ENVIRONMENT PEOPLE LAW

Progress under Chapter 27 "Environment and Climate Change" of the negotiation process on Ukraine's accession to the European Union

Shadow report



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Introduction

Chapter 27 "Environment and Climate Change" of the negotiations on Ukraine's accession to the EU covers a huge amount of the EU acquis. It poses complex tasks for Ukraine in terms of the scale of the reform of the national legislation, and no less complex and costly in terms of their practical implementation.

In March of this year, the European Commission provided Ukraine with the so-called “final benchmarks”, according to which both the European Commission and the Member States will assess Ukraine’s readiness to close the relevant chapters and actually join the European Union. Already on April 1, 2026, the Government of Ukraine approved the National Programme for the Adaptation of Ukrainian Legislation to the Law of the European Union (EU acquis) (hereinafter referred to as the National Programme), which determined what exactly and within what timeframe the state should do to transpose and implement EU law in Ukraine. The Programme is structured according to the negotiation clusters and chapters, takes into account the “final benchmarks” of the European Commission to a greater extent, and provides for extremely ambitious deadlines for the implementation of the tasks envisaged by it.

At the same time, the National Program confirms that as of the beginning of 2026, most environmental subsectors remained non-compliant or only partially compliant with the EU law and there is still a lot of work ahead. In this analytical document, we will provide the first overview of Ukraine's progress in achieving the final benchmarks under Chapter 27 "Environment and Climate Change" and will note those measures implemented in 2026 that had a qualitative impact on achieving the relevant benchmarks, as well as highlight those initiatives that, on the contrary, moved Ukraine away from the European benchmarks.

Benchmark 27.1

Ukraine has an advanced level of alignment in its legislation with the horizontal environmental acquis and demonstrated a solid and tangible track record of implementation and enforcement in this area including for impact assessment (Environmental Impact Assessment and Strategic Environmental Assessment Directives), especially for infrastructure investments, whilst ensuring compliance with respect of access to information, transboundary consultations and access to justice in environmental matters. Ukraine has demonstrated that it will be ready to effectively implement and enforce the horizontal legislation by the date of accession, including ensuring sufficient administrative capacity on national and regional and local level. Ukraine ensures that its spatial data infrastructure complies with the INSPIRE Directive.

In 2026, Ukraine retained the legislative framework for environmental impact assessment (hereinafter referred to as EIA) and strategic environmental assessment (hereinafter referred to as SEA), however, the practice of their application remains imperfect, and individual legislative initiatives create risks of weakening these instruments. In Ukraine report 2026, the European Commission noted only partial alignment of Ukraine's horizontal environmental legislation with the EU acquis and stressed the need to apply EIA and SEA procedures to all activities, plans and programmes covered by them. At the same time, the introduction of broad exemptions for certain categories of projects may lead to circumvention of

requirements for environmental impact assessment, public participation and consideration of cumulative impacts.

Of particular concern is the Law of Ukraine No. 4961-IX of September 2, 2026 on improving the functioning of industrial parks. It provides for the exclusion of the development of industrial parks from the list of types of planned activities subject to EIA. This approach creates the risk of avoiding a comprehensive assessment of the impact of an industrial park as a single territorially and functionally connected object, in particular the cumulative load on air, water resources, soils, natural areas and public health. It should be noted separately that this Law abolished the maximum limit on the area of an industrial park, which increases the risks of fragmentary assessment of the impact of its individual objects. The relevant provisions of this Law should enter into force on December 26, 2026.

Another example of weakening procedural guarantees is Resolution of the Cabinet of Ministers of Ukraine dated June 4, 2026 No. 836, which introduced an experimental procedure for conducting environmental impact assessments in areas where hostilities are or have been ongoing. In particular, this procedure provides for the waiver of the requirement to submit a notification of planned activities to the Unified Register of Environmental Impact Assessments and a shortened 12-day period for public discussion of the scope of the studies.

As problems of practical implementation of EIA, it is worth mentioning that EIA reports often do not contain sufficient information on possible environmental impacts and considered alternatives, and mechanisms for verifying the reliability of the submitted data and post-project monitoring remain insufficient. In the field of SEA, problems include incomplete coverage of state planning documents, inadequate quality of reports, incomplete information in the relevant register, and formal approach to monitoring the consequences of document implementation. State supervision of compliance with EIA and SEA requirements also remains limited due to military restrictions on conducting inspections.

A prime example is the planned construction of a wind farm in Runa mountain meadow in the Transcarpathian region. This case demonstrates a number of problematic aspects of the application of the EIA procedure, in particular regarding the proper consideration of possible transboundary impacts in accordance with the Espoo Convention, ensuring the right of the public to participate in the procedure and the completeness of the definition of all components of the planned activity. In particular, the issue of taking into account the impacts associated not only directly with the construction of wind turbines, but also with the accompanying infrastructure: deforestation for the laying of power lines and construction of access roads is problematic. In addition, this case is an example of control effectiveness problemsI n compliance with the requirements of the environmental impact assessment report.

In the field of transboundary EIA, Ukraine continues to implement separate procedures in accordance with the Espoo Convention. At the same time, the case of the Runa meadow demonstrates the need not only for formal compliance with procedural requirements, but also for proper verification of the grounds for assessing transboundary impact and for real consideration of relevant international obligations.

The level of transposition of the EU acquis in areas related to the Aarhus Convention in Ukraine, despite the long-term armed aggression, is generally maintained high. At the same time, the effectiveness of implementation is limited and requires further improvement. Within the framework of the "Ecosystem" - the only national official online platform for accumulating environmental information, a significant amount of environmental information has been accumulated, which includes, in particular, registers of environmental impact assessment, strategic environmental assessment, register of integrated environmental permits, national register of pollutant release and transfer, etc. At the same time, access to a significant part of this data requires mandatory identification and authorization using an electronic signature,

which creates significant barriers to wide access by the public, in particular for residents of rural areas. Requests for environmental information are usually processed promptly at the level of central executive authorities. At the same time, there is a significantly lower level of response effectiveness at the regional and local levels.

An additional challenge is that the 2022 Law of Ukraine on the State System of Environmental Monitoring and Environmental Information, which ensures full transposition of the relevant provisions of the acquis in the field of environmental information, has not yet entered into force. Its implementation has been postponed until the end or lifting of martial law, resulting in a prolonged regulatory vacuum.

The decision of the Meeting of the Parties to the Aarhus Convention regarding Ukraine in a case that affected all three “pillars” of the Convention remains unimplemented, and the implementation of which will require amendments to a number of legislative acts of Ukraine, in particular, to the Law of Ukraine “On Production Sharing Agreements”, on issues of public access to the texts of such agreements, both at the stage of their development and at the stage after signing. This will also touch on issues of the role of the environmental impact assessment procedure in the event of the transfer of subsoil for use under the terms of production sharing agreements, as well as on the right of non-governmental environmental organizations to challenge decisions and actions of state authorities and investors related to production sharing agreements in courts. The National Program for the Adaptation of Ukrainian Legislation to the Law of the European Union (EU acquis) devotes special attention to this issue, in particular, the first task of the first objective under this section is the development and adoption of the Law of Ukraine on Amendments to Certain Legislative Acts of Ukraine to Ensure the Implementation of International Obligations under the Aarhus Convention. The Ministry of Economy has been designated as the main executor, and the deadline is December 2026. However, measures to fulfill this task have not yet been taken.

