



**ENVIRONMENT
PEOPLE LAW**

The rule of law for the protection of the environment

DRAFT RESOLUTION OF THE VERKHOVNA RADA OF UKRAINE ON THE PROGRAMME OF ACTIVITIES OF THE CABINET OF MINISTERS OF UKRAINE:

Assessment of Compliance with European Integration
Commitments



Draft Resolution of the Verkhovna Rada of Ukraine on the Programme of Activities of the Cabinet of Ministers of Ukraine No. 15521 dated 17 August 2026: Assessment of Compliance with European Integration Commitments

1. General assessment

An analysis of the draft Programme of Activities of the Cabinet of Ministers of Ukraine (hereinafter referred to as the Programme) demonstrates that the document does not include environmental protection as a separate strategic goal of the Government, although, as a whole, it recognizes environmental policy as one of the areas of state policy and contains a number of provisions directly related to the implementation of the EU *acquis* under Chapter 27, “Environment and Climate Change.” At the same time, the environmental component of the Programme currently does not provide a comprehensive reflection of the scope of Ukraine’s European integration commitments under Chapter 27, while certain key areas of the *acquis* are either not covered at all or are formulated so broadly that they do not allow for an assessment of actual progress in their implementation.

This is particularly important given that the Programme itself identifies Ukraine’s readiness for the earliest possible completion of accession negotiations with the EU and fulfilment of the conditions for closing all negotiating chapters by 2027 as one of the Government’s key objectives. At the same time, the Chapter 27 *acquis* concerns not only the formal transposition of legislation, but also the state’s capacity to ensure its practical application and enforcement. The European Commission directly includes horizontal environmental legislation, water and ambient air quality, waste management, nature protection, industrial pollution and risk management, chemicals, noise, forestry and other areas within Chapter 27, while also emphasizing the need for adequate administrative capacity at both the national and local levels.

It is positive that the Programme provides for a separate programme objective of the Ministry of Economy and Environment of Ukraine (hereinafter referred to as the Ministry), which, *inter alia*, states that a safe environment should become one of the key values of the new economic paradigm.

In addition, the Programme provides for the Ministry’s operational objective, “Ensuring Sustainable Environmental Development.” Within its framework, eight tasks have been identified: to expand protected areas and ensure the conservation of valuable ecosystems (2026-2027); to ensure the gradual harmonization of climate policy with EU standards (2026-2027); to improve the waste management system (2026-2027); to introduce a chemical safety system in accordance with the requirements of EU law (EU *acquis*); and to introduce a unified geoinformation system of water data (2026-2027).

This list represents only a partial reflection of Chapter 27. It focuses primarily on protected areas, water, waste, chemical safety, monitoring and control, whereas a number of horizontal and sectoral reforms that are critical for the implementation of the EU *acquis* are not outlined in the Programme.

Furthermore, the criteria and indicators for achieving the programme objective in the environmental component include only the following: “Visible progress towards adapting Ukrainian legislation to EU law (EU *acquis*) (operational objective 5) has been demonstrated: (a) protected areas increased by 14,000 hectares (2027); (b) an integrated environmental monitoring information system established (2027); (c) a carbon registry established (2026); (d) a water cadastre and monitoring centre established (2027).”

Thus, the document requires significant strengthening specifically in terms of the comprehensiveness, specificity, measurability and cross-cutting nature of European integration environmental policy.

2. Horizontal environmental legislation

The most significant problem is the de facto absence of a horizontal environmental *acquis* block in the Programme. The document contains no separate tasks concerning the proper functioning of Environmental Impact Assessment (EIA) procedures, Strategic Environmental Assessment (SEA), public access to environmental information, and public participation in the adoption of environmentally significant decisions.

This gap is fundamental, since horizontal legislation creates the framework for implementing all other areas of environmental policy. The Programme provides for large-scale recovery and modernization of infrastructure, the development of a list of recovery projects worth more than USD 50 billion, and the implementation of the Recovery Strategy. However, it does not establish requirements to ensure that recovery projects are carried out in compliance with EIA and SEA requirements, as well as with public access to relevant information and participation in decision-making.

