

Compliance Committee to the Convention on
Access to Information, Public Participation
in Decision-making and Access to Justice
in Environmental Matters (Aarhus Convention)

**First progress review of the implementation of decision VII/8r
on compliance by Ukraine with its
obligations under the Convention**

Contents

	<i>Page</i>
I. Introduction	2
II. Summary of follow-up action on decision VII/8r.....	2
III. Considerations and evaluation by the Committee	3
IV. Conclusions and recommendations	10

I. Introduction

1. At its seventh session (Geneva, Switzerland, 18-21 October 2021), the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) adopted decision VII/8r on compliance by Ukraine with its obligations under the Convention (see ECE/MP.PP/2021/2/Add.1).

II. Summary of follow-up

2. At its seventy-third meeting (Geneva, 13–16 December 2021), the Committee held an open session to provide guidance on preparing the plan of action that each Party subject to a decision or request of the Meeting of the Parties was requested to submit by 1 July 2022. Representatives of the Party concerned and the communicant of communication ACCC/C/2014/118 took part in that session.

3. On 7 February 2022, on the Committee's instructions, the secretariat sent an information note and a template for its plan of action to the Party concerned to assist it to prepare its plan of action.

4. At its seventy-fourth meeting (Geneva, 15–16 March 2022), the Committee held a further open session on the preparation of Parties' plans of action. The purpose of the session was to answer any specific questions from Parties regarding the format or content of their plan of action.

5. In accordance with paragraph 3 (a) of decision VII/8r, the Party concerned was requested by the Meeting of the Parties to submit a plan of action, including a time schedule, to the Committee by 1 July 2022 regarding the implementation of the recommendations in that decision. No plan of action was received by that deadline.

6. On 2 November 2022, the communicant of communication ACCC/C/2014/118 submitted an update.

7. On 5 December 2022, the Committee invited the Party concerned to attend an open session at its seventy-seventh meeting (Geneva, 13–16 December 2022) to discuss its outstanding plan of action. Representatives of the Party concerned and the communicant of communication ACCC/C/2014/118 (Ukraine) participated in the open session. At the time of the open session, the Party concerned was under missile attack from the Russian Federation and the Chair expressed the Committee's sincere appreciation to the Party concerned for participating in the session in such exceptional circumstances. During the session, the Committee asked the Party concerned to submit its outstanding plan of action as soon as possible and reminded the Party concerned of the upcoming deadline of 1 October 2023 for submission of its progress report on decision VII/8r.

8. On 11 December 2023, the Party concerned provided an update regarding its outstanding plan of action and first progress report.

9. On 20 February 2024, the Party concerned provided another update on its outstanding first progress report.

10. On 28 May and 9 July 2024, respectively, the Party concerned submitted a draft of its plan of action and its first progress report.

11. On 29 July 2024, the communicant of communication ACCC/C/2014/118 provided its comments on the Party concerned's first progress report.

12. At its eighty-fourth meeting (Geneva, 17–20 September 2024), the Committee prepared its first progress review on decision VII/8r and adopted it through its electronic decision-making procedure on 27 September 2024. The Committee thereafter requested the secretariat to forward the first progress review to the Party concerned and the communicant of communication ACCC/C/2014/118.

III. Considerations and evaluation by the Committee

13. In order to fulfil the requirements of paragraph 2 (a)–(e) of decision VII/8r, Ukraine will need to take the necessary legislative, regulatory, administrative and other measures to ensure that:

- (a) Subject to any redactions made in accordance with article 4 (3) and (4) of the Convention, the texts of production-sharing agreements are to be provided in full to members of the public upon request in accordance with article 4 of the Convention;
- (b) Public participation meeting the requirements of article 6 of the Convention is to be carried out regarding draft production-sharing agreements prior to their approval, at an early stage when all options are open and effective public participation can take place;
- (c) Non-governmental organizations meeting the requirements of article 2 (5) are deemed to have standing in review procedures under article 9 (2) of the Convention;
- (d) The time frame for filing a cassation appeal within the scope of article 9 (2) of the Convention is calculated from the date on which the claimant receives the full text of the contested judgment;
- (e) Adequate and effective remedies are put in place to ensure that orders by the courts to public authorities to disclose environmental information are promptly complied with.