As of INSPIRE Directive, a legislative and organizational basis for a national geospatial data infrastructure has been created in Ukraine, in particular, the National Geoportal of the National Infrustructure of Geospatial Data is functioning. However, restrictions on access to it during martial law narrow the possibilities of the public and other users to obtain geospatial information. Therefore, the presence of a regulatory and technical framework in itself does not ensure full compliance with the INSPIRE requirements for accessibility, interoperability and exchange of spatial data.

Thus, in 2026, Ukraine ensured further functioning of the procedures for access to environmental information, EIA and SEA procedures, and access to justice on environmental issues. At the same time, the incompleteness of the environmental impact assessment, the need to prevent artificial division of projects and unjustified exceptions, the exclusion of entire categories of activities from the scope of environmental assessment, as well as the unimplemented decision of the Meeting of the Parties to the Aarhus Convention regarding Ukraine require urgent measures.

Benchmark 27.2

Ukraine has aligned with EU acquis on environmental liability and environmental crimes and demonstrated a solid track record on combatting environmental crime, such as wildlife crimes and deterioration of habitats, illegal shipment or dumping of waste, pollution crimes and illegal trading in hazardous substances, and is capable to enforce the provisions of the laws.

As of December 2026, the EU Environmental Liability Directive has not been transposed into the national legislation of Ukraine, which constitutes one of the key gaps in the field of horizontal environmental legislation. Existing mechanisms in Ukraine for compensation for damage caused by violations of environmental legislation provide for compensation for environmental damage exclusively in monetary form without proper allocation of funds to the restoration of the affected environmental component. Compensation for environmental damage is carried out through adversarial court procedures, where the EnvironmentalI Inspectorate acts as the plaintiff. At the same time, the ratio between the damage calculated and the damage actually compensated to the state is approximately 10:1. For the full transposition of the Directive, a comprehensive reform of the national system of liability for environmental damage is necessary, which will include the adoption of a special law on liability for environmental damage and amendments to a significant number of national laws, as well as the adoption of a number of technical regulatory legal acts based on the relevant provisions of the EU legislation.

The national legislation is still not fully in line with the provisions of the Environmental Crime Directive (including its previous version). The main inconsistencies relate to the lack of criminal liability of legal persons for environmental crimes, although such liability exists in other areas, the limited list of environmental criminal offences, the inconsistency of key terms used in EU and national legislation in this area (in particular, concepts such as "habitats", "protected species", "special protected areas", "environmental damage"), and insufficiently developed procedural mechanisms for combating environmental crime. The transposition of the updated Environmental Crime Directive into national legislation will require significant amendments to the Criminal Code of Ukraine, the Criminal Procedure Code of Ukraine and related legislation.

A particular concern arises regarding the very long deadlines for implementation of the Habitats and Birds Directives set in the National Programme for the Adaptation of Ukrainian Legislation to the EU Acquis. In particular, the Programme postpones the adoption of the legislative framework for Natura 2000 areas until 2030. In contrast, full transposition of the Environmental Crime Directive is impossible without prior transposition into national legislation of the provisions of such fundamental EU acts as the Habitats Directive.

Demonstrating practical results in combating environmental crimes also remains difficult. Environmental inspection procedures in Ukraine are regulated by the framework Law on State Supervision (Control) in the Sphere of Economic Activity, which significantly limits their effectiveness. Inspections are overly regulated, and the deadlines and response tools are limited. In contrast, there is virtually no special act of primary legislation in the sphere of environmental control. The draft law on state environmental control has not been considered by the Parliament for several years. At the same time, the existing regulatory framework significantly hinders effective control over compliance with environmental legislation and the fight against environmental crimes. During martial law, scheduled inspections of compliance by business entities with environmental legislation requirements were suspended, and unscheduled inspections are carried out only in exceptional cases with the approval of the relevant central authorities. In practice, in recent years, environmental inspections of industrial facilities have been carried out to an extremely limited extent, even in the presence of signals of serious violations. Combined with the lack of proper transposition of the Environmental Liability Directive and gaps in the field of environmental crimes, this leads to the de facto absence of effective mechanisms for ensuring compliance with environmental legislation in the state. In April 2026, the Parliament adopted a new law On the Basic Principles of State Supervision (Control), the provisions of which could provide some approximation to the EU standards, but their entry into force has been postponed until the end of martial law.

According to benchmark 27.2, it does not seem possible to note any progress in 2026, however, great hopes are placed on 2027: the relevant tasks are included in the plans of technical support projects of the Ministry of Economy, and the National Program provides for the approval of relevant acts of primary legislation by the end of 2027.

Benchmark 27.3

Ukraine continues to align with the relevant EU acquis on air quality and certain atmospheric pollutants. It reports emissions annually, in line with the NEC Directive, has adopted a National Air Pollution Control Programme and has presented an analysis of cost-effective emission control strategies for 2030. Ukraine continues to take measures to improve air quality, particularly in areas exceeding EU limit values including by developing or updating air quality plans, as envisaged by the Ambient Air Quality Directives..

In the area of air quality, Ukrainian legislation is partially in line with the EU legislation. Ukraine has not transposed Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, which aims to reduce emissions of anthropogenic atmospheric emissions of sulphur dioxide (SO2), nitrogen oxides (NOx), non-methane volatile organic compounds (NMVOC), ammonia (NH3) and fine particulate matter (PM2.5) through the development and implementation of national air pollution control programmes. Accordingly, Ukraine is not obliged to report emissions under this Directive. The template for the Program of state monitoring in the field of atmospheric air protection was approved back in 2021, and in 2026 it was updated. There is no monitoring program in the field of atmospheric air protection at the national level. Regional and city state administrations develop and approve their own monitoring programs for specific zones (for example, Lviv, Ivano-Frankivsk, Poltava and other zones) for the appropriate periods (in particular, for 2026–2030). The Directive also requires the adoption of the national air pollution quality control program, and Ukraine does not have such a program. Also, air quality plans have not been developed at the local level, as required by the relevant Directive, since there is no systematic and qualitative monitoring data on atmospheric air quality and pollution levels.

The EC recalls the need to establish monitoring of emissions of volatile organic compounds. Monitoring of these pollutants is provided for in the Procedure for conducting state monitoring in the field of atmospheric air protection. The 2024 amendments to this procedure introduced provisions for monitoring volatile organic compounds and introduced the following their definition: these are organic compounds originating from anthropogenic and natural sources, except for methane, which are specified in List B, paragraph 1 of Appendix 2 and/or can form derivative compounds by photochemical reaction with nitrogen oxide under the influence of sunlight. Monitoring of these compounds may be carried out by a decision of local executive authorities, the executive body of the Autonomous Republic of Crimea for environmental protection or local self-government bodies taking into account data obtained as a result of state supervision (control) and state social and hygienic monitoring, information from the National Pollutant Release and Transfer Register, data from reporting provided for by law (including state statistical reporting), as well as data and information on facilities the functioning of which leads or may lead to deterioration of the state of atmospheric air in certain zones and agglomerations. In practice, such monitoring is not performed yet.

