



**ENVIRONMENT
PEOPLE LAW**

The rule of law for the protection of the environment

Policy brief ON THE REFORM OF ENVIRONMENTAL MONITORING SYSTEM



Policy brief on the reform of environmental monitoring system

The reform of the state environmental monitoring system is one of the key reforms in Ukraine because without it Ukraine's accession to the EU is impossible. The goal of the reform is to develop a comprehensive environmental monitoring system, increase effectiveness of its functioning to maintain environmental balance on the territory of Ukraine, and ensure the constitutional right of people to a safe environment.

1. Challenges in the sector

Environmental situation in Ukraine is critical, the adverse impact on the environment is constantly increasing. Pollution and depletion of natural resources, in particular as a result of the armed aggression of the Russian Federation, continue to threaten health of the population, environmental safety and economic sustainability of the country.

Such a difficult environmental situation is due to a number of factors, in particular, because of inefficient functioning of the state environmental monitoring system created in accordance with the Law of Ukraine "On Environmental Protection".

In view of the above, the problems with the environmental monitoring system functioning are as follows: non-compliance of the regulatory, technical, and organizational base of the environmental monitoring system with modern standards, lack of integrity of observation networks, outdated methodological base for observations, selection and analysis of samples, lack of uniform requirements for data processing and formation of mutually compatible information technologies for storage, processing and exchange of data and information, lack of analysis of the ecological state of the environment and its changes.

2. The reform successes

The Procedure for State Monitoring of Water approved by Resolution No. 758 of the Cabinet of Ministers of Ukraine of September 19, 2018 has been in force since January 1, 2019; the Procedure for State Monitoring for Ambient Air Protection approved by Resolution No. 827 of the Cabinet of Ministers of Ukraine of August 14, 2019 has been in force since September 2019. The Resolution of the Cabinet of Ministers of Ukraine No. 391 of March 30, 1998 "On the Regulation on the State Environmental Monitoring System" is still in force; the Resolution of the Cabinet of Ministers of Ukraine "On Amendments to Resolution No. 391 of the Cabinet of Ministers of Ukraine of 30.03.1998 "On the Regulation on the State Environmental Monitoring System" " was also adopted.

The following regulatory acts have been adopted: the ordinance of the Cabinet of Ministers of Ukraine "On Approval of the Strategy of the integrated Automated Radiation Monitoring System for the period until 2024" of April 29, 2022; the Law of Ukraine "On Amendments to Some Legislative Acts of Ukraine on the State Environmental Monitoring System, Information on the State of the Environment (environmental information) and Information for Environmental Governance" of March 20, 2023 No. 2973 – IX, which will enter into force 6 months after

termination of martial law in Ukraine approved by the ordinance of the Cabinet of Ministers of Ukraine "On Approval of the Concept of the State Targeted Environmental Monitoring Program" of July 7, 2023 No. 610-p.

The path of the monitoring reform

Failure to implement the reform of state environmental monitoring can have serious consequences for society and the environment. Therefore, the reform of environmental monitoring system should ensure the following: 24/7 access of Ukrainians to up-to-date and reliable information about the state of air, water, forests, radiation level in any district, settlement or generally in Ukraine on a unified environmental platform Ecosystem, digitization, development of digital and satellite technologies, implementation of ideas of the IT industry in the area of environmental monitoring, generalization and systematization of information on the state of environmental components, interaction of the environmental monitoring system of Ukraine with similar systems of other countries.

The reform should also serve the following purposes: meeting information needs of public governance in the area of environmental protection and informing society about the state of the environment, providing state authorities and local self-government bodies, public and international organizations with verified, objective and reliable information about the state of the environment, improving public governance in the area of environmental protection and ensuring rational use of natural resources, forecasting changes in the state of the environment and prompt response of central and local executive authorities and local self-government bodies in case of emergency situations or their threats, control over their development and elimination of consequences. ***However, the most important factor of success is to ensure no delay with the entry into force of the Law of Ukraine "On Amendments to Some Legislative Acts of Ukraine Regarding the State Environmental Monitoring System, Information on the State of the Environment (environmental information) and Information for Environmental Governance"***, as this is a significant and decisive step towards creating an effective, transparent and open monitoring system.

4. The cost of non-doing (failure to implement the reform)

Failure to implement the reform of state environmental monitoring may lead to serious consequences that may affect the environment, society, and the economy. Lack of progress in launching an effective environmental monitoring system can lead to illegal actions, pollution of air, water, soil and other natural resources, deterioration of public health due to the impact of harmful substances on the respiratory tract, skin and other organs, deterioration of the quality of life of the population and adverse impact on the psychological condition of people. It can also lead to destruction of ecosystems and loss of biodiversity, which can have environmental consequences; non-compliance with environmental norms and standards can deter investors and international organizations from participating in projects and cooperating with the country.

To prevent these consequences, it is important to take effective measures to improve the environmental monitoring system, strengthen legal regulation, and involve the public in monitoring compliance with environmental norms and standards.

5. *Impact of the proposed changes on the interests of Ukraine*

The impact of the proposed changes of the state environmental monitoring system on the interests of Ukraine can be significant and has many aspects. Introduction of an effective system has an obvious positive impact on the country: changes in the monitoring system can contribute to better conservation of Ukraine's natural resources, which is important for sustainable development and ensuring national security, effective monitoring can help reduce the risks of pollution and environmental disasters, contribute to the improvement of air and water quality, and reduce health care costs. **At the same time, implementation of the reform will require significant resources, both financial and institutional.** In particular, changes in the monitoring system will require investments in infrastructure and technology improvements to ensure effective environmental control. Ukraine has international obligations regarding environmental protection, including regarding environmental monitoring, and delaying the reform may have significant reputational losses. On the contrary, steady implementation of the reform will bring Ukraine closer to political and economic integration with the EU.

References:

<https://zakon.rada.gov.ua/laws/show/610-2023-p#Text>;

<https://zakon.rada.gov.ua/laws/show/391-98-n#Text>;

<https://eco.gov.ua/news/zakonoprojekt-pro-reformu-derzhavnogo-monitoringu-dovkillya-rekomendovanij-do-drugogo-chitannya>;