

## Answers to questions from the Committee to the interested Party:

**1. 1. The Committee notes that the specific measures to which you refer in your email of 27 June 2022 relate specifically to the EIA procedure. In the final paragraph of your email however you ask for “recommendations on the ways and means of respecting the public rights provided for in the Convention during hostilities”. Please specify any other points upon which Ukraine seeks the Committee’s advice, also taking into consideration the points that members of the public may raise in their comments due by 28 July 2022.**

The main request concerns the EIA procedure, while at the same time we are asking for clarification on other ways and methods of respecting human rights during military operations, which relate to access to environmental information and public participation in the decision-making process.

**2. Please provide the following texts, together with an English translation thereof:**

**(a) Articles 30-34, 38, 39, 41-44 and 53 of the Constitution of Ukraine;**

**(b) Article 8 of the Law of Ukraine “On Martial Law”;**

**(c) The text of the Government’s decision suspending “the operation of information and communication systems, electronic communication systems, public electronic registers”;**

**(d) The text of the Government’s decision, or other measure, pursuant to which the activities of the Unified Environmental Impact Assessment Register were resumed on 15 June 2022, albeit “in a limited form”**

**(a) Articles 30-34, 38, 39, 41-44 and 53 of the Constitution of Ukraine;**

**Article 30.** Everyone is guaranteed the inviolability of housing.

It is not allowed to break into a person's home or other possessions, conduct an inspection or search in them other than by reasoned court decision.

In urgent cases related to the saving of lives and property or the direct pursuit of persons suspected of committing a crime, another, established by law, procedure for entering a person's home or other possessions, conducting an inspection and search is possible.

**Article 31.** Confidentiality of correspondence, telephone conversations, telegraphic and other correspondence is guaranteed to everyone. Exceptions may be established by the court only in cases provided by law, in order to prevent a crime or to find out the truth during the investigation of a criminal case, if it is impossible to obtain information in other ways.

**Article 32.** No one can be subjected to interference in his personal and family life, except for the cases stipulated by the Constitution of Ukraine.

It is not allowed to collect, store, use and distribute confidential information about a person without his consent, except in cases specified by law, and only in the interests of national security, economic well-being and human rights.

Every citizen has the right to get acquainted with information about himself in state authorities, local self-government bodies, institutions and organizations, which are not state or other secrets protected by law.

Everyone is guaranteed judicial protection of the right to refute inaccurate information about himself and his family members and the right to demand the removal of any information, as well as the right to compensation for material and moral damage caused by the collection, storage, use and dissemination of such inaccurate information.

**Article 33.** Freedom of movement, free choice of place of residence, the right to freely leave the territory of Ukraine is guaranteed to everyone who is legally present in the territory of Ukraine, with the exception of restrictions established by law.

A citizen of Ukraine cannot be deprived of the right to return to Ukraine at any time.

**Article 34.** Everyone is guaranteed the right to freedom of thought and speech, to the free expression of their views and beliefs.

Everyone has the right to freely collect, store, use and disseminate information orally, in writing or in any other way - of his choice.

The exercise of these rights may be limited by law in the interests of national security, territorial integrity or public order in order to prevent riots or crimes, to protect public health, to protect the reputation or rights of others, to prevent the disclosure of information obtained in confidence, or to maintain authority and impartiality of justice.

**Article 38.** Citizens have the right to participate in the management of state affairs, in all-Ukrainian and local referendums, to freely elect and be elected to state and local self-government bodies.

Citizens enjoy an equal right of access to public service, as well as to service in local self-government bodies.

**Article 39.** Citizens have the right to assemble peacefully, without weapons, and to hold meetings, rallies, marches and demonstrations, the executive power bodies or local self-government bodies are notified of their holding in advance.

Restrictions on the exercise of this right may be established by the court in accordance with the law and only in the interests of national security and public order - in order to prevent riots or crimes, to protect public health or to protect the rights and freedoms of other people.

**Article 41.** Everyone has the right to own, use and dispose of his property, the results of his intellectual and creative activity.

The right to private property is acquired in accordance with the procedure established by law.

Citizens can use objects of state and communal ownership to meet their needs in accordance with the law.

No one can be unlawfully deprived of the right to property. The right to private property is inviolable.

Forced expropriation of objects of private property rights can be applied only as an exception for reasons of public necessity, on the basis and in the manner established by law, and on the condition of prior and full reimbursement of their value. Compulsory expropriation of such objects followed by full reimbursement of their value is allowed only under conditions of war or emergency.