Ukraine is not taking measures to improve air quality, particularly in areas where the limit values of quality indicators are exceeded, as monitoring data is unsystematic and fragmented, the monitoring infrastructure is outdated, and therefore air quality plans are not being developed.

In 2026, with the assistance of the Ukrainian-Finnish institutional cooperation project UFAIR, six new indicative ambient air monitoring stations were launched, which are functioning in

Lviv, Ivano-Frankivsk, Sumy, Zaporizhia regions and in the Ivano-Frankivsk agglomeration. The stations operate in automated mode and provide measurements of key air quality indicators, including: nitrogen dioxide (NO_2); ozone (O_3); carbon monoxide (CO); particulate matter (PM_{10} and $PM_{2.5}$). Two more fixed air quality monitoring points are to be delivered to Ukraine by the end of 2026. These points will meet reference standards and provide even more accurate and representative data for assessing atmospheric air quality. According to Finnish colleagues, Ukraine still needs to do a lot to establish air monitoring, namely: modernize measuring equipment, conduct measurements 24/7 and disseminate monitoring results to the public, monitor new pollutants - particulate matter 2.5, particulate matter 10, ozone, Benzo(a)pyrene, arsenic, and mercury.

It is also necessary to increase the capacity of the relevant bodies - monitoring entities and improve cooperation at the state, regional and local levels. According to estimates by Finnish experts, Ukraine needs 50 million euros to modernize the monitoring system, of which 43 million euros are for modernizing equipment, and 7 million to strengthen institutional capacity, since the system has about 50 employees at all levels. In order for the ambient air monitoring system to meet EU requirements, Ukraine must have about 170 monitoring stations, including in rural areas, and strengthen institutional capacity with qualified employees.

Ukraine has valid Technical regulations regarding requirements for automotive gasoline, diesel, marine and boiler fuels, which provides for a maximum sulfur content in these fuels to reduce sulfur emissions into the atmosphere during the combustion of these fuels. Such rules are necessary for the approximation of Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur level in certain liquid fuels (codification). In early 2025, the State Environmental Inspectorate resumed inspections of compliance with the requirements of the Technical regulations regarding fuel quality.

Thus, despite the fragmentary implementation of EU legislation on ambient air quality and ambient air monitoring into Ukrainian legislation, the practical implementation of these norms remains at a very low level. The lack of a proper state system for monitoring ambient air quality at the state, zone and agglomeration levels also makes it impossible to develop and implement European instruments to combat specific air pollutants at the local and regional levels, monitor improvements in ambient air quality and inform the population about air quality. Accordingly, Ukraine cannot report on ambient air quality and emissions of certain pollutants, as EU Member States do.

Benchmark 27.4

Ukraine continues to align with relevant EU waste acquis, respecting the waste hierarchy and dedicating appropriate funding to infrastructure investments. Ukraine establishes waste prevention programmes, adopts and keeps up-to-date waste management plans – on national and regional level – that include information on all waste streams and the solutions to manage them, including type and capacity of waste management infrastructure, separate collection schemes and economic instruments.

In 2026, Ukraine continued to adapt its waste management legislation to European standards, but no real results were achieved. As of November 2026, Ukraine had not yet developed sector-specific laws, which hinders the introduction of the extended producer responsibility system and the full implementation of European legislation.

For December 2027, the National Program plans to implement EU directives and regulations in the field of waste management, in particular, the development and adoption of the Laws of Ukraine:

- on extractive industry waste;
- on waste batteries and accumulators;

- on waste electrical and electronic equipment (WEEE);
- on end-of-life vehicles;
- on waste tires,
- on waste oils;
- on the environmental impact of single-use plastic.

According to the Action Plan for the Implementation of the National Waste Management Plan for 2025–2033, the development and submission of such draft laws to the CMU is scheduled for 2026, except for the draft law on extractive industry waste, the development of which is scheduled for 2025. However, as of November 2026, none of these draft laws has been registered with the Verkhovna Rada and their final versions have not even been published on the Government website.

The working basis for development of a new version of the draft law on extractive industry waste is draft law No. 12180, which was rejected and withdrawn from consideration in June 2025. As the Ministry of Economy reported on its website, the adaptation of Ukrainian legislation to the requirements of Directive 2006/21/EC on the management of waste from extractive industries and further steps in developing the draft law were discussed during the expert discussion with the participation of representatives of state authorities, business, civil societies and lawyers. In the future, it is planned to hold focus meetings with state authorities and business associations that provided comments and suggestions on the text of draft law No. 12180, as a basis for further work. Submission of the draft law to the Verkhovna Rada of Ukraine is scheduled for the end of December 2026.[1] As of November 2026, no new draft law has been developed.

There is also no specific law in force that would implement Directive 2006/66/EC on batteries and accumulators and on waste batteries and accumulators. After the withdrawal from consideration in February 2023 of the draft Law of Ukraine “On Batteries and Accumulators”, which was prepared even before the adoption of the Law “On Waste Management”, a new draft law has not yet been registered, and there is still no systematic regulation of the management of batteries and accumulators at the level of national legislation.

The same situation applies to the draft law "On Waste Electrical and Electronic Equipment", which is to be adopted in order to approximate Directive 2018/849/EU (WEEE - Waste Electrical and Electronic Equipment).

As for Directive 2000/53/EC on end-of-life vehicles, it has not been implemented either. However, as we know from our own sources, it has not even been developed yet. The same applies to waste tires and oils (waste oils). The Action Plan for the Implementation of the National Waste Management Plan for 2025-2033 provides for the development of a draft law on end-of-life vehicles, waste tires and motor oils (lubricants) in 2026.

On February 24, 2026, the website of the Verkhovna Rada of Ukraine published information that the Committee of the Verkhovna Rada of Ukraine on Environmental Policy and Nature Management continues to work on approximating Ukrainian legislation to the EU acquis, in particular Directive 94/62/EC on packaging and packaging waste, as part of the development of a consolidated version of the draft Law of Ukraine "On Packaging and Packaging Waste" based on draft laws No. 10066-1 and No. 10066-2, and also published a working version of such a draft law. Despite the fact that proposals for it were collected until the end of March 2026, its finalized version has not yet been published.

The situation is somewhat better with the approximation of Directive 2019/904 on the reduction of the impact of certain plastic products on the environment. On October 19, 2026, the draft Law of Ukraine “On the reduction of the impact of plastic products on the

[1] https://me.gov.ua/News/Detail/adf45982-fc48-45b1-b080-05d35e68d37b?lang=uk-UA&title=UpravlinniaVidkhodamiVidobuvnoiPromislovosti

environment" was published for discussion on the website of the Ministry of Economy.[2] In fact, this is the only draft law developed in accordance with the deadlines provided for by the Action Plan for the Implementation of the National Waste Management Plan for 2025-2033.

