

6th meeting of the EU-Ukraine Civil Society Platform,
Brussels, 12 April 2018

Climate change and the commitments under the Paris Agreement: the context for cooperation between EU and Ukraine

Report drafted by Plamen Peev,
Representative of the CSP WG3,

I. Introduction

This report attempts to set the context for cooperation between EU and Ukraine for climate change policy implementation and, more specifically, within the framework of the commitments to the Paris Agreement adopted by the Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC). The report reviews some important aspects of the context of the EU - Ukrainian cooperation by putting a strong emphasis on the role of civil society in the process. It offers also some conclusions and recommendations for improvement of the implementation of the effective tools, procedures and measures for the cooperation.

II. The context

1. Geophysical context

Climate change is not only part of the political talk and scientific debate, it is a reality to face every year - with new severe weather and climate events and disasters. Last year will be remembered with the devastating North Atlantic hurricane season, major monsoon floods in the Indian subcontinent, and the continuing severe drought in east Africa. Such extremes are becoming more and more part of the everyday life. The World Meteorological Organization (WMO) has reported and confirmed that 2017 was one of the three warmest years on record. The high impact of extreme weather on economic development, food security, health and migration was highlighted in the WMO Statement on the State of the Global Climate in 2017.

“The global mean temperature in 2017 was approximately 1.1 °C above the pre- industrial era, more than half way towards the maximum limit of temperature increase of 2°C sought through the Paris Agreement, which further strives to limit the increase to 1.5°C above pre-industrial levels. The year 2017 was the warmest on record without an El Niño event, and one of the three warmest years behind the record-setting 2016. The world’s nine warmest years have all occurred since 2005.”

2. Legal context

2.1. UNFCCC

At COP 21 in Paris, the Parties to the UNFCCC signed a landmark agreement to further combat climate change and to accelerate and intensify the actions and investments needed for a sustainable low carbon future. The UNFCCC is a one of the three Rio Conventions together with the UN Convention on Biological Diversity and the Convention to Combat Desertification, adopted at the UN Rio Earth Summit in 1992. The Conventions are cornerstones and international legal instruments of global environmental governance of the global threats and challenges to the climate, biodiversity, and to soils and land. They are intrinsically linked as e.g. the rehabilitation and sustainable management of the land is critical to closing the emissions gap and staying on target. At the same time climate change measures (e.g. investments and projects in renewable energy sources and installations) should not pose significant impacts on biodiversity and land use. In this context a Joint Liaison Group was set up to boost cooperation among the three Conventions, with the ultimate aim of developing synergies in their activities on issues of mutual concern.

The UNFCCC aims at stabilizing greenhouse gas concentrations "at a level that would prevent dangerous anthropogenic (human induced) interference with the climate system." It states that "such a level should be achieved within a time-frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened, and to enable economic development to proceed in a sustainable manner."

In 1994, when the UNFCCC became effective, there was less scientific evidence than there is now. The UNFCCC bound the Parties to act in the interests of human safety even in the face of scientific uncertainty.

2.2. The Paris Agreement

The Paris Agreement under the UNFCCC was signed in Paris at the COP21 on 15 December 2015 and entered into force on 4 November 2016, 30 days after the so-called "double threshold" (ratification by 55 countries that account for at least 55% of global emissions) had been met. The Agreement's central aim is to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2 degrees Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5 degrees Celsius (Art 2). Other main elements of the Agreement are:

Global peaking and 'climate neutrality' (Art. 4): the Parties aim to reach global peaking of greenhouse gas emissions (GHGs) as soon as possible.

Mitigation (Art. 4): all the Parties should prepare, communicate and maintain a nationally determined contribution (NDC) and to introduce domestic measures to achieve them. The Parties are required to communicate their NDCs every 5 years and provide information necessary for clarity, transparency and understanding.

Sinks and reservoirs (Art.5): The Parties are encouraged to take action to conserve and enhance, as appropriate, sinks and reservoirs of GHGs as referred to in Article 4, paragraph 1(d) of the Convention, including forests.

Voluntary cooperation (Art. 6): The Paris Agreement recognizes the possibility of voluntary cooperation among Parties engaging on a **voluntary basis in cooperative approaches** that involve the use of internationally transferred mitigation outcomes towards nationally determined contributions, promote sustainable development and ensure environmental integrity and transparency, including in governance, and shall apply robust accounting to ensure, inter alia, the avoidance of double counting.