This is not merely a matter of domestic environmental policy. For Chapter 27, horizontal legislation is one of the fundamental elements of the *acquis*, and the European Commission has repeatedly emphasized the need to align Ukraine's recovery processes with EU environmental requirements. In the context of the Ukraine Facility, environmental assessment is already one of the areas of reform directly linked to Ukraine's approximation to EU law.

Therefore, it would be appropriate to include in the Programme a separate task concerning the full and effective implementation of legislation on EIA and SEA, prevention of unjustified expansion of exemptions from their application, as well as ensuring their application to recovery projects, plans and programmes.

No less important is the issue of access to environmental information and public participation. The [Vision of ICO Environment People Law](#) defines transparency, accountability and effective public participation as the basic principles of the new environmental policy. However, the Programme contains no corresponding measurable task. This also contradicts the very logic of the Programme, which declares the construction of a "transparent" and results-oriented state.

Therefore, a separate block of tasks concerning the horizontal *acquis* should be provided for: EIA, SEA, access to environmental information, public participation, and compliance with the requirements of the Aarhus Convention.

3. Environmental monitoring and environmental data

In this area, the Programme contains one of its most positive provisions - an indicator concerning the establishment of an integrated environmental monitoring information system as part of the results to be achieved by 2027. This corresponds to the concept of "governance and smart data" [proposed](#) by ICO Environment People Law, according to which environmental decisions should be based on reliable, systematically collected and accessible data.

At the same time, the wording "establish an integrated environmental monitoring information system" is insufficient to ensure the actual fulfilment of commitments. The mere establishment of an information system does not mean the establishment of a fully-fledged

state monitoring system. It is not specified which monitoring components are to be integrated, which environmental indicators will be covered, who will be responsible for their collection and verification, what the procedure for data exchange between the authorities will be, or to what extent the information will be accessible to the public.

Therefore, it would be appropriate to replace the purely infrastructural objective of “establishing a system” with the launch and ensuring the functioning of an integrated state environmental monitoring system, providing for its operation in accordance with European standards and interagency integration, Regular publication of data and the use of monitoring results in management decision-making.

4. Nature protection and biodiversity conservation

The Programme recognizes the need to expand protected areas and conserve valuable ecosystems, and sets a specific indicator of increasing their area by 14,000 hectares by 2027. This is a positive step and is consistent with the general direction of the EU *acquis* on nature protection.

At the same time, the area of protected territories in itself cannot be the sole indicator of the fulfilment of nature protection commitments. The EU *acquis* in this area provides not only for the establishment of areas, but also for ensuring their appropriate legal status, identifying conservation features, establishing conservation objectives, managing areas, monitoring the status of species and habitats, and ensuring effective control over activities that may adversely affect them. The European Commission identifies biodiversity conservation, the development of protected areas, and the implementation of the necessary management measures to protect habitats and species as components of EU environmental policy.

It is particularly significant that the Programme contains no direct references to the implementation of the EU Birds Directive and Habitats Directive, or to the establishment of an appropriate legal and management framework for the Emerald Network. At the same time, these issues are among Ukraine’s key unfulfilled nature protection commitments.

Therefore, the wording “expand protected areas and ensure the conservation of valuable ecosystems” should be specified through tasks concerning the transposition and practical implementation of Directives 2009/147/EC and 92/43/EEC, the legal regulation of the Emerald Network, the establishment of conservation objectives and area management measures, and the monitoring of species and habitats.

5. Water policy

The water-related component of the Programme is one of the most substantive. It provides for the establishment of a unified geoinformation system of water data, integrated water resources management based on the river basin principle, the application of OECD principles to water management, as well as an increase in the length of free-flowing sections of rivers.

These provisions are generally consistent with the logic of the Water Framework Directive 2000/60/EC, in particular the river basin principle and the need for integrated water resources management. At the same time, the Programme is effectively focused on management and data, while paying significantly less attention to achieving specific environmental objectives concerning water status.

There are no tasks concerning the systematic reduction of water pollution, achievement of good ecological and chemical status of water, control of discharges, development of surface

water and groundwater monitoring, protection of water against nitrate pollution, or proper water management under wartime and post-war recovery conditions.

Therefore, the water-related component should be supplemented with target indicators concerning the status of water resources, rather than indicators solely concerning the establishment of information and management infrastructure.

