

**From:** Alla Loboda <[REDACTED]>  
**Sent:** Monday, June 27, 2022 9:18 PM  
**To:** ECE-Aarhus-Compliance <aarhus.compliance@un.org>  
**Subject:** the Register

Secretariat of the Convention

The Ministry of Environmental Protection of Natural Resources of Ukraine expresses its respect for the Secretariat of the Aarhus Convention and addresses the following issues.

On February 24, 2022, in connection with the military aggression of the Russian Federation against Ukraine, a legal martial law was imposed on the territory of Ukraine.

For the period of martial law, the constitutional rights and freedoms of man and citizen provided for in Articles 30 - 34, 38, 39, 41 - 44, 53 of the Constitution of Ukraine may be restricted, as well as temporary restrictions on the rights and legitimate interests of legal entities within and to the extent necessary to ensure the possibility of introducing and implementing measures of martial law, which are provided for in part one of Article 8 of the Law of Ukraine "On Martial Law".

The Government's decision suspended the operation of information and communication systems, electronic communication systems, public electronic registers in martial law, including the Unified Environmental Impact Assessment Register (further - the Register), which contains environmental information on environmental impact assessment procedures.

However, on June 15, 2022, the activities of the Register were resumed, but in a limited form, in order to ensure the security of its operation and protection from espionage and terrorist attacks by the intelligence services of the Russian Federation.

During the martial law regime, the Ministry offered a number of options for the implementation of public rights to access information and the right to participate in the decision-making process, in particular, in the environmental impact assessment procedure:

- 1) passive provision of environmental information at the request of the person. Previously, the information in the Register was unlimited and everyone could use it without additional conditions. Currently, we offer the provision of EIA documentation upon request and only after identification.
- 2) extend the terms of public discussion on EIA cases, taking into account the period when the operation of the Register was suspended.
- 3) the publication of the Notice on the planned activity in the mass media and local self-government bodies is preserved.

In view of the above and in order to strictly comply with the requirements of the Convention, please inform:

- 1) whether the proposed forms of access to information and public participation in the decision-making process in the process of EIA will not be considered discriminatory;
- 2) will the proposed ways to ensure access to information and public participation in the EIA process be sufficient and adequate?

We also ask you to share your experience and provide recommendations on the ways and means of respecting the public rights provided for in the Convention during hostilities.

The Ministry of Environmental Protection and Natural Resources of Ukraine is taking this opportunity to renew the Secretariat's assurances of its highest consideration.

Yours sincerely,  
Alla Loboda