Confiscation of property can be applied only by a court decision in the cases, scope and procedure established by law.

The use of property cannot harm the rights, freedoms and dignity of citizens, public interests, worsen the ecological situation and natural qualities of the land.

**Article 42.** Everyone has the right to entrepreneurial activity that is not prohibited by law.

Entrepreneurial activity of deputies, officials and employees of state authorities and local self-government bodies is limited by law.

The state ensures the protection of competition in business activities. Abuse of a monopoly position on the market, unlawful restriction of competition and unfair competition are not allowed. Types and limits of monopoly are determined by law.

The state protects the rights of consumers, controls the quality and safety of products and all types of services and works, and promotes the activities of consumer public organizations.

**Article 43.** Everyone has the right to work, which includes the opportunity to earn a living by work that he freely chooses or freely agrees to.

The state creates conditions for the full exercise of the right to work by citizens, guarantees equal opportunities in choosing a profession and type of work, implements programs of vocational training, training and retraining of personnel in accordance with public needs.

The use of forced labor is prohibited. Military or alternative (non-military) service, as well as work or service performed by a person under a sentence or other court decision or in accordance with martial law and emergency laws, are not considered forced labor.

Everyone has the right to proper, safe and healthy working conditions, to wages not lower than those determined by law.

The employment of women and minors in work hazardous to their health is prohibited.

Citizens are guaranteed protection against illegal dismissal.

The right to timely remuneration for work is protected by law.

**Article 44.** Those who work have the right to strike to protect their economic and social interests.

The procedure for exercising the right to strike is established by law, taking into account the need to ensure national security, health protection, rights and freedoms of other people.

No one can be forced to participate or not to participate in a strike.

Prohibition of a strike is possible only on the basis of the law.

**Article 53.** Everyone has the right to education.

Complete general secondary education is mandatory.

The state ensures the availability and free of charge of preschool, full general secondary, professional and technical, higher education in state and communal educational institutions; development of preschool, full general secondary, extracurricular, vocational, higher and post-graduate education, various forms of education; provision of state scholarships and benefits to pupils and students.

Citizens have the right to obtain higher education free of charge in state and communal educational institutions on a competitive basis.

Citizens belonging to national minorities are guaranteed by law the right to study in their native language or to study their native language in state and communal educational institutions or through national cultural societies.

## **(b) Article 8 of the Law of Ukraine “On Martial Law”**

### **Article 8. Measures of the legal regime of martial law**

1. In Ukraine or in some of its localities, where martial law has been introduced, the military command together with military administrations (in case of their formation) may independently or with the involvement of executive authorities, the Council of Ministers of the Autonomous Republic of Crimea, local self-government bodies introduce and carry out within temporary restrictions on the constitutional rights and freedoms of a person and a citizen, as well as the rights and legitimate interests of legal entities, provided for by the decree of the President of Ukraine on the introduction of martial law, the following measures of the legal regime of martial law:

1) to establish (strengthen) the protection of critical infrastructure facilities and facilities that ensure the vital activities of the population, and introduce a special mode of their operation. The procedure for establishing (strengthening) the protection of such objects and their list that are subject to protection with the introduction of martial law, as well as the procedure for a special mode of their operation, are approved by the Cabinet of Ministers of Ukraine;

2) to introduce labor obligation for able-bodied persons not involved in work in the field of defense and protection of critical infrastructure and not reserved for enterprises, institutions and organizations for the period of martial law for the purpose of performing works of a defensive nature, as well as eliminating the consequences of emergency situations, which arose during the period of martial law, and to involve them under martial law in socially beneficial works performed to meet the needs of the Armed Forces of Ukraine, other military formations, law enforcement agencies and civil defense forces, ensuring the functioning of the national economy and protecting critical infrastructure and do not require, as a rule, special professional training of persons. For employees involved in the performance of socially useful works, the previous place of work (position) is kept during the performance of such works. The procedure for involving able-bodied persons in martial law to socially useful works and the issue of their social protection, taking into account the requirements of the law, are determined by the Cabinet of Ministers of Ukraine;

3) use the capacities and labor resources of enterprises, institutions and organizations of all forms of ownership for the needs of defense, change their work regime, carry out other changes in production activities, as well as working conditions in accordance with labor legislation;