6. Waste management and the circular economy

The Programme contains the task of “improving the waste management system” and, in the agricultural sector, provides for increasing the processing of agricultural waste and raw materials into biofuel. This is a positive development that is consistent with the transition towards a circular economy.

However, the wording “improve the waste management system” is too general given the scale of Ukraine’s unfulfilled tasks in this area. The Programme does not specify measures concerning extended producer responsibility, specific waste streams, single-use plastics, packaging, batteries and accumulators, electrical and electronic equipment, vehicles, tyres, oils, textiles, etc.

Particular emphasis should be placed on war-related waste and demolition waste. Given the scale of Ukraine’s recovery, this issue should be one of the independent areas of state policy. The Programme should provide not merely for general improvement of waste management, but also for a separate system for managing demolition waste and war-related waste, applying the principles of the waste hierarchy, reuse and the circular economy.

7. Chemical safety

The provision on introducing a chemical safety system in accordance with the EU *acquis* is an important element of the Programme.

At the same time, the task contains no specific results. In order to fulfil the relevant part of Chapter 27, it is necessary to provide not only for a “chemical safety system”, but also for the legislative and institutional capacity to regulate chemicals, exchange information, control their circulation, assess risks, and enforce the law.

In view of this, it would be **appropriate** to identify specific regulatory acts, information systems, responsible authorities and deadlines for their establishment.

8. Industrial pollution and control

The Programme contains no separate section on industrial pollution, although this is one of the central components of Chapter 27. This constitutes a significant gap.

Ukraine is currently implementing a reform of integrated prevention and control of industrial pollution, including the introduction of integrated environmental permits and the application of Best Available Techniques and Management Methods (BAT). However, the Programme contains neither a task concerning the completion of this reform nor indicators concerning the actual implementation of BAT.

This is particularly problematic in the context of the simultaneous proclamation of large-scale industrialization, industrial development, investment attraction and infrastructure reconstruction. The Programme is explicitly oriented towards technological modernization, the development of production and industrial infrastructure. Therefore, environmental

requirements for industrial development must be integrated into economic policy rather than remaining a separate nature protection block.

A separate area **should be added** to the Programme concerning the completion of the industrial pollution reform, implementation of BAT, operation of the integrated environmental permit, and ensuring compliance control.

9. Ambient air

Another gap is the absence of a comprehensive section on ambient air quality in the Programme.

This does not correspond to the structure of Chapter 27, where ambient air quality constitutes a separate area of the *acquis*. The European Commission directly identifies monitoring and improvement of air quality among the key areas of environmental policy.

The Programme contains a general objective of establishing an integrated environmental monitoring system, but monitoring of ambient air, territorial zoning, air quality assessment, air quality management plans, and other specific requirements are not defined.

Given the significant level of industrial pollution in Ukraine and the need to modernize industry, this gap is substantial.

It would be appropriate to provide for a separate task concerning the further implementation of the EU *acquis* in the field of ambient air quality, development of the monitoring system, zoning, and planning of measures to achieve air quality standards.

10. Environmental control, enforcement and liability

The Programme provides for reforming the system of state supervision and control in the field of environmental protection during 2026-2027. This is necessary and is consistent with the principle of effective implementation of the *acquis*.

However, the wording “reform the system of state supervision and control” does not define what the final model should be. The reform should provide not merely for administrative restructuring, but for the establishment of a capable environmental control system that ensures the actual enforcement of environmental regulations and prevents deterioration of the state of the environment.

In this context, it would be appropriate to supplement the Programme with tasks concerning the restoration of systematic planned and risk-based control, strengthening laboratory capacity, digitalization of control, access to data, coordination between authorities, and effective response to violations, as well as the adoption of Draft Law No. 3091, taking into account the more than 800 amendments submitted by members of parliament.

There is also no separate section on environmental liability and environmental crimes. The [Vision of ICO Environment People Law](#) expressly identifies the need to harmonize legislation on liability for environmental damage and crimes with the EU *acquis*. This issue should be included in the Programme as a separate area, since without effective liability, the environmental regulatory system cannot be fully effective.

