

Blitz Reforms for Ukrainian Government and Environment

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In April 2015 Ukraine plans to host a donors conference to discuss future assistance to Ukraine. The key to further aid are real practical reforms and concrete signs of their implementation in Ukraine. 'We want to see the first proofs of what has already been achieved', said recently Johannes Hahn, Commissioner for European Neighbourhood Policy.

The relevant home task for the Ukrainian Government must include environmental package of reforms.

***We propose to the Government and our European partners three blitz reforms for environment** as indicators of real reforms in the country (indicating commitment to environmental and overall reforming).*

Selection of blitz reforms was based on combination of three criteria: (a) the need for reform, including its relevance, (b) ability to demonstrate concrete intermediate result by April 2015 and (c) prospective and systemic nature of a reform. In other words, these reforms are both 'what must be done' and 'what can be done' now and quickly, based on work in progress.

*Key principles of the proposed reforms are effectiveness, fight against corruption and contribution to EU-Ukraine Association Agreement implementation. **The first steps indicated below can be implemented by the end of March 2015** and, therefore, can be viewed as intermediate indicators of reforms in the country.*

We emphasize that these reforms should be a task for the Government of Ukraine, not the Ministry of Environment alone.

Reform 1. INSTITUTIONAL CAPACITY

The **problem** is lack of coherent vision of reforms in the environmental sector, trends to preserve established practices and approaches in all directions. The **cause** in our opinion is human resources resistance to reforms and low effectiveness of international technical assistance. A **solution for human resources problem** is a new human resources policy for all levels (the ministry, regional departments and inspectorate) aiming at significant renewal of personnel. Human resources policy should be based on a complex vision for reforms in the environmental sector, future tasks and priorities. A **solution for low effectiveness of the international technical assistance** is setting up a mechanism for coordination of such assistance in the environmental sector under direct control of the Minister of Environment. Such a mechanism should ensure publicity of all internationally supported projects in the field of environment, cohesion of goals and tasks, as well civil society oversight.

THE FIRST STEPS ON HUMAN RESOURCES POLICY are:

- * to develop and make public the concept of reforming environmental sector;
- * to develop and make public the concept of human resources policy;
- * to introduce first pilot human resources reforms (at the ministerial level – for licensing and permitting section, at regional level – for environmental inspectorates).

THE FIRST STEPS ON INTERNATIONAL TECHNICAL ASSISTANCE should include:

- * set up inventory of all pending and planned technical assistance projects in the environmental field in the form of publicly available register;
- * adoption of a regulation on coordination of international technical assistance in the field of environment.

Reform 2. ENVIRONMENTAL IMPACT ASSESSMENT

The **problem** is lack of pollution prevention resulting from uncontrolled planning and operation of industrial activities, which have adverse impact on the environment and public health. The **cause** is lack of proper environmental impact assessment in the decision-making on activities likely to have adverse impact on the environment and public health. The **solution** is to introduce effective mechanism (procedure) for environmental impact assessment, integrated into decision-making on industrial activities likely to have adverse impact on the environment and public health. This can be done by implementing Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (former Directive 85/337/EEC). The return to state environmental review system cannot ensure solution of the problem.

THE FIRST STEPS SHOULD ENSURE DEVELOPMENT OF A LEGISLATIVE BASIS FOR ENVIRONMENTAL IMPACT ASSESSMENT by the Cabinet of Ministers of Ukraine:

- * regulation or draft law on “Environmental Impact Assessment”;
- * regulation on list of activities subject to environmental impact assessment reflecting both annexes to the Directive 2011/92;
- * other regulations needed to ensure functioning of the environmental impact assessment procedure.

Reform 3. INTEGRATED ENVIRONMENTAL PERMIT

The **problem** lies in significant administrative and financial burden on enterprises and high susceptibility to corruption of the permitting system in the field of environment. The **cause** we see is large number, low effectiveness and complexity of permitting procedures in the field of environment, in particular permits for water use, emissions from stationary sources and operations on waste treatment. The **solution** is introduction of integrated environmental permit. This can be done by implementation of the Directive 2010/75/EU on industrial pollution, based on such key elements as best available technology and transparency of decision-making process. In addition, the procedure for integrated environmental permit should be part of electronic administrative services system.

THE FIRST STEPS are:

- * draft law ‘On Integrated Environmental Permit’ is developed and submitted to the Parliament by the Cabinet of Ministers of Ukraine;
- * to include integrated environmental permit into the list of priority administrative services to be provided in electronic form.