General observations

14. The Committee welcomes the Party concerned's draft plan of action and first progress report while noting that the plan of action was submitted only in draft form almost two years after the deadline of 1 July 2022, and the first progress report was submitted more than nine months after the deadline of 1 October 2023. The Committee reminds the Party concerned that the above deadlines were set in decision VII/8r by the Meeting of the Parties and are therefore not flexible deadlines.

15. The Committee recognizes the exceptional circumstances faced by the Party concerned as a result of the ongoing military aggression by the Russian Federation against Ukraine. The Committee therefore commends the efforts made to date by the Party concerned to implement the Committee's recommendations set out in decision VII/8r, notwithstanding the significant challenges posed by the ongoing military aggression against it.

16. The Committee however regrets that the first progress report does not address all of the recommendations in decision VII/8r. In particular, the Party concerned has failed to report on its implementation of paragraphs 2 (b), (c) and (e) of the decision.

17. Having reviewed the Party concerned's first progress report, the Committee notes that it refers to several initiatives it has recently undertaken in the areas of access to information, public participation and access to justice in environmental matters.¹ While the Committee welcomes these initiatives, it is not clear to what extent they are relevant to the fulfilment of the recommendations in decision VII/8r. In its follow-up on decision VII/8r, the Committee can only consider matters within the scope of the recommendations in decision VII/8r.

18. The Committee notes the information provided by the communicant of communication ACCC/C/2014/118 regarding the efforts made by the government and parliament of the Party concerned to draft legislation in various areas of environmental law, with a view to transposing European Union law in this field.² The Committee considers that

¹ Party concerned's first progress report, 9 July 2024, pp. 2-3.

² Update from the communicant of communication ACCC/C/2014/118, 2 November 2022.

it would be a missed opportunity for the Party concerned not to consider the implementation of the requirements of decision VII/8r while preparing this new legislation. The Committee reminds the Party concerned of the short time remaining before the final deadline of 1 October 2024 for the Party concerned to demonstrate in its final progress report that it has fully met the requirements of decision VII/8r.

Paragraph 2 (a) of decision VII/8r – disclosure of full texts of production-sharing agreements to members of the public upon request

19. In order to fulfil paragraph 2 (a) of decision VII/8r, the Party concerned will need to take the necessary legislative, regulatory, administrative and other measures to ensure that:

- (a) Subject to any redactions made in accordance with article 4 (3) and (4) of the Convention, the texts of production-sharing agreements are to be provided in full to members of the public upon request in accordance with article 4 of the Convention.

Disclosure of production sharing agreements concluded prior to 17 December 2021

20. In its first progress report, the Party concerned reports on the 2021 Law “On amendments to certain legislative acts of Ukraine on ensuring transparency in the extractive industries” (Law amending the Act on Transparency). It reports that, with regard to contracts on the use of subsoil, including production sharing agreements, concluded *prior* to the entry into force of the Law amending the Act on Transparency on 17 December 2021, the second part of article 11 of the Law “On ensuring transparency in extractive industries” provides that:

The central executive body, which ensures the formation and implementation of state policy in the fuel and energy complex, is obliged to publish on its official website information on the essential terms of contracts (agreements) regarding the use of subsoil of all economic entities operating in the extractive industries ... together with relevant extracts from such contracts (agreements), as well as a list of all such contracts (agreements) indicating their details (name, number, parties, date of conclusion).³

21. Based on the above, the Committee understands that the publication on official websites of public authorities of contracts on the use of subsoil concluded prior to 17 December 2021 is limited to the “essential terms” of those contracts. While welcoming the proactive approach of the Party concerned in requiring the publication of information on the essential terms of these contracts on the website of the competent authority, the Committee regrets that the contracts are not published in their entirety, as the Party concerned requires for contracts concluded after the entry into force of the Law amending the Act on Transparency (see paragraph 24 below).

22. If the competent public authority does not proactively publish the full text of production sharing agreements on its website, members of the public must have access to the entire text upon request, in accordance with article 4 of the Convention. The Party concerned has not provided the Committee with evidence to demonstrate that public authorities would indeed be required to disclose, upon request by members of the public and subject to any redactions made in accordance with article 4 (3) and (4) of the Convention, the full text of production sharing agreements concluded before the entry into force of the Law amending the Act on Transparency on 17 December 2021.

23. Accordingly, while welcoming the progress made, the Committee concludes that the Party concerned has not yet fulfilled the requirements of paragraph 2 (a) of decision VII/8r with respect to production sharing agreements concluded before 17 December 2021.

