

**Awareness-raising webinar on the role of strategic environmental assessment
in Ukraine's post-war recovery**

Online event, 11 April 2024

WEBINAR REPORT

Action implemented by:



Contents

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|---|---|
| 1. Background | 3 |
| 2. Objectives and structure of the training | 3 |
| 3. Summary of discussions and results | 4 |
| 5. Conclusions | 6 |

1. Background

Within the framework of the European Union-funded EU4Environment programme, UNECE is assisting the Eastern Partnership (EaP) countries, including Ukraine, in comprehensive capacity-building and institutional building on Strategic Environmental Assessment (SEA) and transboundary Environmental Impact Assessment (EIA) and in finalizing legal reforms in this area.

SEA is a relatively new tool for implementing the country's environmental policy based on a simple principle: it is easier to prevent negative environmental effects at the planning stage of a strategic document rather than identifying and remedying them during its implementation. The SEA of state planning documents, particularly urban planning documents, enables a comprehensive evaluation of the likely environmental, including health, effects of the plans and using evaluation results to prevent or mitigate adverse effects on the environment in the spatial planning process.

The objective of the SEA is to promote sustainable development of territories/areas by providing for a high level of protection of the environment, including health of the population, and integration of environmental considerations into the development and adoption of state planning documents.

The post-war recovery of Ukraine is anticipated to be the largest investment and planning exercise in Europe since decades. Given the scale of war-related impacts and destruction two years since Russia's full-scale invasion of Ukraine, planning the reconstruction and recovery will challenge national and local authorities, as well as international partners.

Ukraine shares green transition objectives and has a goal of reaching climate neutral economy by 2060. The post-war recovery process should contribute to achieving this goal by incorporating environmental and climate considerations into various elements of the recovery planning process, including sectoral and land-use planning.

2. Objectives and structure of the training

Webinar objectives were:

- To discuss the potential of the strategic environmental assessment for mainstreaming and incorporating green considerations into the post-war recovery process;
- To share and discuss most recent experience and developments in SEA application in Ukraine, in particular the Unified SEA register;
- To learn about and discuss the key aspects of the SEA in relation to urban spatial planning documentation in the context of the recovery of territories .

A detailed programme of the event is in Annex 1a,b in English and Ukrainian.

The webinar was open to a broad spectrum of stakeholders ranging from representatives of relevant environmental, health, urban planning and architecture departments of the regional and Kyiv city state administrations, to representatives of local self-government bodies, and to NGOs and other interested stakeholders from all regions of Ukraine. The participants included a number of representatives of local administrations and their relevant departments.

The event was conducted in Ukrainian only and organised as a webinar using the Zoom platform.

Information on the event was published on the official webpages of the EU4Environment - Green Economy programme (eu4environment.org), of the Ministry of Environmental Protection and Natural Resources of Ukraine and of UNECE and it was further disseminated through social networks.

Pre-registration of participants Was organized through a Google form (online). A total of 250 persons registered for the event, and 170 attended it.

3. Summary of discussions and results

Welcome words:

After presenting an agenda of the events, the participants were welcomed:

Ms. Olena Kramarenko, Vice Minister of Environmental Protection and Natural Resources of Ukraine. She welcomed the participants and emphasized the importance of the strategic environmental assessment for the Ukraine's recovery from the consequences of the Russian aggression. She also thanked UN ECE and the EU4Environment Programme for continuing support to SEA implementation in Ukraine.

Ms. Olga Simak, Sector manager, Environment at EU Delegation to Ukraine, welcomed the participants and underlined the role of SEA for the recovery of Ukraine and implementation of the "build back better" principle. She highlighted the work of the High Working Group on Environmental Consequences of the War, as well as the need to address so called derogations from SEA and EIA application for the purpose of recovery activities.

Mr. Leonid Kalashnyk, EU4Environment Project Manager at UNECE, welcomed the participants and expressed his sincere gratitude to the European Union for supporting the event within the framework of the EU4Environment program. He further highlighted the role of the UNECE SEA Protocol and the European Union's SEA Directive in providing legal and institutional frameworks that will support Ukraine's efforts to make its post-war reconstruction green and healthy.

The main part:

Andriy Andrusevych, UN ECE expert and senior policy expert at "Society and Environment" moderated further discussion. He also made an introductory presentation to set the context of SEA application for the purpose of post-war recovery.