As for the approximation of the EU Directive 1999/31/EC on the landfill of waste and the EU Directive 2018/850 amending Directive 1999/31/EC on the landfill of waste, the situation has not changed in 2026. Both directives have not been fully implemented in Ukraine, and their provisions have been partially implemented. Back in 2025, the Ministry of Environmental Protection and Natural Resources of Ukraine adopted Order No. 263 "On Approval of the Rules for the Technical Operation of Landfills, Termination of Operation, Reclamation and Care of Landfills after Termination of Their Operation". However, it will enter into force after the end of martial law. There is also no Procedure for Developing a Landfill Control and Monitoring Program and Requirements for It. According to the Action Plan for the Implementation of the National Waste Management Plan for 2025-2033, its approval is scheduled for 2026. It is not yet known whether this procedure will be adopted on time and whether it will work from the moment of adoption. Also, Ukraine has not yet set targets for reducing the volume of landfilling of household waste and reducing the volume of landfilling of biodegradable household waste. The development and submission to the Cabinet of Ministers of Ukraine of a draft law on amendments to the Law of Ukraine "On Waste Management" is scheduled for 2027. The reduction of landfilling is negatively affected by the lack of special laws and targets for the collection, preparation for reuse and recycling or other recovery of waste. These factors inhibit the full adaptation of the provisions of the Directive and create risks to achieving environmental goals.

If we talk about the implementation of legislation in the field of waste management, the current one is the National Waste Management Plan until 2033, approved by the order of the Cabinet of Ministers of Ukraine on December 27, 2024. A separate section of the National Plan is the program for Waste Prevention until 2033 and Reduction of Biowaste Landfilling.

Based on the National Plan, regional waste management plans for each region were to be developed and approved by the end of 2025. However, regional state administrations are still in the process of developing or bringing their Regional Waste Management Plans into line with the new National Plan. Despite the fact that their approval was to be completed a year ago – by December 27, 2025, not all regions have yet coped with this task. As of November 2026, new regional waste management plans have been approved for 17 regions and the city of Kyiv. Another 7 regions, according to the SEA Register, still do not have Regional Waste Management Plans: Zhytomyr, Mykolaiv, Donetsk, Luhansk, Ternopil, Kharkiv, Chernivtsi. Luhansk and Donetsk regions will probably not develop such plans until the end of hostilities and de-occupation of their territories.

Within a year after adoption of regional plans, each territorial community must develop and approve local waste management plans based on them. There are 1,470 territorial communities in Ukraine. Given that most Regional Plans were approved in 2026, and some have not yet been approved, the development and approval of local waste management plans will be delayed until 2027. As of November 2026, 285 territorial communities in the Register of SEAs have begun the procedure of strategic environmental assessment of their local waste management plans, of which 33 communities have already fully completed the procedure and have approved local waste management plans. The leader is Sumy region - 7 approved waste management plans. It is followed by Volyn and Dnipropetrovsk regions - 6 approved local waste management plans each. Rivne and Kherson regions have 4 approved local waste management plans each. In Zakarpattia – 3, in Poltava, Chernihiv and Zhytomyr regions only one community has approved a local waste management plan. Many communities have already completed the procedure of public discussion of the SEA report,

[2] https://me.gov.ua/Documents/Detail/82a41190-c2d7-416c-a8cb-fd7b8ee7c371?lang=uk-UA&isSpecial=True&title=Notice on the Amendment of the Ukrainian Law on the Reduction of the Impact of Plastic Products on the Environment

and therefore have a chance to approve local waste management plans in their communities by the end of 2026 and begin their financing and implementation from the beginning of 2027.

As a result, by the end of 2026, we have delays in the legislative process and a low level of priority for waste management issues at the state level, which has led to the absence of sector-specific legislation and relevant by-laws, and therefore mechanisms and tools for implementation of European waste management standards in Ukraine, in particular through implementation of the National Waste Management Plan, as well as regional and local plans. The problem also remains the lack of funding and lack of economic incentives for changing approaches to waste management, which slows down implementation of the waste management hierarchy.

Benchmark 27.5

Ukraine continues to align with the EU acquis on water and up-to-date river basin management plans have been adopted and implemented for each river basin district lying entirely within its territory, including the portions of international river basin districts falling within its territory, and ensures that the legal basis and mechanism for international coordination of these plans are in place. Ukraine continues to align with provisions concerning, among others, monitoring, recovery of costs for water services, the combined approach for point and diffuse sources, wastewater treatment and penalties for non-conformity. Plans for necessary investments in water infrastructure are ready and financial resources needed for implementation are identified. Ukraine has an advanced level of alignment and continues to align with the drinking water legislation and further aligns with the Marine Strategy Framework Directive.

In 2026, Ukraine continued to approximate its water legislation to the EU acquis, but most of the requirements of benchmark 27.5 remain unfulfilled. There is partial harmonization of water legislation. It is quite complicated to implement river basin management plans (RBMPs) due to weak institutional capacity and limited funding. The government itself, in the National Program for the Adaptation of Ukrainian Legislation to the EU Law, assesses the legislation as partially harmonized with most water directives, and with the new Directive 2024/3019 on urban wastewater treatment as poorly harmonized. The implementation of the Program itself is also lagging behind. The State Targeted Social Program for Improving Ukraine's Drinking Water Supply for the Period Until 2035 was not submitted to the government for consideration by the established deadline (June 2026), and a number of tasks with a deadline until the end of 2026, in particular regarding strengthening liability for violations of water legislation and amendments to the Water Code, have not yet been fulfilled.

Formally, the RBMPs for all nine river basin districts for 2025-2030 have been approved, but their implementation is significantly lagging behind. The programs of measures are estimated at about UAH 348 billion, but the sources of their financing have not been determined, and there is no provision for liability for failure to implement the measures. According to the Report on the implementation of the work plan of the State Agency of Water Resources of Ukraine, in 2025, only 6 measures were implemented, and about 30% of the total were in the process of implementation and/or inclusion in planning documents. In turn, the preparation of the second planning cycle should begin at the end of 2027, while the methodological recommendations for updating the RBMP are provided for by the Adaptation Program only by the end of 2028.

A full-fledged legal framework for basin management has not been developed. The Water governance reform, which was expected to unite the management of surface, groundwater and marine waters, launch the issuance of permits according to the basin principle and

modern environmental standards for water quality, is currently under development. The mechanism for international coordination of RBMPs has not been regulated in the national legislation yet. The procedure for developing a river basin management plan does not contain provisions on coordination of plans with neighboring states or development of joint international plans, as required by Articles 3 and 13 of the Water Framework Directive. In practice, coordination is based on the work of international commissions. For example, in 2026, Ukraine will chair the International Commission for the Protection of the Danube River, and cooperation with Moldova within the Dniester Commission has intensified. Therefore, coordination needs to be more clearly enshrined in the national legislation.