Adaptation (Art. 7): The Paris Agreement establishes a global goal on **adaptation of enhancing adaptive capacity**, strengthening resilience and reducing vulnerability to climate change, with a view to contributing to sustainable development and ensuring an adequate adaptation response. Each Party shall, as appropriate, engage in adaptation planning processes and the implementation of actions, including the development or enhancement of relevant plans, policies and/or contributions, including by formulating and implementing National Adaptation Plans.

Loss and damage (Art. 8): The Parties shall recognize the importance of averting, minimizing and addressing loss and damage associated with the adverse effects of climate change, including extreme weather events and slow onset events, and the role of sustainable development in reducing the risk of loss and damage.

Finance, technology and capacity-building support (Art. 9, 10 and 11): Developed country Parties shall provide financial resources to assist developing country Parties with respect to both mitigation and adaptation in continuation of their existing obligations under the Convention.

The Parties share a long-term vision on the importance of technology development and transfer in order to improve resilience to climate change and to reduce greenhouse gas emissions. The Technology Mechanism to serve this Agreement was established under the Convention.

Capacity-building under the Paris Agreement aims to enhance the capacity and ability of developing country Parties, in particular countries with the least capacity, such as the least developed countries, and those that are particularly vulnerable to the adverse effects of climate change, such as small island developing States. The effective climate change action, include implementation of adaptation and mitigation actions, facilitation of technology development, dissemination and deployment, access to climate finance, relevant aspects of education, training and public awareness, and the transparent, timely and accurate communication of information.

The Paris Agreement encourages implementation of measures to enhance **climate change education, training, public awareness, public participation and public access to information** (Art.12)

Transparency (Art. 13): The Agreement aims at establishing of mutual trust and confidence and to promote effective implementation, by building an enhanced **transparency framework for action and support**, with built-in flexibility which takes into account Parties' different capacities and builds upon collective experience.

Global Stocktake (Art. 14): The Parties to the Paris Agreement shall periodically take stock of the implementation of the Agreement to assess the collective progress towards achieving its purpose and long-term goals (a "global stocktake"). The **first "global stocktake" will take place in 2023** and every 5 years thereafter, will assess collective progress toward achieving the purpose of the Agreement in a comprehensive and facilitative manner. It will be based on the best available science and its long-term global goal. Its outcome will inform Parties in updating and enhancing their actions and support and enhancing international cooperation on climate action.

Implementation and compliance (Art. 15): The Agreement establishes a mechanism to facilitate implementation of and promote compliance with the provisions of this Agreement. The mechanism consists of a committee that is expert-based and facilitative in nature and it functions in a transparent, non-adversarial and non-punitive manner.

2.3. EU and Ukraine's commitments under the Paris Agreement

Both Ukraine and the EU are Parties to the UNFCCC and have signed and ratified the Paris Agreement. The Paris Agreement requires all Parties to commit to achieving the ambitious goals through "nationally determined contributions" (NDCs) which should reflect their highest possible ambition, their common but differentiated responsibilities and respective capabilities, in the light of different national circumstances and based on the progress made. EU and Ukraine are in different starting positions towards achieving the goals under the Paris Agreement and this is reflected in their NDCs.

2.3.1. **Ukraine** has committed to its obligations under the Paris Agreement with an INDC¹ The country communicated its INDC prior to joining the Agreement and by doing so has satisfied the obligation to submit its first NDC².

In the Introduction to the INDC it is stated that over the years of independence since 1991, Ukraine has contributed greatly, with 10.2 billion to reduction of global greenhouse gas emissions. Greenhouse gas (GHG) emissions in Ukraine amounted to 944.4 Mt CO₂eq in 1990, and 402.7 Mt CO₂eq (excluding LULUCF) in 2012, i.e. 42.6% of the 1990 level. GHG emissions including LULUCF amounted to 874.6 Mt CO₂eq in 1990 and 375.4 Mt CO₂eq in 2012, i.e. 42.9% of the 1990 level. This reduction resulted mainly from a GDP decrease and a decline in the population and social living standards, which are expected to be recovered and improved to reach the EU level.