In particular, he indicated that SEA is a key tool for integrating environmental and climate change issues into planning, while Ukraine has an extensive experience in SEA application, even during the war. Draft new State Regional Development Strategy for 2021-2027 is a good example. At the same time, in his opinion SEA was not designed for purpose of recovering from war consequences. This creates objective limitations on the use this instrument. There were formal restrictions introduced for application of SEA on plans for recovery and development of regions and territorial communities. Initiators and contractors have significant difficulties in access to necessary data.

He noted that under such circumstances SEA needs to be adapted to current challenges. For this reason, Ukraine Plan under Ukraine Facility provides for a respective reform "Environmental impact assessment (EIA) and strategic environmental assessment (SEA)". A concept paper to regulate applicable derogations for SEA and EIA is a central part of this reform.

Lastly, he highlighted the need for a dialogue with stakeholders to increase effectiveness of a new (temporary) model.

Taking into account the fact that a major part of strategic planning documents is spatial planning documentation, and the invited participants of the training included representatives of local authorities and employees of structural units of local administrations on spatial planning and architecture, **Maryna Zerkal**, familiarized the participants with the updates of the regulatory framework in the field of spatial planning and Strategic Environmental Assessment that have taken place in recent years, including after the full-scale invasion of Russia.

In particular, the conceptual changes made to the Law of Ukraine "On Regulation of Spatial Development" in accordance with the Laws of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Land Use Planning" No. 711-IX and "On Amendments to Certain Laws of Ukraine on Priority Measures of Reforming the Sphere of Spatial Development" No. 2254-IX were considered. Emphasis is placed on new types of documents for territories affected by armed aggression against Ukraine or where socio-economic, infrastructural, environmental or other crisis phenomena are concentrated, such as Comprehensive Recovery Programs.

As for the updates in the field of Strategic Environmental Assessment, the audience's attention was drawn to a number of amendments to the Law of Ukraine "On Strategic Environmental Assessment", the introduction of the Unified Register of SEA and the approval of the Guidelines of SEA for spatial planning documentation.

Ms. Maryna Shymkus, Director of the Environmental Assessment Department of the Ministry of Environmental Protection and Natural Resources of Ukraine, welcomed the training participants, thanked for their activity and interest in the SEA, and stressing the importance of communication between all SEA stakeholders and the Ministry regarding practical application issues of SEA. She presented new developments introduced recently to SEA procedure. In particular, SEA timeframes were shortened and a new unified SEA register put in place.

For the time being, the register includes about 870 cases, 80% of which relate to urban development documentation. Some of the SEA documentation is of a high quality. She underlined that the Ministry of Environment is taking steps to remove barriers to the access to various registers by developers with a view of increasing SEA quality. She also mentioned that the public is more frequently submitting comments on EIA cases (compared to SEA procedures).

In the context of SEA application to recovery activities she suggested that local communities voluntarily carry out SEAs. At the same time some participants raised concerns that voluntary SEA may be complicated by the fact it requires funding from local budgets which may have legal consequences for communities.

The participants were actively raising hands and submitting comments during the discussion. One of the interesting points raised addressed the need and ways to involve youth in SEA discussions.

Closing the event and summing up

Andriy Andrushevych draw conclusions of the webinar and thanked to all participants and experts.

Leonid Kalashnyk, EU4Environment Project Manager at UNECE, thanked the European Union representative, the experts and the training participants, informed them about the availability of the training materials on the UNECE website.

5. Conclusions

Overall conclusion was that SEA procedure, while not a recovery tool per se, should take into account the peculiarities of the planning for territories suffering from hostilities.

In particular, the key aspects of the SEA of spatial planning documents for such territories are:

- shifting the emphasis from "prevention/preservation" to "recovery";
- decision-making taking into account the shortage of land resources as a result of contamination by explosive objects;
- considering changes in the national balance and local indicators of water resources availability as a result of military actions;
- determination of measures for waste management generated in connection with damage (destruction) of buildings and structures as a result of hostilities or work to eliminate their consequences;
- proposals for optimizing the network of environmental monitoring points and inventory of contaminated areas;
- moderate use of materials from pre-war registers, cadasters, and statistical reports as source data;
- adaptation to updates of the legislative framework.