³ Party concerned’s first progress report, 9 July 2024, pp. 3 and 4.

Production sharing agreements concluded after 17 December 2021

24. With respect to contracts on the use of subsoil concluded *after* 17 December 2021, the date of the entry into force of the Law amending the Act on Transparency, article 11 of the Law “On ensuring transparency in extractive industries”, as amended, provides that:

The central executive body, which ensures the formation and implementation of state policy in the fuel and energy complex, is obliged to publish on its official website copies of contracts (agreements) on the use of subsoil of all economic entities that carry out activities in extractive industries, ... as well as amendments thereto.⁴

25. The Committee commends the Party concerned for its proactive approach in requiring public authorities to publish these agreements on their websites, including any amendments thereto.

26. Provided that these agreements are published in all cases and in their entirety, save for any redactions made in accordance with article 4 (3) and (4) of the Convention, the Committee would have considered that, through these measures, the Party concerned had fulfilled paragraph 2 (a) of decision VII/8r with respect to production sharing agreements concluded after the entry into force of the Law amending the Act on Transparency on 17 December 2021. However, as outlined in paragraphs 27–31 below, due to the measures adopted by the Party concerned as a result of the ongoing military aggression against it by the Russian Federation, the Committee cannot reach this conclusion.

Access to production sharing agreements under martial law

27. The communicant of communication ACCC/C/2014/118 submits that, despite the measures referred to in paragraphs 20 and 24 above, the introduction of martial law in Ukraine in February 2022 has restricted access to the relevant sections of the State Service of Mineral Resources of Ukraine, with the result that no information is currently being published.⁵

28. The Party concerned does not report in its first progress report on how martial law has impacted upon the disclosure of production sharing agreements.

29. The Committee recalls that in its advice ACCC/A/2023/3 (Ukraine) it held that:

There are no specific provisions in the Convention providing for a different legal regime applicable during time of war. This means that even during time of war the Convention, and the obligations incumbent upon a Party thereunder, continue to apply.⁶

30. As mentioned in paragraph 22 above, whether or not the competent authorities of the Party concerned proactively publish the texts of production sharing agreements on their websites, members of the public must in any case be able to have access to the full text of all production sharing agreements upon request in accordance with article 4 of the Convention. While the Party concerned may invoke the grounds for refusal in article 4 (3) (a) – (c) and (4) (a) – (h) of the Convention to withhold certain information, including for reasons of national defence or public security under article 4 (4) (b), the requirement in article 4 (4), final paragraph, that any ground for refusal should be interpreted in a restrictive way means that these agreements should, as a rule, not be withheld in their entirety. Rather, in accordance with article 4 (6) of the Convention, if the information exempted from disclosure can be separated out without prejudice to the confidentiality of the information exempted, the remaining information should be disclosed.⁷

31. Accordingly, while welcoming the progress made, since the Party concerned has not provided the Committee with information on whether public authorities would indeed be required to disclose, upon request by members of the public, the full text of production

⁴ Party concerned’s first progress report, 9 July 2024, p. 4.

⁵ Comments of communicant of communication ACCC/C/2014/118 on Party concerned’s first progress report, 29 July 2024, p. 1.

⁶ Committee’s advice on request ACCC/A/2022/3 (Ukraine), para. 16.

⁷ ECE/MP.PP/C.1/2021/18, para. 109.

sharing agreements, subject to any redactions made in accordance with article 4 (3) and (4) of the Convention, the Committee concludes that the Party concerned has not yet fulfilled the requirements of paragraph 2 (a) of decision VII/8r with respect to production sharing agreements concluded after 17 December 2021 either.

Proposed measures in the Party concerned's draft plan of action

32. In addition to the measures it has already taken, the Party concerned states in its draft plan of action that it plans to take the following further measures to implement paragraph 2 (a) of decision VII/8r:

- (a) To proactively disclose the parts of production-sharing agreements for the Yuzivska and Oleska oil fields that contain environmental information in accordance with the procedure established by the Law "On ensuring transparency in extractive industries".
- (b) To provide access upon request to environmental information contained in the production-sharing agreements for the Yuzivska and Oleska oil fields, in accordance with article 4 of the Convention and article 11 of the Law "On ensuring transparency in extractive industries", before the removal of the "for official use only" seal imposed on the texts of those agreements.
- (c) To conduct trainings for civil servants involved in the development of production sharing agreements on the requirements of the Aarhus Convention and decision VII/8r.