Water monitoring remains insufficient to assess the condition of all water bodies. Despite a slight expansion of the monitoring program for 2026 and the resumption of diagnostic monitoring of groundwater, the network covers no more than 10% of surface water bodies. Systematic control of priority substances and inventory of their discharges have not been established.

The principle of cost recovery for water services has also not been implemented. The Ministry of Economy has prepared draft Cost Reimbursement Strategy , the approval of which under the Adaptation Program should take place by December 2027. Instead, the tariff policy is changing spontaneously. After many years of tariff restraint, the authority to set tariffs was transferred to local governments. Tariffs can thus change without a unified methodology, connection with the environmental goals of the RBMP, and mechanisms to protect vulnerable consumers, the need for which is also directly indicated by the European Commission.

A combined approach to point and diffuse sources of pollution has also not been implemented. Diffuse pollution from agricultural sources has not yet been regulated. The Law on the Protection of Waters from Nitrate Pollution, registered in 2024, was adopted only in the first reading in November 2026, and zones vulnerable to nitrates have not been identified. There are no methodological recommendations for determining maximum permissible discharges for enterprises not covered by the conclusions on the best available technologies. The liability for violations of water legislation has not been increased, so the current fines remain symbolic and do not deter violators.

Investment plans for water infrastructure with identified sources of financing have not been prepared. About 96% of the cost of RBMP measures falls on treatment plants and sewage networks, which, moreover, are being destroyed as a result of military operations. An assessment of investment needs and a plan for the implementation of Directive 2024/3019 have not been developed, and its transposition is due by 2030.

The greatest progress has been made regarding drinking water. In September 2026, the Law “On Amendments to Certain Laws of Ukraine on Certain Issues in the Spheres of Drinking Water Supply and Sewage” was adopted, which is intended to introduce a risk-based approach to drinking water quality control. However, the risk management methodology in the centralized drinking water supply system has not been developed yet. Also, the hygiene requirements for drinking water have not been updated, and the requirements for materials that get in contact with water have not been approved.

Regarding the Marine Strategy Framework Directive, regular monitoring of the open part of the Black and Azov Seas is impossible due to hostilities, a new marine monitoring program has not yet been defined, and the action plan to achieve good environmental status of the seas has been postponed until the end of martial law.

Thus, under benchmark 27.5 in 2026, Ukraine has taken only some steps, primarily regarding drinking water. Key requirements for effective implementation and financing of the RBMP, legal framework for international coordination, cost recovery, diffuse pollution control and investment plans remain unfulfilled. Without these actions, the first cycle of RBMP

planning risks ending without a noticeable improvement in the state of water bodies. The next year, 2027, may be decisive for benchmark 27.5. The adoption of the law on nitrates in general, the reform of water governance and the approval of the cost recovery strategy will show whether the state is ready to move from approximation of legislation to its actual implementation.

Benchmark 27.6

Ukraine continues to align with the EU acquis in the area of nature protection, by for example adopting the law on Emerald Networks, submitting to the Commission the list of proposed Natura 2000 sites, sufficiently covering the habitat types, including wetlands, and species in line with the requirements of the Birds and Habitats Directives, to ensure that these habitats and species are maintained or restored to a favourable conservation status. Ukraine has ensured the capacity to manage the Natura 2000 network, including by granting appropriate protection status to designated areas and effectively implementing the necessary conservation measures leading to their preservation and improvement as well as the relevant non-deterioration requirements. Ukraine demonstrates that it will be fully prepared to ensure the implementation and enforcement of the EU nature protection acquis requirements at the date of accession.

As of 2026, the current legislation of Ukraine remains insufficient for the protection and conservation of natural habitats and species of wild fauna and flora. Approximation of national legislation to the Habitats and Birds Directives is still ongoing. Draft Law No. 4461 of 04.12.2020 “On the Emerald Network Sites” has not been adopted. In 2025-26, within the framework of the international LIFE project “Conservation of Natural Heritage for LIFE in Ukraine” (ConNaturLIFE Ukraine), a new draft Law of Ukraine “On Conservation Sites” was developed, aimed at implementing the provisions of the Birds and Habitats Directives. As of November 2026, the new draft law is at the stage of expert and interdepartmental revision.

According to the National Program for Adaptation of Ukrainian Legislation to the EU Acquis, the transposition deadlines for the main provisions of the Birds and Habitats Directives have been postponed until 2030, which creates a risk of untimely implementation of benchmark 27.6 and insufficient time for practical implementation of the relevant legislation before Ukraine's accession to the EU, as well as the risk of loss of the conservation value of the Emerald Network sites due to the lack of proper protection, management and monitoring. It is also a negative fact that the entry into force of the Procedure for Monitoring Biological and Landscape Diversity has been postponed until the lifting of martial law.

As of November 2026, the approximation of national legislation to a number of other EU acts in this area remains incomplete. There are no laws implementing Regulation (EU) 2024/1991 of the European Parliament and of the Council of 24 June 2024 on nature restoration and amending Regulation (EU) 2022/869.

By-laws have been adopted to implement the requirements of Regulation (EU) No. 1143/2014 on invasive alien species and implementation of the Procedure for classifying species as invasive has been planned. At the same time, the adoption of the Procedure does not mean the adoption of the list itself and implementation of measures, as well as the completion of the implementation of the Regulation: it is necessary to ensure the formation and approval of the relevant list, introduction of a system to prevent penetration and spread of such species, early detection, rapid response, control and management of their populations.

In 2026, Ukraine took some steps in the field of biodiversity protection. The Strategy for the Conservation of Biological Diversity until 2035 was approved and the operational plan of measures for its implementation for 2026–2028 was approved. The effectiveness of the Strategy's implementation will depend on whether it is possible to ensure proper funding for its measures, responsible executors, appropriate deadlines, and monitoring mechanisms.

Amendments have been made to the regulatory acts on the conservation of biodiversity in forests. The changes were aimed at clarifying the requirements for the conservation of dead wood in forests, clarifying the volumetric characteristics, expanding the categories of trees remaining in forests (in particular, regarding category VI of condition) during forestry activities. This will contribute to conservation of habitats of species dependent on dead wood and increasing the environmental value of forest ecosystems. At the same time, these changes have a limited subject of regulation and do not replace the comprehensive approximation of forest and environmental legislation to the EU requirements for biodiversity conservation. Amendments have also been proposed aimed at the mandatory approval of establishment of Emerald Network objects, as well as protection zones by local governments in state-owned forests. Such changes are intended to bureaucratize the procedure for establishing such objects and zones and, thus, complicate their establishment and protection.

Still there is no adequate legislative and institutional framework to ensure main systemic mechanisms for territorial protection of natural habitats and species establishment and approval of the Emerald Network and Natura 2000 sites, management of such sites, including introduction of conservation measures and biodiversity monitoring.

