

Environmental POLICY AND LAW

UA REVIEW

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HIGHLIGHTS

EASTERN PARTNERSHIP: MINISTERIAL MEETING ON ENVIRONMENT AND CLIMATE CHANGE

The second Eastern Partnership (EaP) formal ministerial meeting on environment and climate change took place on October 9, 2018 in Luxembourg. The EU and the Eastern Partner countries (Armenia, Azerbaijan, Belarus, Georgia, Republic of Moldova and Ukraine) [met to jointly](#) review progress on the goals and priorities set at the first Ministerial meeting in 2016.

The ministers acknowledged progress made by EaP countries, in particular in relation to the ratification of the Paris Agreement and policy and legislative changes on water, the green economy, and on environmental assessments. They noted the need to mainstream environment and climate change issues, as well as sustainable development goals, into all sectors. They also discussed the transition to circular economy, focusing on plastic use and sustainable waste management, promoting transition to a more sustainable

energy system, the completion of Emerald Network and a more sustainable forestry. The Ministers stressed the need to adopt Paris Agreement working program at the upcoming COP-24, to be held in Poland in December this year.

Further EU support to Eastern Partner countries to modernise the economy with a focus on action on the environment, circular economy and climate to reduce emissions will be provided through the new EU-funded programmes 'EU4Environment' and 'EU4Climate' (with €19.5 and €8 million in EU funding respectively).

Ostap Semerak, the Minister of Environment of Ukraine, [noted](#) that the states are facing similar challenges, so "EU member-states success stories will give an incentive to Ukraine, Georgia and Moldova, which today agreed to coordinate implementation of their association agreements and engagement of EU assistance".

MULTILATERAL ENVIRONMENTAL AGREEMENTS SHALL NOT BE USED AS A TOOL TO LEGITIMIZE ANNEXATION OF CRIMEA

Russia's annexation of Crimea has consequences for Ukraine in ensuring environmental protection in Crimea and complicates meeting Ukraine's obligations under several multilateral environmental agreements. Despite this, Ukraine is using legal mechanisms to deal with this and prevent negative consequences in the future.

On October 24-25 the [34th regular session](#) of the Black Sea Commission took place. It is a body established under the Convention on the Protection of the Black Sea Against Pollution to support its implementation (Ukraine is one of the six parties to the Convention, which it signed on April 21, 1992 and ratified on April 4, 1994). The agenda included adoption of the budget and work programme of the Commission for 2018-2019, reports on implementation of the Strategic Action Plan on Black Sea (2009), other items related to the work of the Commission and Permanent Secretariat.

As the Ministry of Environment of Ukraine [stressed](#), Ukraine had to block adoption of the budget to finance the activities of the Commission's working groups with participation of Ukraine citizens resident in Crimea and Sevastopol city. Those citizens were supposed to represent Russia. Therefore, Ukraine had to prevent any future illegitimate decisions that could have been taken with participation of Ukrainian citizens from Crimea and nominated by Russia as an attempt to legitimize annexation of Crimea.

This is not the first time Russia is trying to use multilateral environmental agreements to legitimize Crimea's annexation. As [noted](#) by Ostap Semerak, the Minister of Environment of Ukraine, Ukrainian delegation prevented double-reporting to the UNFCCC secretariat on greenhouse emissions from Crimean territory when Russia submitted its own data regarding Crimea.

NUMBER OF THE MONTH

428

birds species – photos, sounds and profiles – are covered by a free Android app "Birds of Ukraine"

THE ASSOCIATION AGREEMENT AND CITIZENS OF UKRAINE: NATURE PROTECTION

We continue our series of blitz-analytics related to the public opinion in Ukraine regarding key environmental pillars of the Association Agreement. This series of analytical materials is developed on the basis of a [study](#) of the attitudes of the Ukrainian citizens towards environment, carried out by the Resource and Analysis Center "Society and Environment" in 2018.

The Association Agreement foresees implementation of a number of EU environmental regulations and directives. All in all, 71% of the Ukrainians consider that EU legislation is necessary to protect the environment in Ukraine.

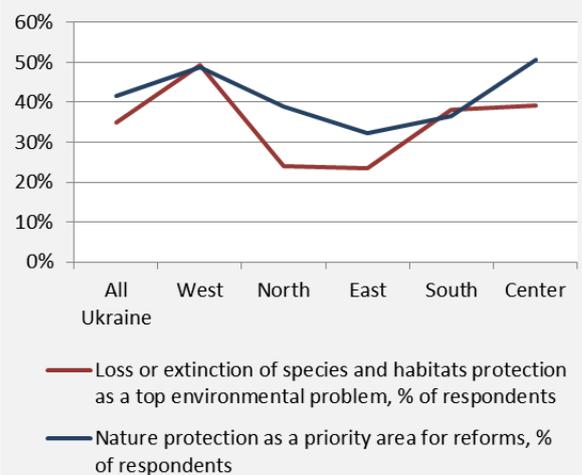
Annex XXX to the Association Agreement includes a subsection 'Nature protection' listing two EU nature directives: Birds and Habitats Directives.

The word "environment" is associated with protecting nature (wildlife protection) by only 14,5% of Ukrainians. At the same time, loss or extinction of species and their habitats is among 4 top environmental issues Ukrainians are concerned most about (34,8% of respondents). In particular, this problem is of concern in Western Ukraine (49,2% of the respondents).

Ukrainian citizens believe that nature protection is the second important environmental reform for Ukraine. This is supported by 41.5% of the respondents. It is a particularly important reform for the Western (48,7%) and Central (50,6%) Ukraine.

Birds and Habitats Directives are the key legal instruments for the protection and sustainable use of nature in the EU, especially through the NATURA 200 protected areas network. These directives are at the heart of the EU Biodiversity Strategy. Nature protection has not been a priority area for Ukraine in recent years in the context of the Association Agreement implementation. There is no clear vision how they should be implemented. Legally speaking, full implementation of these directives in Ukraine currently is not possible. Therefore, the main focus of framing the reform is on achieving the goals of these directives.

Citizens' attitudes towards nature protection



RACSE, 2018.

QUOTE OF THE MONTH

“We stand on our position: the decision to list elk in the Red Book did not violate neither plaintiff’s rights, nor national legislation. It is up to the state and the scientists – and not the hunters – to decide whether a particular species needs protection. So I am not scared by such lawsuits. ”

Ostap Semerak, Minister of Environment of Ukraine, commenting the lawsuit by Metos Ltd. alleging illegality of the decision to list elk in the Red Book.

EVENT OF THE MONTH

October 16 , 2018

**The Parliament passed in the first reading draft law
“On the foundations (strategy) of the environmental policy
of Ukraine till 2030”**