33. The Committee welcomes the additional measures proposed by the Party concerned in paragraph 32 (a) and (c) above. With respect to the proposed measure in paragraph 32 (b) above, it is difficult for the Committee to express a view without having seen the actual text of measure proposed. The Committee is however concerned that, based on the information before it, the proposed measure in paragraph 32 (b) would appear not to be in line with the requirements of article 4 (4) and (6) of the Convention. The Committee points the Party concerned to paragraphs 101-103 and 109 of its findings on communication ACCC/C/2014/118 in which it held:

101...[T]he Committee considers that a PSA for the extraction of mineral resources comprises "environmental information" within the scope of article 2 (3) (b) of the Convention.

102. A request for access to a PSA is therefore a request for access to environmental information within the scope of article 4 (1) of the Convention. In this regard, the Committee underlines that article 4 (1) explicitly requires "copies of the actual documentation" containing the environmental information to be disclosed.

103. Accordingly, subject to the exemptions from disclosure in article 4 (3) and (4) of the Convention, a PSA must be provided upon request in full.

...

109. If a member of the public makes a request for a document that comprises environmental information under article 2 (3) of the Convention, the full text of that document must be disclosed except for any information that is withheld from disclosure under article 4 (3) or (4) of the Convention. In those cases, in accordance with article 4 (6), the information exempted from disclosure may be redacted. However, the rest of the document must be disclosed.⁸

34. Accordingly, based on the description provided in the draft plan of action, the Committee does not consider that the measure proposed in paragraph 32 (b) above will meet the requirements of paragraph 2 (a) of decision VII/8r.

35. Bearing in mind the short time remaining until the deadline of 1 October 2024 for the Party concerned's final progress report, the Committee urges the Party concerned to take

⁸ ECE/MP.PP/C.1/2021/18, paras. 101-103 and 109.

measures to implement paragraph 2 (a) as soon as possible and to provide the text of all measures it has by then taken to fulfil paragraph 2 (a) of decision VII/8r, including an English translation thereof, together with its final progress report.

Paragraph 2 (b) of decision VII/8r – public participation on production sharing agreements

36. In order to fulfil paragraph 2 (b) of decision VII/8r, the Party concerned will need to take the necessary legislative, regulatory, administrative and other measures to ensure that:

- (b) Public participation meeting the requirements of article 6 of the Convention is to be carried out regarding draft production-sharing agreements prior to their approval, at an early stage when all options are open and effective public participation can take place;

37. The Committee expresses its disappointment that, in its first progress report, the Party concerned does not report on any measures it has taken to date to implement the requirements of paragraph 2 (b) of decision VII/8r.

38. Accordingly, the Committee concludes that the Party concerned has not yet demonstrated that it has fulfilled the requirements of paragraph 2 (b) of decision VII/8r.

39. In its draft plan of action, the Party concerned states that, by 2026, it plans to bring its legislation into compliance with the requirements of article 6 of the Convention. In the meantime, it plans in 2024 to conduct trainings on the requirements of article 6 for interested parties involved in the development of production sharing agreements and the related environmental impact assessment procedure.

40. With respect to its proposed legislative measures, the Party concerned states that, at the legislative level, it plans to ensure public participation at an early stage of decision-making, namely to provide for the conduct of an environmental impact assessment for subsoil areas (mineral deposits) before signing production-sharing agreements and before holding an auction (electronic bidding) for obtaining a special permit for the use of subsoil. It states that, once the draft law is agreed between the relevant ministries and state entities, it will be submitted for consideration by the Verkhovna Rada of Ukraine.

41. Regarding its proposed trainings on the requirements of article 6 of the Convention for parties involved in the development of production sharing agreements and the related environmental impact assessment procedure, the Party concerned states that it plans to involve the Compliance Committee in these trainings.

42. The Committee welcomes the measures proposed by the Party concerned in its draft plan of action while expressing concern that the 2026 timeframe indicated for the implementation of the proposed legislative measures means that the Party concerned will not have fulfilled the requirements of paragraph 2 (b) of decision VII/8r in time for the Committee's report to the eighth session of the Meeting of the Parties.

43. Bearing in mind the short time remaining until the deadline of 1 October 2024 for the Party concerned's final progress report, the Committee urges the Party concerned to take the necessary measures to implement paragraph 2 (b) as soon as possible and to provide the text of all measures it has by then taken to fulfil paragraph 2 (b) of decision VII/8r, including an English translation thereof, together with its final progress report.