4) forcibly expropriate property that is in private or communal ownership, seize property of state enterprises, state economic associations for the needs of the state in the conditions of the legal regime of martial law in accordance with the procedure established by law and issue relevant documents of the established model;

5) to introduce a curfew in accordance with the procedure determined by the Cabinet of Ministers of Ukraine (prohibition of being on the streets and other public places during a certain period of the day without specially issued passes and certificates), as well as to establish a special light masking regime;

6) establish, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, a special entry and exit regime, limit the freedom of movement of citizens, foreigners and stateless persons, as well as the movement of vehicles;

7) check the documents of persons in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, and, if necessary, conduct an inspection of things, vehicles, baggage and cargo, office premises and citizens' homes, with the exception of the restrictions established by the Constitution of Ukraine;

8) prohibit the holding of peaceful meetings, rallies, marches and demonstrations, other mass events;

9) raise, in accordance with the procedure established by the Constitution and laws of Ukraine, the issue of banning the activities of political parties, public associations, if it is aimed at eliminating the independence of Ukraine, changing the constitutional order by violent means, violating the sovereignty and territorial integrity of the state, undermining its security, illegal seizing state power, promoting war, violence, inciting inter-ethnic, racial, and religious enmity, encroaching on the stability of critical infrastructure, human rights and freedoms, and public health;

10) establish, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, a ban or restriction on the choice of the place of stay or the place of residence of persons in the territory where martial law is in force;

11) regulate, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, the work of suppliers of electronic communication networks and/or services, printing enterprises, publishing houses, television and radio organizations, television and radio centers and other enterprises, institutions, organizations and institutions of culture and mass media, as well as use local radio stations, television centers and printing houses for military needs and conducting explanatory work among the troops and the population; to prohibit the operation of receiving and transmitting radio stations for personal and collective use and the transmission of information through computer networks;

12) in case of violation of the requirements or non-fulfillment of measures of the legal regime of martial law, seize electronic communication equipment, television, video and audio

equipment, computers, as well as, if necessary, other technical means of communication from enterprises, institutions and organizations of all forms of ownership, individual citizens "link"

13) prohibit, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, the trade in weapons, powerful chemical and poisonous substances, as well as alcoholic beverages and substances produced on an alcohol basis;

14) establish a special regime in the field of production and sale of medicinal products containing narcotic drugs, psychotropic substances and precursors, other potent substances, the list of which is determined by the Cabinet of Ministers of Ukraine;

15) seize educational and military equipment, explosives, radioactive substances and materials, potent chemical and poisonous substances from enterprises, institutions and organizations;

16) prohibit citizens who are on military or special registration with the Ministry of Defense of Ukraine, the Security Service of Ukraine or the Foreign Intelligence Service of Ukraine to change their place of residence (place of stay) without the permission of the military commissar or the head of the relevant body of the Security Service of Ukraine or the Foreign Intelligence Service of Ukraine; to limit alternative (non-military) service;

17) to establish for individuals and legal entities the military housing obligation for the quartering of military personnel, members of the rank and file of law enforcement agencies, the personnel of the civil protection service, the evacuated population and the accommodation of military units, units and institutions;

18) to establish the procedure for the use of the fund of protective structures of civil protection;

19) to evacuate the population in the event of an emergency or threat of an emergency, as well as from zones of armed conflicts (from areas of possible hostilities) to safe areas;

19<sup>-1</sup>) carry out the evacuation of material and cultural values that are in state ownership, in the event of a threat of their damage or destruction in accordance with the list approved by the Cabinet of Ministers of Ukraine;

20) introduce, if necessary, in accordance with the procedure determined by the Cabinet of Ministers of Ukraine, standard provision of the population with basic food and non-food products;

22) take additional measures to strengthen the protection of state secrets;

23) to intern (forcibly resettle) citizens of a foreign state that threatens to attack or commits aggression against Ukraine;

24) carry out the mandatory evacuation of detained persons in temporary detention centers in accordance with the procedure determined by the Cabinet of Ministers of Ukraine; suspects, accused persons, in respect of whom a preventive measure has been applied - detention, who are in pretrial detention centers; phasing of convicted persons serving sentences such as arrest, restriction of liberty, deprivation of liberty for a certain period of time and life imprisonment from penal institutions located in areas close to areas where hostilities are taking place to corresponding institutions located in a safe area;

25) implement other measures provided for by the norms of international humanitarian law.

2. In areas where hostilities are taking place, the introduction and implementation of measures of the legal regime of martial law rests directly with the military command and military administrations (if they are formed).

