



# **ACCESS TO ENVIRONMENTAL INFORMATION IN UKRAINE**

Compliance with the EU  
Requirements and  
Impact of the War

November 2024



The Report on Access to Environmental Information in Ukraine: Compliance with the EU Requirements and Impact of the War (the “Report”) was drafted with the support of the European Union and the International Renaissance Foundation in the joint program – European Renaissance of Ukraine: Civil Society Resilience and Recovery Initiative. The material represents the position of the authors and does not necessarily reflect the position of the European Union or the International Renaissance Foundation.

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**SaveDnipro NGO** was founded in 2020 and focuses on protecting citizens' rights to an ecologically sound environment, promoting environmental reforms, and disclosing socially important environmental information.

The organization team has been dealing with access to environmental information since 2018. In particular, it uses, advocates for the expansion and popularization of open data in a machine-readable format, and protects the right to free access to environmental information created by various data owners – public and private.

Website: [www.savednipro.org](http://www.savednipro.org)

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***The International Renaissance Foundation** is one of the largest charitable foundations in Ukraine, which has been helping to develop an open society based on democratic values in Ukraine since 1990. Since then, the Foundation has supported about 20,000 projects worth more than \$350 million.*

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***The European Union** consists of 27 State Parties and their peoples. It is a unique political and economic partnership based on the values of respect for human dignity, freedom, equality, the rule of law and human rights. It took more than fifty years to create a zone of peace, democracy, stability and prosperity on our continent. At the same time, we have managed to preserve cultural diversity, tolerance and individual freedom. The EU is committed to sharing its values and achievements with its neighboring countries, their peoples, and with peoples beyond its borders.*

# TABLE OF CONTENTS

GLOSSARY .....	5
INTRODUCTION .....	6
Impact of War on the Environment and Registration of the Damage Suffered.....	7
Ukraine's Accession to the EU .....	7
I. METHODOLOGY FOR EVALUATING ACCESS TO ENVIRONMENTAL INFORMATION IN UKRAINE .....	9
Objective and Purpose .....	10
Main Tasks.....	10
Selection of Data Categories for Analyzing Access to Environmental Information .....	11
Methodology for Analyzing the Status of Access to Environmental Information .....	12
Advocacy .....	13
Team .....	14
II. ANALYSIS OF THE EU DIRECTIVES AND OTHER ENVIRONMENTAL REGULATIONS RELATED TO ACCESS TO ENVIRONMENTAL INFORMATION AND THE RESULTS OF THE EUROPEAN COMMISSION ASSESSMENT .....	15
Analysis of the EU Acquis on Access to Environmental Information .....	16
Access to Environmental Information. ....	18
Status of Adaptation of National Environmental Legislation to the EU Legislation .....	32
III. MONITORING AND ANALYSIS OF UKRAINIAN LEGISLATION AND STATUS QUO OF ACCESS TO ENVIRONMENTAL DATA IN UKRAINE .....	37
Legislation Analysis on Access to Environmental Information .....	38
Legislation Analysis on The Publication of Environmental Open Data (Machine-readable Format).....	44
Analysis of Regulatory and Legal Changes in Access to Information During the Legal Regime of Martial Law .....	45
IV. ANALYSIS OF CITIZENS' EFFECTIVE ACCESS TO ENVIRONMENTAL INFORMATION SINCE THE BEGINNING OF THE FULL-SCALE INVASION.....	52
Environmental Open Data.....	53
Environmental Data .....	59
V. ADVOCACY FOR RESTORATION OF ACCESS AND PROPERLY ENSURING THE RIGHTS OF CITIZENS OF UKRAINE TO ENVIRONMENTAL INFORMATION ACCESS .....	62
VI. CONCLUSIONS .....	65
VII. RECOMMENDATIONS .....	68
Improvement of the Legal Mechanism of Access to Environmental Information .....	69
Recommendations for Environmental Open Data .....	70
REFERENCES .....	73

ANNEXES.....	75
ANNEX A. Regulatory Legal Acts Governing Access to Environmental Information in Ukraine.....	75
CONSTITUTIONAL NORMS.....	75
LAWS OF UKRAINE .....	75
BYLAWS.....	75
ANNEX B. Regulatory Legal Acts Governing Open Data in Ukraine .....	76
LAWS OF UKRAINE .....	76
BYLAWS.....	76
ANNEX C. Environmental Open Data Organizations and Datasets According to the Resolution of CMU No. 835 Dated October 21, 2015 .....	78
ANNEX D. Monitoring Product for Access to Environmental Open Data .....	90
ANNEX E. Openness Ranking of Environmental Open Data Holders .....	131
ANNEX F. Monitoring Product for Access to Environmental Information.....	136



