

**Compliance Committee
under the Protocol on Pollutant Release
and Transfer Registers**

The Ministry of Environmental Protection appeals to the **Compliance Committee under the Protocol on Pollutant Release and Transfer Registers (hereinafter – the Committee)**, and would like to express its most sincere respect and informs the following.

As part of the consultation request procedure (PRTRPCC/A/2022/1) (Ukraine) regarding the revision of the Law of Ukraine "On the National Pollutant Release and Transfer Register" and the compliance hearing (PRTRPCC/C/2020/1), the Ministry of Environmental Protection and Natural Resources of Ukraine would like to inform the Committee about the completed work on the implementation of the PRTR Protocol.

Despite the war, Ukraine managed to obtain the status of a candidate for membership of the European Union, and currently we are fulfilling all the requirements to become a full-fledged member of the European Union. Every day, we bring our legislation closer to EU legislation and fulfill our obligations under the Association Agreement and other international commitments, with a separate provisions of the Aarhus Convention, to which Ukraine is a party.

The Ministry of Environmental Protection and Natural Resources of Ukraine was established on May 27, 2020 and from the first days began to act within the framework of the implementation of the provisions of the Convention on access to information, public participation in the decision-making process and access to justice in matters related to the environment (Aarhus Convention), the Protocol on Pollutant Release and Transfer Register to it and Regulation No. 166/2006 of the European Parliament and the Council dated January 18, 2006, which provides for the creation of the European PRTR.

Experts from the international project APENA 2 were involved in the development of the draft law on the creating and functioning of the national PRTR. The Draft Law of Ukraine "On the National Pollutant Release and Transfer Register" was published on the official website of the Ministry of Environment, passed the procedures of public discussion and coordinated with the central executive authorities on December 23, 2021, approved by the Government and registered in the Verkhovna Rada of Ukraine on December 28, 2021 under No. 6477.

The Law of Ukraine "On the National Pollutant Release and Transfer Register" (hereinafter – the Law) was adopted by the Verkhovna Rada of Ukraine on September 20, 2022 and entered into force on October 8, 2022. We also inform you that the adopted Law of Ukraine comes into effect 12 months after its publication, i.e. October 8, 2023, and within a three-year period it is necessary to ensure the integration of the National Register with the European Register.

The Law, together with its translation into English, was sent to the Secretariat of the Aarhus Convention and the PRTR Protocol on December 14, 2022, for its review and assessment of its compliance with the Protocol by the Committee.

At the same time, according to Chapter VII of the transitional provisions of the Law, it is necessary within six months from the date of entry into force of the Law: to ensure the adoption of legal acts necessary for the implementation of the provisions of this Law .

To date, together with the experts of APENA 2 project, the Ministry of Environment has developed the necessary legal acts, which are undergoing coordination procedures with the central executive authorities, namely:

- the draft resolution "On the Approval of the Procedure for Maintaining the National Pollutant Release and Transfer Register";
- the draft resolution of the Cabinet of Ministers of Ukraine "On the Approval of the Requirements for the Report of the Competent Authority on Registration of Release and Transfer of Pollutants and Waste and the Procedure for Drawing up and Publishing Such a Report";
- the order of the Ministry of Environment "On the Approval of the Form of the Operator's Report on Release and Transfer of Pollutants and Waste".

All the above-mentioned draft legal acts are undergoing a public discussion and published on the official website of the Ministry of Environment. Public consultations are conducted in accordance with the Procedure for Conducting Public Consultations on the Formation and Implementation of State Policy, approved by the Resolution of the Cabinet of Ministers of Ukraine dated November 3, 2010 No. 996 "On Ensuring Public Participation in the Formation and Implementation of State Policy", by receiving and analyzing proposals and comments, received during public discussions and electronic public consultations. The table of comments and suggestions from individuals and legal entities and their associations will be published on the official website of the ministry after the draft is finalized.

The developed draft legal acts were sent to the Secretariat along with translations for expert assessment regarding compatibility with the Protocol.

Simultaneously with the development of the regulatory framework, an information and communication system is being developed to ensure electronic interaction of all stakeholders in the process of creating and functioning of the register. It is necessary to understand that the information and communication system must go through the testing and commissioning procedure, which can be started after the adoption of the legal acts. It is also necessary to conduct seminars and work with operators and the public on compliance and implementation of the requirements of the Law, by-laws and ensuring the relevant rights.

Ukraine strictly adheres to the provisions of the Aarhus Convention and makes every effort, even in such a difficult time for our country, to implement the PRTR Protocol.

Thank you for your support and understanding.

Best regards,

Kyreieva Victoria

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