

The practical part worked with the idea of drafting a proposal for the green Constitution through body-centered practices, including meditations, dance, and movement-in-nature exercises. The participants of the residency reported on feeling empowered, moved and having a more genuine sensation of relating to nature. This formed a unique approach to writing a legal document. The final provisions, created by the group, are partly consistent with the suggestions I made in the theoretical part of the research, and partly reflecting different views and approaches. The group keeps functioning as a unit, continuing the work on the draft proposal.