Another problem in the implementation of the Habitats Directive is the lack of a full-fledged system of strict protection of species listed in Annex IV, in accordance with the requirements of Article 12 of the Directive. It is important that strict protection of such species should be ensured throughout their natural range, and not only in the sites of the nature reserve fund or the Emerald Network. In particular, it provides for prohibition of deliberate capture, killing, disturbance, destruction or damage to the breeding or resting places of the relevant species, as well as other measures specified in the Directive.

In Ukraine, the protective status of an area does not always ensure an adequate level of species protection, and the legislation has not formed a comprehensive mechanism for strict protection of all species subject to protection under Annexes IV and V of the Habitats Directive. The legislation on the protection of wild birds also needs approximation, it is particularly true regarding establishment of a general system for protection of all species of wild birds, as provided for in Article 5 of the Birds Directive, and proper regulation of hunting in accordance with its provisions.

According to the implementation plans, the establishment of a strict protection regime for species is possible in the Emerald Network sites that overlap with the territories of the nature reserve fund, namely in the protected areas of reserves, national parks, and protected tracts. However, statistical data on their area has not been established since such data are not included in the monitoring of objects of nature reserve fund of Ukraine, and accounting of the area of such zones is not performed. The strict protection regime does not apply to the Emerald Network sites that do not have the status of NRF.

The Emerald Network sites in Ukraine have not yet been officially approved at the national level, and wild flora and fauna species and natural habitats are under threat of extinction due to military operations and economic activity.

The inventory and mapping of habitat types and biodiversity within the framework of the development of the Emerald Network is performed in a fragmented manner, not across the

entire territory of Ukraine. The National Programme for Adaptation of Ukrainian Legislation to the EU Acquis (2026) postpones the task of collecting data and mapping the distribution of species and habitats, developing and submitting proposals for future NATURA 2000 sites until 2033.

In 2026, within the framework of the project "Enhancing Ukraine's Capacity to Establish the NATURA 2000 Protected Areas Network under EU-Ukraine Negotiation Cluster 4", preparation of the NATURA 2000 database has been started. One of the main areas of work in the project is to identify species and habitats for which the existing network of protected areas needs to be supplemented or improved to meet the requirements of NATURA 2000; prepare a list of sites of the future NATURA 2000 network in Ukraine; develop a final NATURA 2000 dataset and Standard Data Forms (SDF) for the proposed sites; and prepare a roadmap for further steps for implementation of NATURA 2000 in Ukraine.

The system for monitoring the conservation status of habitats and species is fragmented and not standardized. Data is collected by different entities without proper coordination, methodologies, and data exchange, which does not allow for regular assessment of the conservation status of species and habitats, identification of trends in population size, species distribution, and the state of natural habitats.

The management and administration of the Emerald Network sites is partially possible in the sites of nature protection fund (NPF), which overlap with the Emerald sites. However, there is no unified management system for the entire network. There is no targeted management of habitats in the sites of forest enterprises.

The legal framework for planning and infrastructure development (including renewable energy sector, in particular hydro and wind energy, and tourism) is not fully in line with the relevant EU legislation (nature protection), cumulative impacts on areas of high natural value are not taken into account. EIA procedures are often applied formally and cumulative impacts are not properly assessed, especially regarding renewable energy projects.

Therefore, as of the end of 2026, the legislative regulation of the territorial protection of natural habitats and species remains unresolved. Postponing the transposition deadlines for the main provisions of the Birds and Habitats Directives creates a number of risks, the main of which is the risk of losing the conservation value of the Emerald Network sites due to the lack of proper protection, management and monitoring, while the process of establishment of new sites and protected areas is complicated by new legislative initiatives aimed at hindering or stopping this process.

Benchmark 27.7

Ukraine continues to align with the EU acquis in the area of industrial emissions and pollution prevention, including appropriate monitoring and reporting. It has advanced o permitting of industrial installations and increased alignment with the Best Available Techniques conclusions.

The Industrial Emissions Directive has been partially transposed into the national legislation of Ukraine by the Law of Ukraine “On Integrated Industrial Pollution Prevention and Control”. The relevant departments have also been established in the Ministry of Economy and Environment of Ukraine and an online system for submitting applications and issuing integrated permits has been established. At the same time, the law provides for a long transition period, in particular, existing installations must bring their functioning into line with the new requirements and switch to integrated environmental permits by August 2029. New installations are required to obtain an integrated permit before starting their activities,

however, no integrated environmental permits have been issued as of December 2026. Technical requirements for large combustion plants (LCP), medium combustion plants (MCP), installations using organic solvents and installations for production of titanium dioxide have not yet been transposed into the national legislation. Thus, if a new installation applies for an integrated environmental permit in early 2027, it will be issued on the basis of the national emission limit values that are not aligned with the EU acquis. The only sector where the technical requirements are transposed is waste incineration and co-incineration, but at present in Ukraine there is no relevant infrastructure for this kind of waste processing.

The conclusions on the best available techniques and management methods (BAT) in any of the horizontal or sectoral areas have not been approved at the national level. According to the current legislation, even after their adoption, they will only apply to existing installations four years after the end of martial law. Therefore, the actual application of the technical requirements for operation of the largest polluters related to the best available techniques has been postponed for an indefinite period. The work on the transposition of the updated Directive (EU) 2024/1785 has not started yet.

Ukraine has created a legislative framework for the functioning of the National Pollutant Release and Transfer Register, and the corresponding national register is formally functioning. At the same time, its effectiveness is significantly limited. In particular, due to the introduction of martial law in Ukraine, the submission of reports on emissions and waste by economic entities is voluntary. As a result, in 2024, only a part of the operators submitted the relevant reports, and in 2025 and 2026, the number of submitted reports decreased even more. The functionality of the National Pollutant Release and Transfer Register is underdeveloped and does not meet the requirements of the UNECE Protocol on Pollutant Release and Transfer Registers and the relevant requirements of the EU acquis. The fact of limited public access to the data of the National Pollutant Release and Transfer Register raises particular concern. The register is posted on the Ecosystem online platform the access to which requires authorization and electronic signature.

Thus, the year of 2026 demonstrated no progress of Ukraine towards achieving the 27.7 benchmark.

Benchmark 27.9

Ukraine has an advanced level of alignment with the EU climate acquis, and has demonstrated it will be ready to implement and enforce it upon accession. Ukraine has established a robust monitoring, reporting and verification framework in line with reporting requirements under the Governance Regulation. Ukraine has updated its long-term low-emission development strategy to align it with the EU’s climate-neutrality goal by 2050.

In 2026, Ukraine continued to approximate its national legislation to the climate legislation of the European Union. The main directions of this process were the updating of strategic documents, improvement of the monitoring and reporting system for greenhouse gas emissions, as well as development of the legislative framework for establishing the national greenhouse gas emissions trading system. At the same time, progress should be assessed taking into account the final benchmarks 27.9 and 27.10, which provide not only for approximation of the legislation to the EU law, but also for Ukraine's readiness to ensure its practical application after accession to the European Union.