# GLOSSARY

EU – European Union

CMU – Cabinet of Ministers of Ukraine

Ministry of Environment – Ministry of Environmental Protection and Natural Resources of Ukraine

Ministry of Digital – Ministry of Digital Transformation of Ukraine

SEI – State Environmental Inspectorate of Ukraine

EIA – Environmental Impact Assessment

SEA – Strategic Environmental Assessment

PRTR – Pollutant Release and Transfer Register

Organization – authority, agency, public officer, or other person who has public information

USODP – Unified State Open Data Portal

CEA – Central Executive Authority

Ombudsman – Ukrainian Parliament Commissioner for Human Rights

DCFTA – Deep and Comprehensive Free Trade Areas

The EU-Ukraine Association Agreement – Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their State Parties, on the other hand

# INTRODUCTION

The principle of interdependence of environment, peace, human rights and freedoms in international law has not a very long history and began its development in 1972 with the Stockholm Declaration [6]. In June 1992 in Rio de Janeiro, the UN Conference on Environment and Development (UNCED) adopted the Declaration and Agenda 21 [7], which stipulates that environmental problems are solved with the participation of all concerned citizens, and states promote public awareness by providing wide access to environmental information. In June 1998, 35 European countries signed the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters at the Fourth Conference of Environment Ministers in Aarhus, Denmark [8]. The Aarhus Convention has been ratified by the European Union and Ukraine, so the analysis of the provisions of this Convention is common for both the EU and Ukraine.

Access to environmental information is extremely important for Ukrainian citizens for several key reasons:

1. *Health and safety:* Information on air, water and soil quality has a direct impact on public health. Citizens have the right to know about potential hazards, such as environmental pollution, in order to make informed decisions about their health and potential negative impacts on it.
2. *Transparency and accountability:* Access to environmental information enhances the transparency and accountability of government actions. For example, citizens can control how the state budget is used in the field of environmental protection.
3. *Combating excessive industrial pollution:* Information on industrial activities of enterprises, their emissions, data on audits of compliance with environmental legislation, proper payment of environmental taxes, etc. allows the public to assess the acceptability of the environmental burden and impact on the health of citizens and fair compensation for such damage.
4. *Participation in decision-making:* Citizens access to up-to-date environmental information is the foundation for their participation in environmental decision-making processes. This contributes to the development of democracy in society, the ability to express their opinions, suggestions and comments.
5. *Protection of rights and interests:* Knowledge about the state of the environment helps citizens to assert their rights, in particular through access to justice. For example, environmental information can serve as a basis for challenging decisions that may be harmful to the environment or as evidence of unlawful environmental impact.
6. *Information sharing and sustainable development:* Information about environmental issues and initiatives related to sustainable development helps communities to implement environmentally friendly practices, preserve natural resources, etc. by sharing information.

7. *Equity and equality*: Ensuring access to environmental information for all citizens, regardless of their social, economic status or other factors, promotes social justice and equity in the provision of environmental benefits and services.

Access to environmental information has several relevant aspects during the full-scale war between Russia and Ukraine.

## Impact of War on the Environment and Registration of the Damage Suffered

Since the beginning of Russia's undeclared war against Ukraine in 2014 and during the aggressor's full-scale invasion in February 2022, Ukraine has faced special threats and consequences of hostilities for the environment due to air, water, and soil pollution, loss of biodiversity, and climate change. According to preliminary estimates, environmental losses due to the destructive impact of a full-scale war exceed UAH 2.78 trillion (as of the end of November 2024). One of the main tasks is to register the facts and collect evidence of the damage caused to prove Russia's guilt in international courts further and obtain decisions on fair compensation.

In Ukraine, for two and a half years of the great war, the SEI has been collecting and storing data on the consequences of the war within the competence entrusted to it. At the same time, dozens of public formations are implementing initiatives to collect, research, and publicize the facts of the war's impact on the environment. A special condition for proving the negative impact is providing data on the state of the environment before the impact on it, which must be available to state data owners and administrators.

In addition, the implementation of green recovery projects at the national, regional, and local levels is impossible without public participation, the adequacy of which is conditioned by the appropriate level of access to both relevant management decisions and environmental information.

## Ukraine's Accession to the EU

Nowadays, Ukraine is in two closely related processes of the EU accession: the EU-Ukraine Association Agreement Implementation Process (the Association Agreement was signed in June 2014 and entered into force in September 2017) and the EU Negotiations Process (officially launched on 25 June 2024).

The association process involves the full implementation of the EU Acquis<sup>1</sup>, i.e. the complete harmonization of national legislation with the EU legislation by the day of actual membership in the EU. In the negotiation process, the candidate country has to make a settlement with the EU State Parties on the terms of its accession to the EU, and has tasks to address specific problems of the Acquis transposition, fulfilling them along with the completion of accession negotiations.