The document maintains further that as a result of the temporary annexation of the Autonomous Republic of Crimea and Sevastopol city by the Russian Federation the Ukraine's development course has dramatically changed. Due to the military aggression 20% of the country's economic potential was destroyed. After restoration of territorial integrity and state sovereignty over the whole territory of Ukraine, the need would arise to reconstruct ruined industrial facilities and infrastructural networks, including railway infrastructure, gas and oil pipelines, water supply systems, sewerage networks, and to repair and build new residential houses and social facilities. All this would result in increase in the production of metals, non-metal construction items, food products, etc. Ukraine would acutely need multi-billion capital. **Ukraine's INDC will be revised after the restoration of its territorial integrity and state sovereignty** as well as after the approval of post-2020 socio-economic development strategies with account of investment mobilization.

Some other main elements of the INDC concern **the greenhouse emission levels** where Ukraine defines ambitious, but at the same time substantiated and fair target with regard to the level of GHG emissions. It will not exceed 60% of 1990 GHG emissions level in 2030. In 2012, emissions were 43% of 1990 levels. Pledge will be revised after the country's territorial integrity is restored. The implementation period of the INDC is set from January 1, 2021 to December 31, 2030.

Economic sectors/source categories covered by the INDC are energy; industrial processes and product use; agriculture, land use, land-use change and forestry and waste. Concerning the **land use, land-use and forestry** the approach to including the land use, land-use and forestry in the climate change mitigation structure will be defined as soon as technical opportunities emerge, but no later than 2020. Ukraine pledges to participate actively in the development of existing international market mechanisms and implementation of new ones. The declared GHG emissions level does not account for the participation of Ukraine in international market mechanisms.

In the section on **substantiation of the INDC fairness and ambition** it is stated that the economy of Ukraine requires significant structural changes, infrastructural development, technological modernization and recovery after military operations in eastern Ukraine. The ambitious target envisages making efforts to substantially prevent increase of GHG emissions under conditions of the significant planned structural changes, restoration and development of infrastructure, and post-war reconstruction. All these actions would require development and implementation of efficient and effective policies and imposing of limitations of GHG emissions which are beyond current international obligations of Ukraine; as well as significant financial investments.

1 <http://www4.unfccc.int/ndcregistry/PublishedDocuments/Ukraine%20First/Ukraine%20First%20NDC.pdf>.

2 By its decision 1/CP.21, paragraph 22, the Conference of the Parties (COP) invited Parties to communicate their first NDC no later than when the Party submits its respective instrument of ratification, acceptance, approval or accession of the Paris Agreement. In the same paragraph, the COP further stated that if a Party has communicated an INDC prior to joining the Agreement, that Party shall be considered to have satisfied the provision of decision 1/CP.21, paragraph 22, unless that Party decides otherwise.

Pursuant to Annex B to the Doha Amendment to the Kyoto Protocol, Ukraine has allowed greenhouse gas emissions for 2020 equal to 76% of the 1990 level. The ambitious target in amount of 60% on the level of greenhouse gas emissions for 2030 in reference to the base year is much lower than both the allowed GHG emission level for 2020 and the base 1990 year level.

The next steps according to the INDC are:

1. Adoption of relevant legislative acts for the INDC implementation.

2. Implementation of the Association Agreement between the European Union, the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, ratified by the Law of Ukraine dated 16.09.2014 № 1678 – VII;

- Directive 2003/87/EC of the European Parliament and of the Council establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC;

- Regulation 842/2006/EC of the European Parliament and of the Council on certain fluorinated greenhouse gases;

- Implementation by Ukraine of the 1997 Kyoto Protocol to the United Nations Framework Convention on Climate Change, considering all compliance criteria for full implementation of the Kyoto mechanisms;

- Development of a long-term action plan for climate change mitigation and adaptation;

- Designing and implementation of long-term actions aimed at reducing greenhouse gas emissions.

3. Development and implementation of measures aimed at increasing absorption of greenhouse gases.

Ukraine will support national adaptation processes in the context of the international commitments in this field as stated in the **Adaptation section of the INDC**. For a medium-term outlook, the adaptation activities will be considered with the same priority as mitigation activities.

2.3.2. INDC of the European Union and the Member States³

Introduction: The EU and its 28 Member States are fully committed to the UNFCCC negotiating process with a view to adopting a global legally binding agreement applicable to all Parties at the Paris Conference in December 2015 in line with the below 2°C objective.