An important step in implementing this benchmark was the approval in June 2026 of the 2050 Long-Term Low-Carbon Development Strategy of Ukraine, which takes into account

the goal of achieving climate neutrality by 2050. The legal framework for state climate policy is defined by the Law of Ukraine “On the Basic Principles of State Climate Policy” of October 8, 2024, aimed at approximating Ukrainian legislation to Regulation (EU) 2021/1119 of the European Parliament and of the Council of June 30, 2021 establishing a framework for achieving climate neutrality. Therefore, Ukraine has formed the main legislative and strategic prerequisites for implementation of long-term climate goals, however, their achievement will depend on effectiveness of the envisaged measures and proper control over their implementation.

In June 2026, the government also approved the updated National Energy and Climate Plan for the period up to 2030, which additionally covers agriculture, forestry and land use. The said document is an important tool for approximation to Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, which provides for comprehensive planning, monitoring and reporting in the field of energy and climate. At the same time, the approval of strategic documents in itself does not guarantee the achievement of the established climate goals, as it remains necessary to ensure their practical implementation and systematic assessment of performance.

Some progress has been made in the field of monitoring and assessing the implementation of state climate policy. In particular, the Resolution of the Cabinet of Ministers of Ukraine dated October 7, 2026 No. 1230 “Some Issues of Monitoring and Assessing the Implementation of State Climate Policy” approved the relevant procedure, which creates regulatory prerequisites for systematic assessment of climate measures. In addition, the development of the system of monitoring, reporting and verification of greenhouse gas emissions continues, and the legal framework for it is established by the Law of Ukraine “On the Principles of Monitoring, Reporting and Verification of Greenhouse Gas Emissions” dated December 12, 2019. At the same time, to meet the benchmark, it is necessary to ensure not only that relevant regulatory legal acts are in place, but also to ensure reliability of data on greenhouse gas emissions, regular reporting and effective application of monitoring mechanisms.

Thus, in 2026, Ukraine made significant progress in implementing benchmark 27.9, primarily through the updating of strategic documents and development of regulatory support for climate policy. At the same time, full implementation of this benchmark requires confirmation of the practical effectiveness of the implemented mechanisms and readiness of state bodies to ensure compliance with the European Union climate legislation.

Benchmark 27.10

Ukraine has an advanced level of alignment with the EU acquis in the area of emission trading notably by adopting legislation on the functioning of the EU European Emissions Trading System Directive (EU ETS) and its successive amendments. In particular, Ukraine has ensured that the relevant legislation on monitoring and reporting, verification and accreditation (MRVA) under the EU ETS in its entire scope and monitoring, reporting and verification (MRV) of greenhouse gas emissions from the maritime sector is in place and implemented. Ukraine has further aligned with the EU legislation applicable to the Union Registry, free allocations, auctioning shipping sector and implementation of Carbon Offsetting and Reduction Scheme for International Aviation (CORSIA). Ukraine has demonstrated sufficient progress to be able to implement the Carbon Border Adjustment Mechanism upon accession.

In contrast to strategic planning, the establishment of a national greenhouse gas emissions trading system remains one of the key outstanding tasks of Ukraine. The relevant obligations stem from Directive 2003/87/EC of the European Parliament and of the Council of 13

October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Union. In 2026, the Verkhovna Rada of Ukraine registered draft law No. 15386 of 7 July 2026 and alternative draft laws No. 15386-1 and No. 15386-2, aimed at establishing the relevant legal regulation. However, as of November 2026, the national emissions trading system is not functioning, and the necessary legislation remains under consideration.

One of the main prerequisites for implementation of such a system is proper functioning of monitoring, reporting, verification of greenhouse gas emissions and accreditation of verifiers. Despite the existence of relevant legislative regulation, its scope remains narrower than that provided for by European Union law. Further approximation is required for requirements regarding aviation and shipping, in particular monitoring of greenhouse gas emissions in the maritime sector. A separate task remains to approximate the legislation to the requirements of the European Union regarding road transport and buildings, which are covered by a separate emissions trading system. It is also necessary to create appropriate mechanisms for the functioning of registries, free allocation of quotas, auctions and monitoring of the implementation of relevant obligations.

An important component of benchmark 27.10 is Ukraine's preparation for the application of the Carbon Import Adjustment Mechanism, provided for by Regulation (EU) 2023/956 of the European Parliament and of the Council of 10 May 2023 establishing a Carbon Import Adjustment Mechanism. This requires reliable accounting of greenhouse gas emissions during production of relevant products, adequate administrative capacity and approximation of national legislation to the requirements of the European Union. At the same time, the National Program for the Adaptation of Ukrainian Legislation to the Law of the European Union (EU acquis), approved by Resolution of the Cabinet of Ministers of Ukraine of 1 April 2026 No. 438, provides for further measures to approximate legislation in the field of climate change, however, their implementation in itself will not ensure the achievement of all the requirements of this benchmark.

Therefore, Ukraine's progress in meeting benchmark 27.10 remains limited, as despite the fact that the system for monitoring, reporting and verification of greenhouse gas emissions and relevant draft laws have been developed, the main mechanisms of the emissions trading system have not yet been implemented. Further approximation to the EU acquis requires not only the adoption of legislation, but also establishment of the necessary institutional and technical infrastructure for its practical application.

Overall, the analysis of the implementation of benchmarks 27.9 and 27.10 shows that in 2026, Ukraine achieved the greatest progress in the area of strategic planning and regulatory support for state climate policy. At the same time, the main challenge remains the transition from the formation of legal frameworks to the full functioning of the European Union's climate instruments, primarily the greenhouse gas emissions trading system.

Benchmark 27.11

Ukraine has demonstrated sufficient capacity of the administrative bodies at all levels with high standards of integrity, including inspections services, further improves coordination of work and demonstrates that all appropriate administrative structures and adequate training are in place in good time before accession to enable implementation and enforcement of the acquis in all areas of this chapter.

In 2026, Ukraine continued institutional changes in the environmental sphere, but their results do not yet indicate the achievement of sufficient administrative capacity of all bodies responsible for implementation and enforcement of the EU environmental acquis. Despite some positive organizational changes, the environmental governance system remains fragmented, characterized by staff shortages, insufficient funding, duplication of certain functions, and weak coordination between the central, regional, and local levels.

One of the key institutional changes was the renaming of the Ministry of Economy, Environment and Agriculture of Ukraine to the Ministry of Economy and Environment of Ukraine.in accordance with the Resolution of the Cabinet of Ministers of Ukraine dated July 17, 2026 No. 963, as well as restoration of the separate Ministry of Agrarian Policy and Food of Ukraine. This has to some extent changed the previous model of joint management of economic, agrarian and environmental policies. At the same time, the question remains open whether such a reorganization will contribute to the real strengthening of the environmental direction, in particular by avoiding prioritization of economic goals and objectives relative to environmental ones, providing it with sufficient human resources, financing and proper representation in the processes of state policy development. There is still a lack of specialists for implementation of legislation on environmental impact assessment and industrial pollution, which continues to be a problem. Therefore, organizational changes in 2026 require assessment primarily from the point of view of the actual staffing of specialized units and their capacity to perform new European integration tasks.