**(c) The text of the Government’s decision suspending “the operation of information and communication systems, electronic communication systems, public electronic registers”;**

Resolution of the Cabinet of Ministers of Ukraine dated March 12, 2022 No. 263 "Some issues of ensuring the functioning of information and communication systems, electronic communication systems, and public electronic registers under martial law":

1. To establish that during the period of martial law, ministries, other central and local bodies of executive power, state and communal enterprises, institutions, organizations belonging to the sphere of their management, in order to ensure the proper functioning of information, information and communication and electronic communication systems, public electronic registers, the owners (holders) and/or administrators of which they are, and the protection of information processed in them, as well as the protection of state information resources, may take the following additional measures:

1) place state information resources and public electronic registers on cloud resources and/or in data processing centers located outside of Ukraine, and register domain names in the gov.ua domain for such placement;

2) create additional backup copies of state information resources and public electronic registers in compliance with the requirements for integrity, confidentiality and availability established for such resources;

3) store backup copies of state information resources and public electronic registers in encrypted form, in particular outside of Ukraine, on cloud resources and/or separate physical media, and/or in an isolated segment of data processing centers in compliance with the integrity requirements established for such resources, privacy and accessibility;

4) to stop and limit the operation of information, information and communication and electronic communication systems, as well as public electronic registers.

**(d) The text of the Government’s decision, or other measure, pursuant to which the activities of the Unified Environmental Impact Assessment Register were resumed on 15 June 2022, albeit “in a limited form”**

Order of the Ministry of Environmental Protection and Natural Resources of Ukraine dated 15.06.2022 No. 225.

In accordance with Article 20 of the Law of Ukraine "On the Legal Regime of Martial Law", Decree of the President of Ukraine No. 64 of February 24, 2022 "On the Introduction of Martial Law in Ukraine", approved by Law of Ukraine No. 2102-IX of February 24, 2022, Article 4 of the Law of Ukraine "On assessment of the impact on the environment", Resolution of the Cabinet of Ministers of Ukraine dated March 18, 2022 No. 314 "Some issues of ensuring the implementation of economic activities in the conditions of martial law", dated March 12, 2022 No. 263 "Some issues of ensuring the functioning of information and communication systems, electronic communication systems, public electronic registers under martial law" and the Regulation on the Ministry of Environmental Protection and Natural Resources of Ukraine, approved by Resolution No. 614 of the Cabinet of Ministers of Ukraine dated June 25, 2020

**oder:**

1. In order to ensure the implementation of the environmental impact assessment procedure, partially open access to the automated information system "Unified register for environmental impact assessment" (hereinafter - the Register) for external use, namely:

- 1) information on the name of the planned activity, which is subject to environmental impact assessment (hereinafter - activity);
- 2) the full name of the legal entity or the surname, first name and patronymic of the natural person - the entrepreneur who is the customer of the activity;
- 3) the region (area) where the activity is planned;
- 4) information on the terms of the public discussion of the activity (start and end date when documents can be viewed).

2. In order to prevent any unauthorized actions with the information contained in the Register, leave the following information closed for external use:

- 1) all environmental impact assessment cases for which environmental impact assessment conclusions have already been received as of February 24, 2022;
- 2) technical documentation, i.e. environmental impact assessment report and other documents;
- 3) Google map, which in each environmental impact assessment case shows the approximate location of the planned activity.

**3. Were EIA procedures entirely suspended from 24 February 2022 (or from some other date, in which case please specify) until 15 June 2022? If not, what procedures were in place to enable the public to have access to information and to participate in the EIA procedure?**

The procedures were not completely stopped.

By order of the Ministry of Environment Protection and Natural Resources of Ukraine No. 159, access to the Unified Register of Environmental Impact Assessments for external use was temporarily restricted from March 22, 2022.

After restricting access to the Register, public access to documentation related to the planned activity was ensured by placing them in places accessible to the public in the premises of the authorized body, the local self-government body of the relevant administrative-territorial unit that may be affected by the planned activity, in the premises of the business entity and, in addition, could be located in other publicly accessible places determined by the business entity.

The public is given the opportunity to make copies (photocopies) and extracts from the specified documentation, as well as the opportunity to familiarize with the information at the place of placement.