The EU and its Member States have committed to a binding target of an **at least 40% domestic reduction** in greenhouse gas emissions by 2030 compared to 1990, to be fulfilled jointly, as set out in the conclusions by the European Council of October 2014.

In line with the Lima Call for Climate Action it was submitted quantifiable information. Some other important points of INDC are:

- **Type:** Absolute reduction from base year emissions;

- **Coverage:** Economy-wide absolute reduction from base year emissions;

- **Period:** 1 January 2021- 31 December 2030;

- **Agriculture, forestry and other land uses:** Policy on how to include Land Use, Land Use Change and Forestry into the 2030 greenhouse gas mitigation framework will be established as soon as technical conditions allow and in any case before 2020.

- **Planning process:** The domestic legally-binding legislation are already in place for the 2020 climate and energy package. The existing legislation for land use, land-use change and forestry (EU Decision 529/2013) is based on the existing accounting rules under the second commitment period of the Kyoto Protocol. The legislative proposals to implement the 2030 climate and energy framework, both in the emissions trading sector and in the non-traded sector are to be submitted by the European Commission to the Council and European Parliament in 2015-2016 on the basis of the general political directions by the European Council, taking into account environmental integrity.

The 2030 climate and energy framework sets three key targets for the year 2030:

3 <http://www4.unfccc.int/ndcregistry/PublishedDocuments/European%20Union%20First/LV-03-06-EU%20INDC.pdf>.

- At least **40% cuts in greenhouse gas emissions** (from 1990 levels);
- At least **27% share for renewable energy**;
- At least **27% improvement in energy efficiency**.

The framework was adopted by EU leaders in October 2014.

Beyond this year EU has produced a low-carbon economy roadmap that suggests that by 2050, the EU should cut greenhouse gas emissions to 80% below 1990 levels with milestones to achieve this are 40% emissions cuts by 2030 and 60% by 2040.

3. Political context

3.1. The EU-Ukraine Association Agreement

EU and Ukraine started the negotiations of an Association Agreement in 2007, and of a Deep and Comprehensive Free Trade Area (DCFTA), as an integral part of that Agreement, in 2008. The negotiations were finalised on 19 December 2011, and the Agreement was initialled on 30 March 2012, followed by the DCFTA-part of the Agreement on 19 July 2012. The political chapters of the EU-Ukraine Association Agreement were signed at the EU summit of 21 March 2014, and the remaining sections of the Agreement, including the Deep and Comprehensive Free Trade Area (DCFTA), was signed at the EU summit of 27 June 2014.

On 16 September 2014, the Association Agreement was ratified by the Ukrainian Parliament and consent was given by the European Parliament, enabling the provisional application of the relevant provisions of the Association Agreement on 1 November 2014, and the DCFTA-part on 1 January 2016. On 11 June 2017 of a visa-free regime for Ukrainian citizens travelling to the European Union was came into effect⁴. The EU-Ukraine Association Agreement (including its Deep and Comprehensive Free Trade Area) entered into force on 1 September 2017. The European Union and Ukraine held the fourth meeting of the Association Council on 8 December 2017 in Brussels as a first Association Council since the entry into force of the Association Agreement.

3.2. The Luxembourg Declaration

The Luxembourg Declaration⁵ is a cornerstone in cooperation on environment and climate change in the Eastern Partnership. The Ministers for Environment of the EU Member States, the Ministers for Environment of the Eastern Partnership (EaP) countries, the EU Commissioner for Environment and the EU Commissioner for the European Neighbourhood Policy and Enlargement gathered in Luxembourg on 18 October 2016 to discuss and sign the Declaration. As a basis of the Declaration they recalled the Paris Agreement on Climate Change, the Council Conclusions of the Foreign Affairs Ministers on European climate diplomacy after COP 21 of 15 February 2016 and the related EU climate diplomacy action plan for 2016 as well as the Work Programme of Platform 2 2014-2017 which includes the EaP Panel on Environment and Climate Change.

The Declaration stresses that the aim of the Paris Agreement on Climate Change to ensure a decisive global response to the threat of climate change in the context of sustainable development and efforts to eradicate poverty, in enhancing the implementation of the UN Framework Convention on Climate Change, including its objective. Further it emphasises the need for full implementation of the Paris Agreement on Climate Change and the commitments under the Agreement to achieve a balance between anthropogenic emissions by sources and removal by sinks of greenhouse gases. It

4 https://eeas.europa.eu/headquarters/headquarters-homepage_en/27990/Visa-free%20travel%20for%20Ukrainians%20comes%20into%20force.