11. Forestry

Forestry is practically not represented in the Programme as an independent environmental area. This is particularly important given that forestry is included in the broad range of issues covered by Chapter 27.

The Programme contains no tasks concerning sustainable forest management, protection of natural forests and valuable ecosystems, transparency of forest-related information, environmental assessment of forestry decisions, biodiversity protection in forests, or alignment of forest policy with nature protection policy.

This directly contradicts the principle of the cross-cutting nature of environmental policy set out in the [Vision of ICO Environment People Law](#). Environmental requirements cannot remain limited to the tasks of the Ministry of Economy and Environment, while decisions concerning forests, agriculture, subsoil use, infrastructure and energy are formulated primarily on economic grounds.

12. Agriculture and integration of environmental policy

The Programme provides for active support for the agricultural sector, development of processing, and the use of agricultural raw materials and waste for biofuel production.

However, the environmental component of agricultural policy is practically not reflected. No tasks are provided concerning the reduction of nitrate pollution of water, sustainable soil management, reduction of pesticide use, protection of natural habitats in agricultural landscapes, or prevention of the conversion of natural areas to agricultural use.

This is of particular importance for European integration, since nature protection requirements must be integrated into agricultural policy. In its documents concerning Ukraine's green transformation, the European Commission specifically identifies the sustainable management of agricultural and forest land, as well as the sustainable management of water resources in agriculture.

Therefore, **it would be appropriate to supplement** the agricultural section with provisions on the environmental sustainability of agriculture and the integration of nature protection requirements into state support for agricultural producers.

13. The (non-)cross-cutting nature of environmental policy

The most conceptual problem is that the Programme treats the environment primarily as a separate operational objective of the Ministry of Economy and Environment rather than as a cross-cutting component of all state policies.

This directly contradicts the [concept proposed by ICO Environment People Law](#), according to which environmental policy should be integrated into all documents of a strategic and programme nature, into all spheres of public life, and at all levels.

The imbalance between environmental policy and economic objectives is particularly evident. For example, the Programme provides for the sale of special permits for the use of subsoil of strategic importance, in particular for graphite and titanium, as well as the allocation of subsoil areas containing lithium and uranium under production sharing agreements. At the same time, no environmental safeguards are established for such resource development, including requirements concerning EIA, water protection, biodiversity, restoration of territories, and public participation.

Similarly, large-scale infrastructure reconstruction, the development of industry, the agricultural sector, energy and the extractive industry are not accompanied by a

cross-cutting requirement to apply the principles of “do no significant harm,” the circular economy, resource efficiency, ecosystem protection and pollution prevention.

14. Environmental policy in post-war recovery

The issue of recovery is particularly important. The Programme provides for the approval and commencement of implementation of the Recovery Strategy, the formation of a large-scale portfolio of projects, and the attraction of investment. At the same time, environmental criteria for the selection and implementation of such projects are not defined in the Programme.

In view of the vision of [Vision of ICO Environment People Law](#), “build back greener than before” should become not a declaration but a mandatory principle of recovery planning and financing. This entails, in particular, integrating environmental conditions into infrastructure design, ecosystem recovery, reuse of materials, minimizing waste generation, applying nature-based solutions, and full compliance with EIA/SEA.

Therefore, it would be appropriate **to include in the Programme** a separate provision stating that state recovery programmes, plans, projects and measures should be planned and implemented taking into account the EU *acquis* in the field of the environment and the principle of preventing deterioration of the state of the environment, while the relevant environmental criteria should be integrated into state and donor financing mechanisms.

15. Climate change

The draft Programme defines operational objective 5 as “Ensuring Sustainable Environmental Development.” Within this objective, one of the tasks for 2026-2027 is expressly defined as follows: “5.2. ensuring the gradual harmonization of climate policy with EU standards.”

The draft Programme of Activities of the Cabinet of Ministers of Ukraine No. 15521 dated 17 August 2026 defines operational objective 5 as “Ensuring Sustainable Environmental Development.” Its implementation is envisaged for 2026-2027 and covers several key areas of environmental policy. In particular, it provides for the gradual harmonization of climate policy with EU standards (item 5.2).