In addition, the public was informed by publication in printed mass media (at least two), determined by the economic entity, the distribution territory of which covers administrative-territorial units that may be affected by the planned activity, as well as by posting on the bulletin boards of local self-government bodies or in other public places on the territory where it is planned to carry out the planned activity, or by making it public in another way, which

will ensure that the information is brought to the attention of the residents of the relevant administrative-territorial unit, on the territory of which the facility is planned to be located, or to the relevant territorial community, which may be affected by the planned activity, and other interested persons.

After the partial opening of access to the Register (order of the Ministry of Environment Protection and Natural Resources of Ukraine dated 15.06.2022 No. 225), the terms of public discussion were extended for those environmental impact assessment cases that were initiated after the Register was restricted for external use.

**4. Please specify which of the requirements of article 6 (2) – (10) of the Convention the Unified Environmental Impact Assessment Register: (a) Fulfilled prior to the imposition of martial law on 24 February 2022. (For example, notification of the public (article 6 (2)); access to the information relevant to the decision-making (article 6 (6)); submission of comments by the public (article 6 (6)), notification of the final decision (article 6 (9)) etc.); (b) Fulfills in its current “limited form”.**

The register exercised the option of access to information relevant for decision-making (Article 6 (2, 4, 6))

The register is one of the forms of dissemination of environmental information and access to documents from the EIA, which in particular allowed the public and other interested parties to see all information about objects that have undergone or are currently undergoing the EIA procedure, to monitor the terms of public discussion and free access to familiarization with all documents related to procedures with EIA.

**(b)**

Regarding the cases to which access is open in the Register and in respect of which public discussion is ongoing, it is possible to follow each stage of the environmental impact assessment procedure (in particular, to see the name of the planned activity, the region, the terms of publication of the documents), while access to the contents of the documents is provided for review in each individual case on the basis of a corresponding request with a record of the data of the persons requesting the specified information.

**5. In order to effectively prepare their comments on a proposed activity, members of the public may wish to view the EIA documentation concerning other proposed and/or existing activities, for example, to assess potential cumulative environmental effects or to see the environmental conditions that have been imposed on similar activities in the past. How may the public at present request access to the EIA documentation on other pending or existing activities? Is it, for example, possible to request a list of all proposed or existing activities in the register of a particular type or in a particular locality?**

In such cases, access is granted in accordance with the requirements of national legislation, namely: Article 10 of the Law of Ukraine "On Access to Public Information" provides that: information administrators who possess information about a person are obliged to:

1) to provide it freely and free of charge at the request of the persons to whom it applies, except in cases provided for by law.

At present, each person can send a request (in particular for the assessment of cumulative impact) and receive information about the planned activity in a specific settlement.

**6. Besides the Unified Environmental Impact Assessment Register, please specify which, if any, other “information and communication systems, electronic communication**

**systems, public electronic registers” relevant to Ukraine’s implementation of articles 2 – 9 of the Aarhus Convention were suspended through the imposition of martial law. Do these remain suspended or did their operation also recommence on 15 June 2022??**

The portal of the state electronic system in the field of construction (<https://e-construction.gov.ua/>) - functioning has been partially restored with limited access;  
Public cadastral map (<https://map.land.gov.ua/>);  
State Scientific and Production Enterprise "State Geological Information Fund of Ukraine" (<https://geoinf.kiev.ua/wp/index.html>) - temporarily suspended access;  
The only register of logging tickets (<https://lk.ukrforest.com/>) - access is limited.

**7. You state that “during the martial law regime” the Ministry offered a number of options for the implementation of the public rights to access information and to participate in decision-making, in particular in the environmental impact assessment (EIA) procedure. Please clarify if the three measures listed in that paragraph were implemented from 24 February to 15 June 2022, or rather, from 15 June 2022 onwards.**

All three options proposed by the ministry in the letter were implemented and continue to be implemented, namely:

- 1) passive provision of environmental information at the request of a person.
- 2) the terms of public discussion on EIA cases have been extended, taking into account the period when the operation of the Register was suspended.
- 3) the publication of the Notice of Planned Activities in mass media and local self-government bodies was not limited, it was carried out throughout the term.