5 http://ec.europa.eu/environment/international_issues/pdf/declaration_on_cooperation_eastern_partnership.pdf.

also stresses the importance of ensuring the integrity of all ecosystems and the protection of biodiversity, when taking action to address climate change. It also stresses the contribution of EU, International Financial Institutions (IFIs), and international organisations (UN, OECD and others) through their respective activities on the environment and climate change including through EaP flagship projects; such as EaP GREEN and CLIMA East.

3.3. 20 Deliverables for 2020: Bringing tangible results for citizens

The EU Member States and EaP have confirmed their will and vision for cooperation by focusing on delivering tangible results to the EaP countries and their citizens by identifying 20 key Deliverables for 2020 by Eastern Partnership. Most relevant to the implementation of the Paris Agreement are **Deliverable 15**: Enhance energy efficiency and the use of renewable energy; reduce Greenhouse Gas emissions and **Deliverable 16**: Support the environment and adaptation to climate change. The joint working document "Eastern Partnership – focusing on key priorities and deliverables" calls for taking decisive steps to improve energy efficiency and the use of renewable energy, and to reduce Greenhouse Gas emissions, in line with the Paris Agreement on Climate Change. Among the targets for 2020 are at least 100 local authorities have reduced their urban CO₂ emissions of 20%. However, according to the fact sheet⁶ on the 2020 Deliverables already “over 300 municipalities covering 20 million people in the Eastern partner countries signed up to the EU’s Covenant of Mayors. This will reduce their CO₂ emissions by almost 20 million tonnes by 2020, which is equivalent to planting almost 500 million trees.” Another target is national and sectoral adaptation plans to be in place by 2020 with the support of the CLIMA East project.

4. EU-Ukraine cooperation context:

4.1. The EU-Ukraine Association agreement

The Agreement⁷ sets a cooperation framework and convergence of national legislation and policies across a range of areas, including climate change, energy and environment. In the field of environment there are several main provisions under Chapter 6 Environment supported and detailed by annexes (mainly XXX and XXXI)

Article 360 states that the Parties shall develop and strengthen their cooperation on environmental issues, thereby contributing to the long-term objective of sustainable development and green economy. It is expected that enhanced environmental protection will bring benefits to citizens and businesses in Ukraine and in the EU, including through improved public health, preserved natural resources, increased economic and environmental efficiency, integration of environment into other policy areas, and higher production as a result of modern technologies. Cooperation shall be conducted in the best interests of the Parties on the basis of equality and mutual benefit while also taking into account interdependence existing between the Parties in the field of environmental protection and related multilateral agreements.

Further Article 361 stipulates that the cooperation shall aim at preserving, protecting, improving, and rehabilitating the quality of the environment, protecting human health, prudent and rational utilisation of natural resources and promoting measures at international level to deal with regional or global environmental problems, including climate change.

Annex XXX to Chapter 6 clarifies that Ukraine shall undertake to gradually approximate its legislation to the following EU legislation within the stipulated timeframes.

6 <http://www.consilium.europa.eu/media/31690/eap-generic-factsheet-digital.pdf>.

7 http://trade.ec.europa.eu/doclib/docs/2016/november/tradoc_155103.pdf.

Under Climate change topic the following provisions of Directive 2003/87/EC establishing a scheme for greenhouse gas emission allowance trading within the Community shall be implemented within 2 years after entry into force of the Agreement:

- adoption of national legislation and designation of competent authority/ies,
- establishment of a system for identifying relevant installations and for identifying greenhouse gases (Annexes I and II),
- development of a national allocation plan to distribute allowances to installations (Art. 9),
- establishment of a system for issuing greenhouse gas emissions permits and issuance of allowances to be traded domestically among installations in Ukraine (Art. 4 and 11 – 13),
- establishment of monitoring, reporting, verification and enforcement systems and public consultations procedures (Art. 9, 14 – 17, 19 and 21).

Article 365 stresses that the cooperation shall cover as an objectives the development and implementation of a policy on climate change, in particular as listed in Annex XXXI:

- Implementation by Ukraine of the Kyoto Protocol, including all eligibility criteria for fully using the Kyoto mechanisms;
- Development of an action plan for long-term (i.e., post-2012) mitigation of and adaptation to climate change;
- Development and implementation of long-term measures to reduce emissions of greenhouse gases.

