

UNECE Environmental Conventions and Development of Green Criteria in Ukraine



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Workshop on Green Criteria
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Agenda



- Overview UNECE Environmental Conventions
 - UNECE Conventions
 - UNECE Conventions and EU legislation
- UNECE Conventions and Ukraine
 - Espoo Convention
 - Industrial Accidents Convention
 - Aarhus Convention
 - Water Convention
 - Protocol on Water and Health
 - Air Convention
- UNECE Conventions and Green Criteria Development

UNECE and Multilateral Environmental Agreements (MEAs)

16 international legally binding instruments



| Convention | Protocols |
|---|--|
| Air Convention (Convention on Long-range Transboundary Air Pollution) | 8 protocols that establish commitments to monitor, control and reduce emissions of key air pollutants |
| Water Convention (Convention on Protection and Use of Transboundary Water Courses and International lakes) | Protocol on Water and Health |
| Industrial Accidents Convention (Convention on the Transboundary Effects of Industrial Accidents) | |
| Espoo Convention (Convention on Environmental Impact Assessment in a Transboundary Context) | Protocol on Strategic Environmental Assessments |
| Aarhus Convention (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters) | Protocol on Pollutant Release and Transfer Registers (PRTRs) |

UNECE MEAs and EU legislation



| UNECE treaty | Corresponding EU Directives |
|--|---|
| Espoo Convention | Directive 2011/92/EU (EIA Directive) |
| SEA Protocol | Directive 2001/42/EC (SEA Directive) |
| Aarhus Convention | Directive 2003/4/EC (access to info), Directive 2003/35/EC (public participation), Regulation (EC) No 1367/2006 (Aarhus Regulation) |
| PRTR Protocol | Regulation (EC) No 166/2006 (E-PRTR) |
| Air Convention & Protocols | Directive (EU) 2024/2881 (cleaner air), Directive (EU) 2016/2284 (NEC Directive) |
| Water Convention | Directive 2000/60/EC (Water Framework Directive), Directive 2007/60/EC (Floods Directive), Directive 2008/105/EC |
| Protocol on Water & Health | Directive 2020/2184 (Drinking Water Directive), Directive 2024/3019 (Urban Wastewater Directive) |
| Industrial Accidents Convention | Directive 2012/18/EU (Seveso III Directive) |

- Strong alignment between EU environmental legislation and UNECE Conventions
- Mutual reinforcement
- UNECE Conventions are relevant to Chapter 27 of the EU aquis

Espoo Convention



- Ukraine acceded in 1999 and, in 2015, to SEA Protocol; bilateral agreements with Romania in 2022 and with Republic of Moldova in 2024
- Project approval requirements:
 - **Early assessment:** EIA must be carried out before decisions are made on projects listed in the Convention's Appendix I or those likely to cause significant transboundary impacts.
 - **Notification:** Potentially affected Parties must be informed and invited to participate in the EIA process.
 - **Consultation:** Authorities must consult affected Parties on alternatives, mitigation measures and monitoring plans.
 - **Public participation:** Both domestic and foreign stakeholders must have access to information and opportunities to comment.
 - **Decision:** Final decisions must reflect EIA findings and consultation outcomes and be communicated to affected Parties.
- Art. 2 (8) allows party to protect information due to **national security**
- **SEA Protocol:** Environmental assessments of plans and programmes

Aarhus Convention



- Ukraine accession to Convention in 1999, to PRTR protocol in 2016, to GMO amendment in 2025
- **Objective:** Protection of procedural rights in relation to the environment, access to information, public participation in decision-making and access to justice.
 - **Transparency:** Authorities must disclose all relevant environmental information about proposed projects, including EIAs and risk assessments.
 - **Participation:** Public and NGOs must be involved early and effectively in decision-making on projects with significant environmental impact.
 - **Legal Review:** Mechanisms must exist for the public and NGOs to challenge decisions under the Convention.



- Ukraine acceded to Convention in 1980, is party to three of eight protocols (monitoring programme, and sulfur and nitrogen emissions).
 - Ratification and implementation of Air Convention Protocols is part of the Ukraine Facility Plan between EU and Ukraine.
- **Objective:** reduce and prevent air pollution including long-range transboundary air pollution
 - **Policy measures:** National legislation and permitting system, emission inventories, setting of national emissions ceilings (which must be complied with).
 - **BATs:** Provision of best available techniques (BAT) references for major emission sources (required for major stationary sources).
- **International level:** coordination of monitoring, modelling, emission inventories and scientific assessment through respective programmes



- Ukraine acceded in 1999
 - Continued National Policy Dialogue on Water 2024
 - Prut River Basin declaration with Moldova and Romania 2024
 - New GEF-project on Dniester River Basin with Ukraine and Moldova
- **Objective:** Prevent, control and reduce transboundary water impacts.
- **Project Approval:** New projects must comply with national laws implementing these obligations, including EIA requirements for transboundary effects.
- **Permitting:** Requires licensing of discharges, application of best available techniques, and monitoring.
- **Consultation:** Projects with potential transboundary impacts must involve information exchange and consultation with affected states.



Protocol on Water and Health



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- Ukraine acceded in 2003, set national targets in 2011
- **Objective:** Protect human health and well being by better water management, including through protection of water ecosystems and by preventing, controlling and reducing water-related diseases
 - Requires parties to set **concrete and measurable targets** on water, sanitation hygiene and health, accompanied by action plans
 - Improve systems for **surveillance** and **early warning of water-related diseases**
 - Includes provisions on public awareness, education, training, public information



Industrial Accidents Convention



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- Ukraine acceded in 2022
 - Updating legislation to meet requirements of Industrial Accidents Convention is part of Ukraine Facility Plan
- **Objective:** Protect human health and environment from industrial accidents with potential transboundary effects
 - Cooperation before, during and after accidents
 - Prevention, decision-making on siting, preparedness, public information
 - Notification & consultation
- *Tomorrow:* National Consultation on Aligning Ukraine's Industrial Safety with the Convention on the Transboundary Effects of Industrial Accidents

Linking UNECE Conventions to Green Criteria Development



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UNECE Conventions

- Provide a **pan-European legal framework with legally-binding environmental obligations** to inform and support sustainable reconstruction efforts – irrespective of funding source.
- Can serve to further **specify substantive standards** for green criteria, particularly regarding sustainable management of water resources, and pollution prevention and control (e.g., air pollutant emission limits).
- Highlight relevance of **transboundary impacts** (water resources, pollutants) for assessing environmental risks.
- Provide **internationally recognized procedural standards** for environmental governance.
 - Access to environmental information, public participation, access to justice
 - Notification and consultation for transboundary aspects



Thank you!

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