

**To:**  
Compliance Committee  
of the Protocol on Pollutant Release and Transfer Registers  
through the Secretary to the Aarhus Convention  
United Nations Economic Commission for Europe  
Environment and Human Settlement Division  
Room 332, Palais des Nations  
CH-1211 Geneva 10, Switzerland

**Cc:**  
Ministry of Environmental Protection and Natural Resources of Ukraine  
gr\_priem@menr.gov.ua

**From:**  
Environment-People-Law

**Statement for the preliminary admissibility consideration  
regarding communication PRE/PRTRPCC/C/2020/1**

1. Communication PRE/PRTRPCC/C/2020/1 concerns a general failure of Ukraine to take the necessary legislative, regulatory and other measures to establish and maintain a publicly accessible national PRTR in Ukraine by the end of the second year (2019) from the end of its respective first reporting year (2017).

2. Apart from adoption of the Law on ratification of the PRTR Protocol and translation of the Protocol into Ukrainian language, Ukraine failed to take any other measures to comply with its obligations under the Protocol. No measures were taken in order to create a sufficient legal framework and insure operation of the national PRTR. In its response (Addendum 2) to an information request from 27.05.2020 (Addendum 1) the Ministry of Environmental Protection and Energy of Ukraine responded that certain draft laws in the areas of waste management and industrial pollution have been developed for this purpose. However, these draft laws 1) only indirectly relate to the establishment and operation of the national PRTR; 2) as of April 2021 remain merely as draft laws, and it is totally unclear when and if those would be adopted. No specific legal framework needed for establishment and operation of the national PRTR was developed, put out for public consultation, not to say adopted as of the date of the preliminary consideration of this application.

3. No domestic remedies are available in Ukraine to redress lack of political will within the Government and the Parliament. Given the nature of the communication – a general failure of the Party concerned to implement the PRTR Protocol, and the objective of the administrative court proceedings – to provide an effective protection of rights, freedoms and interests of natural and legal entities from violations by public authorities - it is our belief that judicial system of Ukraine is not equipped to provide any effective or sufficient means of redress in the given situation.



Yelyzaveta Aleksyeyeva

April 23, 2021