



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
ENVIRONMENT
Directorate E - Global & Regional Challenges, LIFE
ENV.E - The Director

Brussels, **23 JUL. 2014**
ENV.E.1/AJ/jd(2014)2511375

Mr Andriy Mokhnyk
Minister of Ecology and Natural
Resources of Ukraine
Kyiv

Dear Mr Mokhnyk,

On 27 June 2014 Ukraine and the European Union signed an Association Agreement. This is a milestone in the EU-Ukraine relations and will significantly deepen our political and economic ties. The Agreement contains a comprehensive chapter on environment, including an annex with the list of environment legislation that Ukraine should take over, steps that Ukraine should undertake and concrete deadlines for meeting the requirements of the legislation. This document will be the basis for our cooperation over the coming years. As you know the Association Agreement's provisional application will start soon.

One of the cornerstones of the EU's environment policy is environmental impact assessment. It is compulsory for certain investment projects and requires active public participation. Therefore, the Directive on Environmental Impact Assessment (EIA) is included in the EU-Ukraine Association Agreement for approximation. This Directive is also embedded in multilateral environmental agreements to which Ukraine is a party: the Espoo Convention (Convention on Environmental Impact Assessment in a Transboundary Context) and the Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters).

I note that the principles of environmental impact assessment are not adequately applied in Ukraine. Both the Espoo and Aarhus Conventions have issued cautions to Ukraine for not complying with the provisions of the Conventions. Alignment with EU legislation would solve this problem.

The European Commission assisted Ukraine to draft a law on EIA. However, it has not been adopted by the Ukrainian Parliament. I have been informed, nevertheless, that a new draft EIA law has been submitted to the Ukrainian Parliament and that it is probable that it will be dealt with very soon.

Let me reiterate that this is an important piece of legislation for Ukraine to meet its international obligations as well as EU commitments, and necessary for good environmental governance.

Hence, I entreat you to support any efforts intended to prepare and approve a law on Environmental Impact Assessment that would be in conformity with the Espoo and Aarhus Conventions' requirements and in line with the EU EIA Directive.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'M' shape with a vertical line through it, and a small flourish at the bottom left.

Timo Makela