

14 November 2022

**Ms. Ursula von der Leyen**  
President of the European Commission

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Head of the Delegation of the European Union to Ukraine

**Ms. Chloé Allio,**  
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Working Group 3 "Environment, Climate Change and Energy Security" of the Ukrainian National Platform of the Eastern Partnership Civil Society Forum and Working Group 5 "Energy, Transport, Environment and Climate Change" of the Ukrainian side of the EU-Ukraine Civil Society Platform expresses assurance of high esteem and addresses you with the purpose to draw your attention to the matters of utmost importance in the context of ensuring Ukraine's democratic development and well-being and safety of Ukrainian citizens.

The launch of the full-fledged war on Ukraine is not only a catastrophe for humanity but also an arduous challenge for democratic values and principles of sustainable development that despite the circumstances should be determinative for Ukraine.

The Ukrainian civil society has been witnessing considerable rollback in the area of access to environmental information and thus public participation in environmental decision-making and the wave of recently developed draft laws indicates to the fact that there are increasing efforts to curtail consideration of environmental aspects in development processes and also limit public participation possibilities. Under the pretext of the needs caused by the war and deregulation for simplifying things for business entities, deregulation initiatives are ruining achievements of civil society efforts attained through hard work over decades pushing Ukraine back in its development. There have been developed numerous draft laws of low quality and with harmful philosophy ignoring completely principles of sustainable development and focusing purely on economic benefits.

One of such initiatives is the draft law No. 8058 that does not comply with requirements of national and international legislation. It provides for the deregulation of economic activities according to a simplified procedure, without the involvement of the Ministry of Health of Ukraine in the discussion of changes in permitting procedures. It removes the Ministry of Environmental Protection and Natural

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Resources of Ukraine and the Ministry of Health of Ukraine from a narrow circle of central executive authorities, which must approve draft amendments to the legislation (regarding the cancellation of permit documents) and acts of the government approving an exclusive list of instruments of state regulation of economic activity.

Adoption of the Draft Law No. 8058 will lead to a violation of the Ukrainian Constitution and the requirements of Article 8 of the Aarhus Convention regarding public participation, slow down the process of Ukraine's integration into the EU, and worsen the state of the environment and the health of the population of Ukraine. Under such conditions, the state's economy may lose a healthy workforce, and Ukraine may lose a healthy future generation and natural resources for sustainable economic development. This is just one example visualizing the problem to be addressed by the Ukrainian civil society.

Therefore, we would appreciate it if you could find some possibility to plan in your busy schedules a time for a meeting to discuss the challenges and express positions. It is vitally important to give wide publicity to such cases of attacks on the principles of environmental democracy that we have to oppose. Without systematic support from the EU, it will not be possible for Ukraine to implement its obligations within the EU-Ukraine Association Agreement and get closer to the EU accession. Declaring the need to implement the European Green Deal, in practice the government is doing everything possible to make green transition impossible by initiating such draft laws and regulations. We have to unite efforts to oppose such tendency as it is crucial to prepare the regulatory base for environmentally friendly and sustainable reconstruction of Ukraine following the principle "Building Back Better".

This is a complex problem, we are resolute to work on it, and support of the European Commission in Ukraine is crucial for attaining success and will be highly appreciated.

Yours sincerely,

On behalf of WG3 UNP EaP CSF  
WG3 Coordinator  
Gavrilyuk Ruslan



On behalf of WG5 UA CSP  
WG5 Coordinator  
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For reference:

The Ukrainian National Platform of the Eastern Partnership Civil Society Forum (<http://eap-csf.org.ua/>) is a network of more than 140 non-governmental organizations in Ukraine that advocates Ukrainian interests within the framework of the Eastern Partnership. The platform is part of the Eastern Partnership Civil Society Forum (EaP CSF). The Eastern Partnership Civil Society Forum is unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms. The EaP CSF is a non-partisan bona fide non-governmental organisation.

The Ukrainian side of the EU-Ukraine Civil Society Platform (<https://eu-ua-csp.org.ua/>) is the national part of the Ukraine-EU Civil Society Platform, one of the official bilateral bodies of the EU-Ukraine Association Agreement. In accordance with Articles 469-470 of the Association Agreement, the Platform officially represents the interests of civil society of Ukraine and the EU in the process of implementation of the Agreement, monitors and publicly controls its implementation. From the Ukrainian side, the Platform includes 15 members - representatives of public associations, trade unions and employers' organizations. Under their auspices, the CSS unites 282 organizations.