Paragraph 2 (c) of decision VII/8r – standing for non-governmental organizations

44. In order to fulfil paragraph 2 (c) of decision VII/8r, the Party concerned will need to take the necessary legislative, regulatory, administrative and other measures to ensure that:

- (c) Non-governmental organizations meeting the requirements of article 2 (5) are deemed to have standing in review procedures under article 9 (2) of the Convention.

45. The Committee regrets that, in its first progress report, the Party concerned has not reported on any measures it has taken to date to implement paragraph 2 (c) of decision VII/8r.

46. Accordingly, the Committee concludes that the Party concerned has not yet demonstrated that it has fulfilled the requirements of paragraph 2 (c) of decision VII/8r.

47. In its draft plan of action, the Party concerned states that in 2024 it plans to conduct an article-by-article analysis of the compliance of its legislation regarding standing for the public concerned to have access to review procedures under article 9 (2) of the Convention. The Party concerned states that, based on the analysis, it will then, if necessary, prepare appropriate amendments to its legislation and submit them to the Verkhovna Rada for consideration.

48. Without having received the text of the measures that the Party concerned proposes to take to implement the recommendation in paragraph 2 (c), the Committee is not able to form a view on the extent to which those measures will fulfil paragraph 2 (c) of the decision.

49. Bearing in mind the short time remaining until the deadline of 1 October 2024 for the Party concerned's final progress report, the Committee urges the Party concerned to complete its legislative analysis and to take the measures necessary to implement paragraph 2 (c) as soon as possible. The Committee requests the Party concerned to provide the text of all measures it has by then taken to fulfil paragraph 2 (c) of decision VII/8r, including an English translation thereof, together with its final progress report.

Paragraph 2 (d) of decision VII/8r – calculation of time limit for filing a cassation appeal

50. In order to fulfil paragraph 2 (d) of decision VII/8r, the Party concerned will need to take the necessary legislative, regulatory, administrative and other measures to ensure that:

- (d) The time frame for filing a cassation appeal within the scope of article 9 (2) of the Convention is calculated from the date on which the claimant receives the full text of the contested judgment.

51. In its first progress report, the Party concerned claims that, according to article 329 of the Code of Administrative Proceedings, a cassation appeal against a decision must be submitted within thirty days from the day of its “announcement”.⁹ The Party concerned states that:

In the event that only the introductory and final part of the court decision or case consideration (resolution of the issue) was announced at the court session without notifying (summoning) the participants in the case, the specified term is calculated from the day of the full court session. A party to the case who was not served with a full court decision on the day of its announcement or conclusion has the right to renew the missed term for a cassation appeal, if the cassation appeal is filed within thirty days from the date of delivery of such a court decision. The deadline for filing a cassation appeal can also be renewed if it is missed for other valid reasons, except for the cases defined by the fifth part of Article 333 of the Criminal Procedure Code.¹⁰

52. The communicant of communication ACCC/C/2014/118 submits that the 2017 revisions to the Code of Administrative Procedure now ensure that the period for filing a cassation appeal is calculated from the date on which the claimant receives the full text of the decision, thereby fulfilling paragraph 2 (d) of decision VII/8r.¹¹

53. Having taken note of the information provided by the Party concerned in its first progress report and the communicant's comments thereon, the Committee recalls its findings on communication ACCC/C/2014/118 (Ukraine), in which it held that:

⁹ Party concerned's first progress report, 9 July 2024, p. 4.

¹⁰ Party concerned's first progress report, 9 July 2024, p. 4.

¹¹ Comments from the communicant of communication ACCC/C/2014/118 on the Party concerned's first progress report, p. 2.

Calculating the time-frame for the public to challenge a decision from the date of the judgment, and not the date on which the judgment was made available to the claimant, is manifestly unfair. Moreover, it creates an incentive for courts not to make the written version of their decisions promptly available, knowing that there will then be less opportunity for those decisions to be challenged.¹²

54. The Committee notes that, based on article 329 of the Code of Administrative Procedure, the time limit for a cassation appeal appears to run, as a rule, from the date the judgment is “announced” in court. However, as article 329 itself recognizes, this does not always correspond to the date on which the full text of the court’s decision is delivered to the parties. That was the situation in the events before the Committee in communication ACCC/C/2014/118, in which the communicant received the judgment approximately six weeks after it had been announced in court and drawn up in full.¹³

55. Based on the foregoing, the Committee concludes that the timeframe for filing a cassation appeal is not always calculated from the date on which the claimant receives the full text of the contested judgment as required by paragraph 2 (d) of decision VII/8r.