The Association Implementation Report on Ukraine (2017) states that Ukraine has taken first steps in the implementation of the Paris Agreement on climate change by adopting a Climate Policy concept at the end of 2016, while a Low Emission Development Strategy is being prepared. The country is also preparing the introduction of an emission-measurement, reporting and verification system as a first step towards the establishment of a domestic Emission Trading Scheme, as also provided for by the Association Agreement.

4.2. The Energy Community

The Energy Community is an international organisation and a legally binding framework for cooperation to create an integrated pan-European energy market between the European Union and its neighbours. The key objective of the Energy Community is to extend the EU internal energy market rules and principles to countries in South East Europe, the Black Sea region and beyond. Ukraine is a member of the Energy Community since 2011. Within this cooperation framework and its website⁸ some key developments in several topics are reported: e.g. under environment in November 2017 the Cabinet of Ministers of Ukraine adopts the National Emission Reduction Plan (NERP), under climate the Cabinet of Ministers adopted in December 2016 a Resolution on a Concept of the State Policy Implementation in the Field of Climate Change for the period up to 2030, establishing the main principles of the state policy in the field of climate change with three priority areas in addressing climate change.

4.3. Some examples of cooperation on the ground

The cooperation between EU and Ukraine has its real dimensions in the implemented projects and joint initiatives. A good example is the project *Conservation and sustainable use of peatlands with* aim to contribute to the climate change mitigation capacity building in Ukraine. The project is a part

⁸ <https://www.energy-community.org/implementation/Ukraine.html>.

of the **CLIMA East** pilot projects package and is aimed to demonstrate the relevance of nature management techniques for climate mitigation and adaptation. Project's activities included:

- building capacity of the National GHG inventory system of Ukraine in sector land use/land use change/forestry (LULUCF), namely organic soils carbon stock changes accounting;
- developing and testing at pilot region practical ecosystem-based approach for degraded private arable peatlands conversion to semi-natural conditions with high value for local people and biodiversity conservation.

The period of implementation was 2013-2016 and the pilot project was funded by the European Union with €1 800 000 and co-funded by UNDP with \$100 000.

The 20 Deliverables for 2020 provide for further implementation of CLIMA East project to support future regional project on climate action after its formulation and possibility for twinning projects after proper assessment. The target achieved should be that by 2020 the EaP countries are on track with Paris Agreement to communicate their mid-century, long-term low GHG emission development strategies.

5. Civil Society context

In the Luxembourg Declaration EU and the EaP countries stress the role of Civil Society Organisations (CSOs) in environmental protection, in promoting enhanced regional dialogue, advocacy and cooperation and improving the responsibility and commitments of governments and recognises the contribution of EaP Civil Society Forum to the work of the Panel on Environment and Climate Change. They declare their will to cooperate on implementation of the Paris Agreement on Climate Change and their commitments to meet its long-term goal; and enhance strategic collaboration with civil society organisations in the context of the Global Climate Action Agenda. They also declare their support to the involvement of civil society in decision-making, strategic planning and implementation, and results' monitoring of environmental policy, programmes and plans, in line with the Aarhus Convention.

The EU-Ukraine Association Agreement devotes a special **Chapter 26 on the civil society cooperation** and calls to the Parties to involve civil society organisations in the implementation of this Agreement, including its monitoring, and in the development of EU-Ukraine bilateral relations.

Under the UNFCCC and the Paris Agreement it is established a Subsidiary Body for Implementation (SBI). At its Forty-seventh session Bonn on 6–15 November 2017 it discussed the ways of enhancing the implementation of education, training, public awareness, public participation and public access to information so as to enhance actions under the Paris Agreement. The SBI recognized that the six elements of Action for Climate Empowerment (ACE) – education, training, public awareness, **public participation, public access to information** and international cooperation – are fundamental to enhancing the effective implementation of the Paris Agreement. In this context should be emphasised the importance of the application of Aarhus Convention principles with at least two of its pillars – on public participation and access to information in environmental matters. The same point makes and the Luxembourg Declaration calling for support of the involvement of civil society in decision-making, strategic planning and implementation, and results' monitoring of environmental policy, programmes and plans, in line with the Aarhus Convention.