The Programme outlines a broad range of tasks in the area of sustainable environmental development, but predominantly at the level of general areas of state policy. Establishing the same implementation period of 2026-2027 for most tasks, without defining the sequence of their implementation and specific measures, makes it difficult to understand how their implementation is expected to be ensured within the specified period. This is particularly true of such complex tasks as harmonizing climate policy with EU standards, insofar as the climate policy component of the draft Programme is framework in nature and does not contain a specific mechanism for implementing the stated objective.

The absence of detailed measures and interim results makes it impossible to assess precisely how the Government intends to ensure the gradual harmonization of climate policy with EU standards during 2026-2027. Consequently, the implementation of this task and the assessment of progress achieved will depend on its further specification in Government decisions and measures. The same applies to improving the waste management system, introducing a chemical safety system, and reforming state supervision and control in the field of environmental protection, the substance of which is not further elaborated in the Programme.

Thus, the tasks in the area of sustainable environmental development envisaged by the draft Programme define the main areas of the Government's activities for 2026-2027, but require further specification concerning the methods and stages of their implementation. Under such an approach, it is difficult to assess the actual scope of the planned work and subsequently determine the extent to which the established tasks have actually been fulfilled.

16. Proposals for further development of the Programme

In view of the analysis conducted, the Programme should be supplemented not only with general declarations, but also with specific tasks and indicators that would make it possible to directly correlate its implementation with the negotiating commitments under Chapter 27.

First and foremost, a separate horizontal block should be provided for the full implementation of EIA and SEA, ensuring access to environmental information and public participation, with particular emphasis on recovery projects, plans and programmes.

The second key area should be nature protection reform, which should encompass not only an increase in the area of protected areas, but also the implementation of the Birds Directive and Habitats Directive, appropriate legislative regulation of the Emerald Network, ensuring effective management of protected areas, and monitoring of species and habitats.

The third should be the completion of horizontal reforms in monitoring, control and liability, including the establishment of a functioning environmental monitoring system, restoration of effective environmental control, laboratory capacity, and the adaptation of legislation concerning environmental liability and environmental offences.

The fourth should be a comprehensive section on industrial pollution, including Best Available Techniques and Management Methods (BAT), integrated environmental permits, and control over compliance with their requirements.

The fifth should be a separate section on ambient air quality, including monitoring, air quality management, and further implementation of the relevant *acquis*.

The sixth should be the specification of the waste management reform, including specific waste streams, extended producer responsibility, a deposit-refund system, the circular economy, and war-related and demolition waste.

The seventh should be the strengthening of the water-related component by moving from the establishment of data systems and institutions towards measurable objectives concerning improvement of water status, reduction of pollution, control of discharges, and restoration of aquatic ecosystems.

The eighth should be the integration of environmental requirements into forestry, agricultural, subsoil use, energy, transport and recovery policies, so that environmental policy does not remain an isolated area of competence of a single ministry.

17. Conclusion

The Programme cannot be considered sufficient in terms of the full fulfilment of Ukraine's environmental commitments under Chapter 27. The main shortcomings are the absence of a horizontal EIA/SEA block and access to environmental information, insufficient coverage of biodiversity conservation and implementation of the Birds Directive and Habitats Directive, the absence of separate areas concerning ambient air quality and industrial pollution, insufficient specification of the waste reform, the absence of environmental liability and

environmental crimes, as well as the de facto absence of environmental tasks in forestry and agricultural policy.

The most significant conceptual shortcoming is the absence of the principle of the cross-cutting nature of environmental policy. In the Programme, the environment primarily appears as a separate operational objective, whereas decisions concerning economic development, investment, subsoil use, industry, the agricultural sector, infrastructure and recovery do not contain sufficient environmental conditions. Such an approach corresponds neither to the vision of ICO Environment People Law nor to the logic of the EU *acquis*, which provides for the integration of environmental protection into other policies.

Therefore, it would be appropriate not merely to expand the environmental section of the Programme, but to revise its overall architecture so that the implementation of the Chapter 27 *acquis* is integrated into all relevant areas of the Government's activities. This applies particularly to the recovery of Ukraine, industrial and agricultural policy, the use of natural resources, and spatial development. Such an approach would make it possible to transform the Programme from a list of general intentions into an instrument for the practical fulfilment of Ukraine's negotiating commitments under Chapter 27.