

Environmental POLICY AND LAW

UA REVIEW

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HIGHLIGHTS

IS THERE A ROOM FOR ENVIRONMENT BEYOND ENERGY?

On August 29, 2019, the Parliament of Ukraine approved new Cabinet of Ministers. Oleksiy Orzhel was appointed as the Minister of Energy and Environmental Protection. This means now energy and environment will be under one "roof". On September 2, 2019, governmental [decision Np.829](#) was published, which renamed the Ministry of Ecology and Natural Resources into the Ministry of Energy and Environmental Protection. The old Ministry of Energy was re-organized and merged into the new Ministry of Energy and Environmental Protection. Yet, even under this merging scenario environmental issues are likely to be under-prioritized, something not originally expected from new government. During the

first press-conference the Minister of Energy and Environmental Protection focused on priorities. He said environment will have equal priority with energy in the new ministry. At the same time, green agenda points raised by the minister were all energy related: energy efficiency, waste, renewable energy, environmental taxes. A number of important environmental issues were not addressed, including any plans for implementation of the environmental and climate change dimension of the Association Agreement. He also mentioned possible revision of the earlier decisions: something which may have both negative and positive effects on environmental protection.

GROYSMAN GOVERNMENT ELIMINATED STATE ENVIRONMENTAL INSPECTION

On August 14, 2019, the government took a [decision](#) to eliminate State Environmental Inspection and to establish a new State Environmental Protection Service.

In general, this decision is in line with the environmental ministry's vision for reforming state environmental control and monitoring. Establishment of the State Environmental Protection Service was envisaged by the [Concept](#) for reforming state control system in environmental areas, adopted back in 2017. At the same time, in 2018 the government [proposed](#) the Parliament to create such Service by a law, while it is the gov-

ernment itself who has clear and only authority to create central executive authorities.

As of today, State Environmental Inspection continues to perform its functions. Yet, the new Government of Prime-Minister O.Goncharuk may revise the approach to state environmental control (including its institutional framework).

NUMBER OF THE MONTH

150

THOSAND of hares were hunted in Ukraine in 2017

Source: State Cadaster of Fauna, 2018

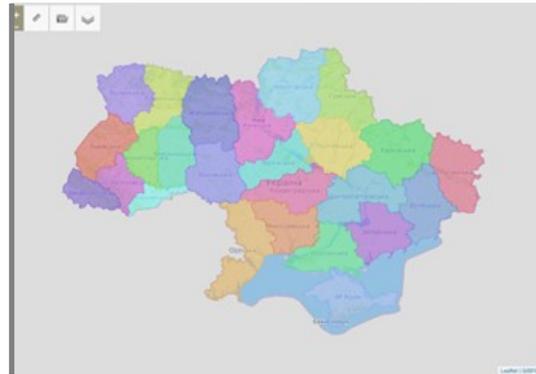
IS UKRAINE READY FOR EUROPEAN AIR MONITORING STANDARDS?!

The state air monitoring has got [new legal framework](#) on August 14, 2019.

Does adoption of the new framework mean Ukraine can start practical air monitoring in line with the European standards? In fact, there are several factors which will postpone or prevent effective implementation of the new air monitoring framework. The first factor is part of the new framework itself: it lacks necessary subordinate legislation. Effective implementation requires adoption by relevant ministry a number of decisions, setting clear requirements for each monitoring regime (fixed measurements, combination, modelling or objective estimation), development and approval of air quality management plans, action plans, new state air monitoring programs forms. Since the key ministry is under merging process, adoption of these new acts is likely to be delayed.

Institutional development will require quite some time. A number of responsible institutions are yet to be defined or established: who is going to be responsible for air quality management, advisory and coordination bodies are lacking (such as Intergovernmental commission for state air quality monitoring). In turn, their absence delays development of relevant measures since they are supposed to be part of the process. This is true for air quality management plans and short-term action plans.

Current level of institutional capacity of air monitoring authorities is also an important factor. We have serious doubts as to their capacity to install necessary and sufficient number of monitoring stations. The new air monitoring framework lacks any requirements as to the number of monitoring stations (as required by 2008/50 Air Quality directive). These requirements are yet to be set by the decision of the Ministry of Internal Affairs. Rural monitoring stations are not addressed by the new framework.



Interactive map "Open environment. Air"

State Emergency Services reported its conclusions as compliance of current monitoring network with the Air Quality Directive. Their conclusions are clear: current network is insufficient to meet monitoring requirements set by the directive. No legal framework is in place. There's a need for technical modernization of monitoring stations and new monitoring organized for PM10 and PM2,5, benzol and ozone. Overall costs needed for modernizing air monitoring network as estimated of 9,870-10,000 thousand Euros (about 10M).

QUOTE OF THE MONTH

"For us environmental protection is a priority, this is very important stuff. But worldwide trend is that energy must be clean... "

Oleksiy Goncharuk, Prime-Minister of Ukraine , press-briefing Sep 2, 2019

EVENT OF THE MONTH

September 2, 2019

Government set up a united

Ministry of Energy and Environmental Protection of Ukraine