**8. You state that Ukraine currently offers the provision of EIA documentation upon request and “only after identification”. Please specify what identification requirements are imposed. Does the requester have to provide Ukrainian identity documents?**

To receive materials for the purpose of familiarization and providing comments and suggestions within the framework of public discussion, the public and other interested persons indicate in the relevant application:

Contact phone number, Email, IP address and consent to the processing of personal data, in the form:

I, \_\_\_\_\_ born in \_\_\_\_\_, passport series \_\_\_\_ No. \_\_\_\_\_, issued by \_\_\_\_\_ (by whom, when)

in accordance with the Law of Ukraine "On the Protection of Personal Data", taking into account the security situation in the regions of Ukraine and for the purpose of fixing the list of persons who request environmental impact assessment documentation with specification of technical characteristics, I give my consent to:

processing and use of my personal data specified in the application, which provides for any actions of the owner of personal data on the processing of such data, their protection, as well as actions on granting partial or full right to process personal data to other subjects of relations related to personal data carried out with the consent of the subject of relations related to personal data carried out with the consent of the subject of personal data or in accordance with the law (Article 10 of the Law);

distribution of personal data, which involves the transfer of information about a natural person with the consent of the subject of personal data (Article 14 of the Law).

**9. You state that the timeframe for public discussion of EIA cases has been extended, “taking into account the period when the operation of the Register was suspended”. Please clarify the following:**

**(a) What is the standard timeframe set out in Ukraine's legislation for the public to provide comments during the EIA procedure, and, by how many days has the timeframe been extended?**

**(b) Has this timeframe been extended for all pending and upcoming EIA procedures, or rather only those for which the period for public comments commenced prior to 15 June 2022?**

**(c) In each case in which the period for public comments was extended, how was the public notified of the extension of the period?**

**(a)**

The public can provide the authorized body with comments and suggestions on the planned activity, the scope of research and the level of detail of the information to be included in the environmental impact assessment report within 20 working days from the day of the official publication of the notice on the planned activity that is subject to the environmental impact assessment;

The public discussion of the planned activity after the submission of the environmental impact assessment report begins on the day of the official publication of the announcement on the start of the public discussion of the environmental impact assessment report and the provision of public access to the environmental impact assessment report for perusal lasts **at least 25 working days and no more 35 working days**.

The terms of public discussion on environmental impact assessment cases that were started after the restriction of the Register for external use were extended for each procedure separately for such terms that correspond to the specified terms.

**(b)**

The terms of the public discussion were extended for those environmental impact assessment procedures for which the public discussion was not completed after restricting access to the Register. For those cases from the EIA, where the public discussion of the report from the EIA began before 03.22.2022, the discussion period has been extended for the number of working days for which the register was closed.

**(c)**

The Ministry of Environmental Protection and Natural Resources of Ukraine prepared relevant explanations for public representatives. In addition, for the convenience of identification of cases for which the terms of public discussion have been extended, the ministry has also prepared lists of such procedures, by name and final dates of public discussion of reports from the ATS.

All information was published on the official website of the Ministry of Environment at the link: <https://mepr.gov.ua/news/39331.html>, as well as on other information resources: <https://zib.com.ua/ua/151782.html>.

**10. Regarding the publication of the notice on the planned activity in the mass media and local self-government bodies, please clarify the following:**

**(a) Were there any further means of notification regularly used by public authorities to notify the public of planned activities prior to the imposition of martial law which are currently not being used?**

**(b) What means of notification are currently being used to notify the public in other countries in the case of proposed activities subject to a transboundary EIA**

**procedure? (c) Has the war meant that some regions are not adequately served by mass media (e.g. the newspapers in which such notices are generally published have ceased circulation) or the offices of the local self-government bodies are closed? In such cases, which alternative means of notification are used?**

**(a)**

The only change in notification methods that has taken place is the partial limitation of the Unified Register for environmental impact assessment. Other means of notification (publication in the mass media, publication on bulletin boards in public places, as well as in the premises of local self-government bodies) continue to be used.

**(b)**

The transboundary environmental impact assessment procedure is carried out in accordance with the requirements of the Convention on Environmental Impact Assessment in a Transboundary Context (ESPO Convention). Part 6 of Article 2 of which provides:

The Party of origin shall, in accordance with the provisions of this Convention, provide the public in the areas likely to be affected with the opportunity to participate in appropriate environmental impact assessment procedures of the planned activity and shall ensure that this opportunity provided to the public of the affected Party is equivalent to that which provided to the public of the Party of origin.

**(c)**

The military aggression of the Russian Federation led to the fact that informing the public about the types and objects of planned activities that may have a significant negative impact on the environment and that are located in temporarily occupied territories or in places of hostilities cannot be ensured through publication in mass media and through local self-government bodies in view of the security situation in such regions.