56. The Committee notes that article 329 of the Code of Administrative Procedure provides that, if a party to the case has not been served with a full court decision on the day of its announcement or conclusion, or if the time-limit is missed for other reasons, the party has the right to request an extension of the terms for filing the cassation appeal. This appeal must be filed within thirty days from the date on which the decision is delivered. The Committee understands this right is not automatic and the party must submit a specific application for the extension of these terms.

57. The Committee makes it clear that granting a party who was not served with the full court decision on the day of its announcement the right to submit a court application asking for an extension of time to appeal is not the same as ensuring that the timeframe for filing a cassation appeal is calculated from the date on which the claimant receives the full text of the contested judgment.

58. In line with paragraph 2 (d) of decision VII/8r, the Committee recommends that the Party concerned amend its legislation to ensure that the time limit for cassation appeals is always calculated from the date on which the claimant receives the full written text of the contested decision.

59. Accordingly, while welcoming the progress made, the Committee concludes that the Party concerned has not yet met the requirements of paragraph 2 (d) of decision VII/8r.

Paragraph 2 (e) of decision VII/8r – remedies regarding access to information

60. In order to fulfil paragraph 2 (e) of decision VII/8r, the Party concerned will need to take the necessary legislative, regulatory, administrative and other measures to ensure that:

- (e) Adequate and effective remedies are put in place to ensure that orders by the courts to public authorities to disclose environmental information are promptly complied with.

61. The Committee regrets that, in its first progress report, the Party concerned does not report on any measures it has taken to date to implement the requirements of paragraph 2 (e) of decision VII/8r.

62. Accordingly, the Committee concludes that the Party concerned has not yet demonstrated that it has fulfilled the requirements of paragraph 2 (e) of decision VII/8r.

63. In its draft plan of action, the Party concerned states that in 2024 it plans to conduct an article-by-article analysis of the compliance of its legislation with the Convention’s requirements with respect to the availability of effective legal remedies to ensure the

¹² ECE/MP.PP/C.1/2021/18, para. 143.

¹³ ECE/MP.PP/C.1/2021/18, para. 141.

immediate execution by state bodies of court orders regarding the disclosure of environmental information. The Party concerned states that, based on the analysis, it will then, if necessary, prepare appropriate amendments to the legislation and submit them to the Verkhovna Rada for consideration.

64. Without having received the text of the measures that the Party concerned proposes to take to implement the recommendation in paragraph 2 (e), the Committee is not able to form a view on the extent to which those measures will fulfil paragraph 2 (e) of the decision.

65. Bearing in mind the short time remaining until the deadline of 1 October 2024 for the Party concerned's final progress report, the Committee urges the Party concerned to complete its legislative analysis and to take the measures necessary to implement paragraph 2 (e) as soon as possible. The Committee requests the Party concerned to provide the text of all measures it has by then taken to fulfil paragraph 2 (e) of decision VII/8r, including an English translation thereof, together with its final progress report.

IV. Conclusions

66. The Committee welcomes the first progress report of the Party concerned and the steps taken so far to implement the recommendations in paragraph 2(a) and (d) of decision VII/8r.

67. The Committee also welcomes the Party concerned's draft plan of action and the proposed measures to fulfil paragraphs 2 (a)–(e) of decision VII/8r set out therein, while regretting that it was submitted nearly two years after the deadline set by the Meeting of the Parties and only in draft form.

68. The Committee however expresses its concern that, in its first progress report, the Party concerned does not report on any measures that it has taken to date to fulfil the requirements in paragraph 2 (b), (c), and (e). At the same time the Committee recognizes the exceptional circumstances faced by the Party concerned as a result of the ongoing military aggression by the Russian Federation against Ukraine.

69. The Committee invites the Party concerned to provide as soon as possible, and at the latest together with its final progress report, the text of all legislative, regulatory, administrative, and other measures that it has by then taken to fulfil paragraph 2 (a)–(e) of decision VII/8r.

70. The Committee reminds the Party concerned that all measures necessary to implement decision VII/8r must be completed by, and reported upon, no later than 1 October 2024, as that will be the final opportunity for the Party concerned to demonstrate to the Committee that it has fully met the requirements of decision VII/8r.