



# Climate Governance Architecture in Ukraine: Key Conclusions and Recommendations for Decision-Makers

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The policy brief summarizes the findings of the study undertaken by the Resource and Analysis Center "Society and Environment" to bolster the implementation of efficient climate governance architecture in Ukraine.

It includes two parts. Part One presents **key conclusions** reached in the study about the concept of climate governance architecture (CGA), institutional basis for CGA in Ukraine, the role of CGA in Ukraine's post-war recovery, and the role of CGA in the process of Ukraine's EU accession. You can find more details about the study findings for each of the areas in the dedicated policy briefs available on our website. Part Two provides the recommendations on possible ways and forms to ensure efficient climate governance architecture in Ukraine. The **recommendations** have been developed on the basis of thematic studies and are presented in this policy brief only.

Therefore, the policy brief is the final fifth element in a series of our outputs to help build efficient climate governance architecture in Ukraine.

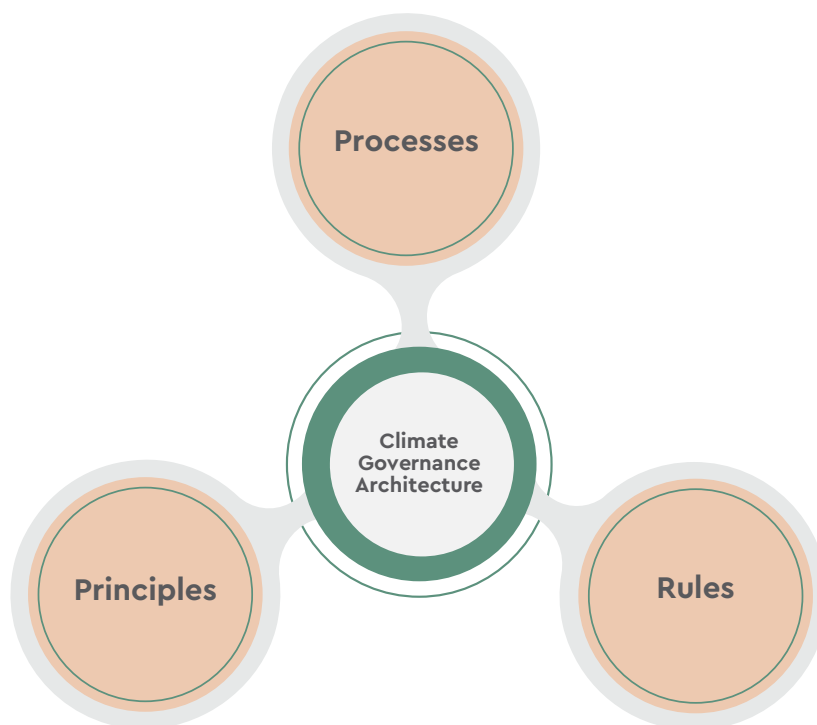
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# KEY CONCLUSIONS

## What is the climate governance architecture?

Climate governance architecture is a system of principles, rules, and processes of building and implementing the state's climate change policy.



Principles are the value-based background for building and implementing a policy, as well as certain framework for the appropriate rules or the implementation of practical initiatives and processes: openness (transparency), participation, accountability, effectiveness, and coherence.

The rules of the climate governance architecture are the requirements defining conditions, rules of conduct, certain procedures for actions of all actors, their competence and powers in the process of building (planning, development), adoption, implementation, reporting, and control over the implementation of the state's climate change policy.

The CGA processes are the indispensable areas, mechanisms, and tools of the public climate change policy such as strategic planning and forecasting, integration into other policies, accounting and monitoring, reporting, verification of greenhouse gas emissions, adaptation to climate change, finances and government support, carbon pricing, dialogue, research backup, just transformation, and international cooperation.

## What is the role of CGA in the post-war recovery of Ukraine?

Integrated climate change policy is one of the key reforms defined by the "Environmental Safety" task force in the draft National Recovery Plan for Ukraine. The policy implementation is required to achieve the strategic goal of clean and safe environment for the post-war recovery. However, this approach has not been identified as a key reform or a task in the recovery of Ukraine, in terms of achieving climate neutrality by Ukraine in general, and by specific policy sectors in recovery plans drafted by other task forces.

With lack of effective CGA in Ukraine, the Ukraine Recovery Plan and its implementation cannot provide for climate sustainable post-war recovery and development.

Introduction of the effective CGA is a necessary precondition for sustainable and climate resilient post-war development of Ukraine and for climate neutrality of national economy.

## **What is the role of CGA in the process of EU accession?**

Climate related issues will be critical in the process of Ukraine's full accession to the EU. With regard to recent trends in the EU as to the integration of climate related aspects into all policy areas, climate change commitments will likely be among requirements of the environmental chapter in the negotiation process. Moreover, they will also be part of such chapters as energy, transportation, agriculture, etc.

Implementation of climate change policy and the EU acquis has already been included into the questionnaire that Ukraine had to answer for EU candidacy status.

Climate change issues in the context of EU membership shall also be considered in close connection with the development and implementation of the National Recovery Plan of Ukraine. The environmental and climate requirements, and the need to implement the relevant legislation in those areas may become the "red lines" ensuring that Ukraine's post-war recovery goes green and relies on the "build back greener" principle.

## **What is the CGA institutional framework available in Ukraine?**

Since climate change policy touches upon several other spheres (such as energy, environment protection, urban and territory planning, transportation, and industrial production), building the efficient institutional framework is a strong challenge for any state. Decentralization policy in Ukraine creates additional special conditions for building institutional foundations of climate governance architecture.