Specialized central executive authorities continue to play an important role in the environmental governance system. In particular, the State Agency of Water Resources of Ukraine, the State Agency of Forest Resources of Ukraine, the State Service of Geology and Subsoil of Ukraine, the State Environmental Inspectorate of Ukraine and the State Agency of Ukraine for Exclusion Zone Management are supposed to ensure implementation of state policy in the relevant areas of nature management and environmental protection. At the same time, the results of EPL's study showed that the existence of these bodies does not guarantee proper performance of their respective functions due to problems with their internal organization, staffing, financing and division of powers.

The situation with the State Water Agency is particularly illustrative. In May 2026, EPL completed a public review of its powers and institutional capacity, which revealed systemic problems in water resources management. In particular, at the beginning of 2026, state monitoring covered no more than 10% of surface water bodies, some problems were detected in the functioning of information resources and access to Water Cadastre data, as well as insufficient funding for measures for improving environmental conditions of rivers. As of 2026, the planned number of employees of the Agency was about 11.6 thousand, compared to almost 19 thousand in 2021, which also raises the issue of sufficient staffing and operational capacity. There was detected some duplication of certain functions with the State Agency of Ukraine for the Development of Land Reclamation, Fisheries and Food Programs, in particular regarding administration of water management facilities. These problems directly affect Ukraine's ability to fulfill the requirements of the EU water acquis, in particular regarding water monitoring, basin management and achieving proper environmental status of water bodies.

The issue of separation of economic, management and control functions remains unresolved regarding functioning of the State Forestry Agency. Although the functions have been formally separated, in fact the system operates without changes, since the forestry sector in Ukraine is characterized by numerous family and economic ties within the framework of the administrative and management system, which according to generally accepted rules should be considered a conflict of interest and unacceptable corruption risks. In addition, despite statements about the need to make the sector more open and reduce the burden of administrative regulation, lsome entities related to functioning of the forest sector propose legislative initiatives regarding monopolization, for example, of the procedure of preparing environmental impact assessment materials by institutions that directly depend on permanent forest users. The State Enterprise "Forests of Ukraine" monopolized the functions of permanent forest use, and scientific institutions working in the forest sector became more dependent on it because a significant part of scientific research works and contracts of scientific institutions are performed on the order of this entity. The combination of forest resource management, economic activity and control functions within one system creates risks of conflict of interest and insufficient independence of control. Additional problems are

lack of transparency of forest use, hindered access to information on felling and lack of motivation of forest management to preserve ecosystems and biodiversity. In order to meet the EU requirements, it is necessary to ensure the priority of environmental functions of forest management, proper monitoring of forests conditions and effective mechanisms for controlling their use. If to speak about regulation of the timber market, it is important to mention that the draft law 15352 “On the circulation of goods associated with deforestation and/or forest degradation” has been developed. This draft law is aimed at implementing the EU EUDR Regulation. The draft law regulates issues related to deforestation, but it in no way regulates issues related to the legality of timber harvesting, relying only on the existing permit system in the forestry sector, which in Ukraine has repeatedly demonstrated its significant shortcomings. In the process of issuing permits, not only procedural problems arise but also in substance, in particular,regarding the ways of issuing permits (logging tickets) for felling in virgin forests, where any felling is strictly prohibited by law (the Runa mountain range). No additional preventive mechanisms, other than those already existing, are proposed in the draft law and therefore it cannot be considered as sufficiently guaranteeing compliance with the requirements of the relevant EU regulation through application of the national legislation of Ukraine.

The State Service for Geoscience and Mineral Resources also needs to strengthen its institutional capacity to ensure environmentally responsible subsoil management. In particular, the issues of integrating environmental requirements into subsoil use procedures, transparency of permitting procedures, accessibility of geological information, and effective control over the rational use and protection of subsoil resources remain relevant.

The State Agency for Nuclear Safety performs specific functions in management of the exclusion zone, radioecological monitoring and radioactive waste management. The full-scale war has significantly complicated implementation of these tasks due to security risks, limited access to certain areas and damage to infrastructure. This requires additional technical and human resources, as well as strengthening the capacity to monitor radioactive contamination.

A separate issue remains institutional responsibility for conservation of biodiversity and natural habitats. The relevant functions are distributed between the Ministry of Economy, the State Forestry Agency, institutions of the nature reserve fund and other bodies, which makes it more complicated to develop a unified management system. Therefore, the issue of developing an appropriate institutional model for biodiversity management remains on the agenda.

An important step in 2026 was reorganization of the territorial bodies of the State Environmental Inspectorate in accordance with the Resolution of the Cabinet of Ministers of Ukraine dated April 29, 2026 No. 535. It provides for the formation of interregional territorial bodies by merging existing regional inspectorates. At the same time, the maximum number of employees in the central office of the Inspectorate has been increased from 89 to 104, while the number of employees of regional offices has been reduced from 1,531 to 1,416. Such optimization can potentially increase management efficiency, but creates risks of reducing territorial accessibility and efficiency of environmental control. Therefore, its effectiveness will depend on the actual staffing of new bodies, material and technical base, capacity of laboratory facilities and capacity to perform controlling functions in relevant territories. Moreover, the reorganization of the SEI does not resolve systemic issues of lack of inspectors' independence, the need to prevent corruption and ensure the inevitability of liability for violations of environmental legislation. In addition, the transition period for terminating functions of the regional offices and launching newly established interregional offices may lead to gaps in implementation of state environmental supervision (control), in particular regarding transfer of powers, materials and resources necessary for performng controlling functions.

A number of problems at the regional and local levels remain unresolved. The structural units of the regional military administrations responsible for implementation of environmental policy have different personnel and organizational capacity. In many communities, environmental functions are not provided by separate structural units or a sufficient number of specialized experts. Because of this there are limited possibilities to implement local environmental programs, ensure proper waste management, environmental monitoring, and implementation of other environmental functions.

To sum up, in 2026, Ukraine demonstrated some progress in reforming the institutional system of environmental governance, but it mainly concerns organizational changes, rather than a confirmed increase in the actual capacity of the relevant bodies. To meet the benchmark, it is necessary to ensure sufficient staffing and financial support for specialized bodies, a clear delineation of their powers, elimination of conflicts of interest, strengthening interdepartmental coordination, and systematic training of employees on the application of the EU environmental acquis.

Conclusions

To conclude, it must be stated that the year of 2026 was not marked by significant progress in implementing Chapter 27 "Environment and Climate Change" of the negotiation process on Ukraine's accession to the EU. Meanwhile, it is positive that in the conditions of a full-scale war, Ukraine managed to maintain the existing level and not significantly roll back in any of the analyzed areas. It can also be noted that 2026 became the year of planning further steps to ensure real progress in approximation to the EU standards in the field of environment and climate because deadlines for their implementation are very ambitious. The plans for 2027 are to adopt as many acts of primary legislation from various environmental subsectors as never before during the entire period of Ukraine's European integration path. We hope that next year such a review will contain more acheivements and at least according to individual benchmarks there will be reported sufficient progress to close relevant subsectors.