The Paris Agreement is emphasising the role of the civil society by stating that to uphold and promote regional and international cooperation and to mobilize stronger and more ambitious climate action by all Parties and non-Party stakeholders should be included as main actors the civil

society, the private sector, financial institutions, cities and other subnational authorities, local communities and indigenous peoples.

Most recently, the EaP Civil Society Forum after consultations and gathering opinions from the CSOs in EU and EaP put forward comments to the Work Plans of the Eastern Partnership Platforms and Panels under the title *2020 Deliverables Put to Work*⁹. The EaP CSF has therefore compiled a document, based on the expert feedback of more than 60 of its member CSOs, encompassing the entire range of civil society activity in the Eastern neighbourhood. The Environment and Climate Change Panel proposed that in presenting and discussing the challenges of implementing the Paris agreement should be incorporated civil society actors and specialists. In the 2019 priorities, promotion of the role of civil society and environmental information could have a clear reference to the Aarhus Convention, and the EU directives and Regulation implementing it.

The significance of the Luxembourg Declaration on Cooperation on Environment and Climate Change in the Eastern Partnership should be made more apparent.

9 <http://eap-csf.eu/eap-csf-members-consultation-on-the-revised-system-of-multilateral-platforms-and-panels/>.

III. Conclusions and recommendations

Following the short review of the context for cooperation between EU and Ukraine in achieving their commitments under the Paris Agreement and climate change policy, we will present some conclusions and recommendations based on the presented documents and the practice of the author of this report in the implementation of environmental projects in Bulgaria and Central and Eastern Europe.

The environmental and climate challenges are **transboundary** and **interdependent** by nature, and therefore require a holistic approach to address them. Given the geographic proximity of the EU and EaP countries and their shared environmental assets, strengthened transboundary cooperation and **joint action** on air, forests, land and soil, nature and biodiversity and water resources, including seas, are needed (Luxembourg Declaration).

Ukraine and EU should take advantage of the international legal instruments and their platforms for cooperation and exchange of experience (e.g. under the UNECE Water Convention, the Espoo Convention and the SEA protocol, the Aarhus Convention).

The institutional silos effect is common in all countries in EU and Ukraine should follow the path of breaking down the silos and ensuring the ministries and other governmental agencies **cooperate among each other and with other stakeholders**. In this respect working groups and wider networks of experts from the governmental, scientific and civil society sectors could be formed.

There is a **need for cooperation** among, and the active engagement of, governments, local administrations, civil society, the private sector and other stakeholders to address environmental and climate challenges (Luxembourg Declaration). The importance of cooperation between ministries for environment and ministries for other sectors, such as agriculture, forestry, transport, health, economy, energy, finance, territorial development/regional development, and **education**, to ensure the effective integration of environment into other policies should be taken into account (Luxembourg Declaration).

The climate change science, policy and implementation on the ground requires knowledgeable and well-informed citizens and businesses that is why the environmental education and reaching out to every social group, including through campaigns and media coverage.

The environmental (and climate) **policy integration** should be made a priority and ensured through effective tools like EIA and SEA and intersectoral cooperation. Effective public participation should be ensured from the earliest possible stage of the procedures.

The application process and implementation requirements (reporting, etc.) for mitigation and adaptation projects should be **less bureaucratic** from EU side but with real follow-up and monitoring of the results. The involvement of civil society in strategic planning and implementation of these projects as well as in **the results' monitoring** is critical. It might be a good idea to create a common pool/clearinghouse of projects related to the implementation of the Paris Agreement and climate change policy in general, implemented by state, regional and municipal authorities, businesses, academia and CSOs. The main results of each project should be stored and not lost after the project is over and its website closed down.

A special emphasis should be put on the use and further development of **the local expertise** in implementation of projects. Instead of investing excessive amounts in foreign expertise, the local experts with proper expertise and experience should be identified and trained, if needed.

The **anti-corruption measures** should be more effective and systematic and the role of the civil society in the monitoring and watch-dogging well defined.

Green procurements should be introduced more systematically and designed with a special focus on services and goods with low carbon footprint. The existing platforms for discussion¹⁰ of the philosophy and the approaches to the green procurements should be supported.

10 <http://golocal-ukraine.com/news-en/green-public-procurement-experts-will-discuss-educational-online-training-course-before-its-official-launch/>