Therefore, institutional framework for the climate governance architecture in Ukraine requires special focus, such as the clear definition in the law of functions and powers of central executive authorities in this field, and their effective coordination.

The experience of EU member states highlights significant differences and variability of the institutional framework of climate governance architecture on the level of EU member states. It is especially typical of the area of climate change mitigation that faces frequent changes, especially on the level of central executive authorities, contingent on the political situation (election results).

The current situation with the division of powers in this area leads to significant risks for reaching national tasks and targets for climate change in Ukraine. Coordination of work of public authorities in climate change is not happening on a regular basis or on the sufficiently high governmental level.

# RECOMMENDATIONS

In Ukraine, all stakeholders need to build the climate governance architecture taking into account everyone's role. Hence there is the need to define rules, principles, and processes as key elements of climate governance architecture. Climate governance architecture shall be based on European principles of climate governance, including openness (transparency), participation, accountability, effectiveness, and coherence.

At the same time, it must be kept in mind that the model of the national climate governance architecture shall take into account the current needs, and the long-term vectors for Ukraine's development such as post-war recovery and EU membership.

Climate change chapter will be an important part of the negotiation process for Ukraine's full EU membership. With regard to the European Green Deal and other climate *acquis communautaire*, this negotiation stage can be successfully passed only with the efficient climate governance architecture.

## **Institutional Recommendations:**

- To establish in the law a clear division of functions and powers for public authorities in the field of climate change, and to create a special coordination mechanism for the development and implementation of climate policy. This will provide for coherence of climate change policy.
- The Government shall have a special position of the Vice Prime Minister for Climate Change to provide for political leadership, coordination, and efficient integration of climate related aspects into all areas of public policy and social life.
- To provide for real cooperation with stakeholders which will create the premises for successful building of climate governance architecture. It includes the representation of stakeholder groups in the appropriate mechanisms for developing and implementation of state climate change policy.
- There shall be a designated permanent agency to provide scientific advice to public authorities making and implementing climate policy. Its functions must include forecasting, modelling, and scientific reasoning for objectives, vectors, and instruments of the state's climate change policy.
- Special focus shall be made on the need to strengthen administrative capacity of public authorities and local self-government in fulfilling their functions and powers in climate change related areas.
- As a strategic document of public planning, the Ukraine Recovery Plan needs coordination with sectoral policies, their key policy indicators, tasks, and targets, but also the coordination of the institutional component, which foresees the coordination of functions and powers of public authorities in charge of the implementation of the respective measures.

## **Recommendations on strategic planning and development:**

- Recovery of Ukraine from the war consequences (that shall be based on the principles of "build back better" and "build back greener") and full EU membership – those are the tasks to be achieved simultaneously, in parallel and in synergy. Therefore, the model of the climate governance architecture of Ukraine shall take into account the requirements promoted in the EU while reflecting the national peculiarities and opportunities.

- To provide for sustainability of the post-war recovery, the implementation of the National Recovery Plan for Ukraine shall rely on the effective climate governance architecture. On the other hand, the Ukraine Recovery Plan shall be coordinated with other strategies and international commitments of Ukraine related to climate change. The National Recovery Plan, as an element of the "CGA rules" needs to be coordinated with the current strategic documents in the area of climate change, to eliminate the overlapping, and to enhance its added value as a key strategic document for Ukraine's recovery. In terms of the Plan's key and decisive role in further recovery of Ukraine, it is essentially not a common action plan (a document which is about the list of measures to be taken, in a conventional strategic planning practices of Ukraine). It is rather a short-term and mid-term strategy for the recovery and development of Ukraine. Therefore, the strategic document shall list specific measurable targets, in climate change field as well. In this part, the draft National Recovery Plan requires a thorough attention and fine-tuning.

### **Recommendations on global climate leadership:**

- To define a strategic vision and role of Ukraine in global climate change processes – to become a leader in global climate change policy. To take the opportunity and transform from the "object" in international climate change policy into a leader. It is obvious that such goal (objective) shall set a framework for strategic planning for the future development of Ukraine. At the same time, practical planning shall be based not only on the desirable targets but also on the scientific and economic calculations, forecasting, and systematicity. The approach would be proper to include in the National Recovery Plan.
- Ukraine's leadership in climate change issues requires effective climate diplomacy. Among other things, effective climate diplomacy is an indispensable tool to ensure national security. That is why it requires from Ukraine to develop its own positions, objectives, and tasks, with account for clear understanding of positions of other states, their motivation, and intentions. To meet its climate interests, Ukraine shall use all possible political and diplomatic channels and forms. In particular, the promotion of efficient partnerships, especially in areas where Ukraine has joint interests and strong positions, ensuring strong capacity of key ministries, empowering their work with the institute of climate ambassadors, maximum use of opportunities of "digital diplomacy", which will help promote national climate messages via the digital platforms.

### **Recommendations on legal framework:**

- Legal framework shall be set for public administration and regulation in climate change, such as by adopting the Climate Law of Ukraine. The need to adopt the law setting the framework for public climate change policy and national CGA has been long ripe. It was bolstered by Ukraine's EU membership aspirations, in line with bringing the national law and policy into conformity with the EU acquis requirements. Such law would allow for setting clear and binding national climate targets, and possibly the sectoral targets. It would define the principles of climate governance, identify the institutional mechanism, the system of coordinating the state climate change policy and integration of climate related issues into sectoral policies and the law-making, and outline the tools for achieving climate targets, including on climate finance, carbon pricing, etc.
- To take into account prior approximation experience in environmental and climate change areas that Ukraine has acquired in the process of implementation of the Association Agreement, in order to accelerate the process of implementing EU acquis and climate change policy and to ensure proper support of the negotiation process and full-fledge EU integration.