Considering that the negotiation process is a strategic stage on the way to membership, approximation of Ukrainian legislation regarding public access to information in general and environmental information, in particular, is a direct task of Ukraine's European integration in the coming years.

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<sup>1</sup> The **EU Acquis** (*Fr. "acquis"*) is the achievement of European integration in the political, legal and economic spheres, which is based on European common values as defined in Article 2 of the EU Treaty. In political and legal terms, it is a dataset of rights and obligations of EU member states. They are all obliged to share and comply with the EU acquis, unless otherwise agreed. [13]

# **I. METHODOLOGY FOR EVALUATING ACCESS TO ENVIRONMENTAL INFORMATION IN UKRAINE**



## Objective and Purpose

The research activities aim to analyze the current state of Ukrainian legislation and advocate for access to environmental information in Ukraine. Special attention to analyzing and advocating for the regularity of environmental open data disclosure.

This study aims to facilitate Ukraine's approach to the European Union standards regarding access to environmental information. Namely, by opening environmental data and information, creating conditions for broad public involvement in decision-making, and access to justice on environmental issues.

## Main Tasks

1. Monitoring and evaluation of Ukrainian legislation on access to environmental information.
2. Analysis of the EU Directives, the results of the European Commission's assessment, and other environmental regulations related to access to environmental information.
3. Analysis of regulations developed during the full-scale war.
4. Monitoring and analyzing citizens' actual access to environmental information since the beginning of the full-scale invasion and creating a digital tool for recording access to environmental open data.
5. Advocating for the restoration of access and proper enforcement of the rights of Ukrainian citizens to access environmental information.

## Selection of Data Categories for Analyzing Access to Environmental Information

Data Category	Owners and Administrators	Description
Environmental open data	All data owners and administrators who are obliged to publish datasets on the Unified State Open Data Portal in accordance with the Resolution of the CMU No. 835	The machine-readable data format allows to receive aggregated information for machine analysis, processing and creation of digital products
Open data that includes environmental data	All data owners and administrators who are obliged to publish datasets on the Unified State Open Data Portal in accordance with the Resolution of the CMU No. 835	Related environmental data that have an impact on the environment and/or public health or contain environmental data are part of the analysis of the degree and scope of impact
Environmental information of public interest	Ministry of Environmental Protection and Natural Resources of Ukraine, SEI, Ministry of Health, Ukrainian Hydrometeorological Center, local governments, State Statistics Service, State Agency of Ukraine for Melioration, Fisheries and Food Programmes, State Agency of Ukraine on Exclusion Zone Management, State Agency of Water Resources of Ukraine, State Enterprise National Nuclear Energy Generating Company Energoatom, National Energy Company Ukrenergo, State Emergency Service of Ukraine, State Energy Supervision Inspectorate of Ukraine, State Nuclear Regulatory Inspectorate of Ukraine, Ministry of Energy	Information that is most relevant for the authors and the interviewed public formations

## Methodology for Analyzing the Status of Access to Environmental Information

The methodology of the analysis is to monitor the publication of open datasets on the Unified State Open Data Portal by the data administrators defined by the Resolution of the CMU No. 835 dated October 21, 2015 *On Open Data*.

Based on the results of the analysis, each dataset of open data was assigned a certain status from the ones described in the table below:

Category (color)	Status	Comment
Red	Closed Access	The dataset is not published by the data administrator on the Unified State Open Data Portal or has not been updated since the beginning of the full-scale invasion of Russia due to the data being closed by the data administrator.
Yellow	Restricted Access	<p>The dataset is published on the Unified State Open Data Portal, but:</p> <ul style="list-style-type: none"><li>• it is not a dataset in the open data form (for example, instead of publishing an application programming interface, a link to a third-party website is published);</li><li>• data is not updated on time.</li></ul> <p>The timeliness of the update is determined by the date of the last data update and the frequency declared by the data administrator. If the dataset has not been updated for more than half of the declared period since the end of the reporting period, the status is defined as “not updated on time”.</p> <p>For example, if the update frequency is annual and the dataset has not been updated for more than six months after the end of the reporting year, or if the frequency is monthly and more than two weeks have passed since the end of the reporting month.</p> <p>Interactive maps are an exception. For example, for subsoil, there is an open dataset “Interactive Map of Subsoil Areas” that shows “special permits for subsoil use” and has a link to the map. And if the link works without user</p>



		authorization, the status is “green – open”, if it does not work, it is “red – closed”.
Green	Open Access	The dataset is published on the Unified State Open Data Portal in the open data format and updated in a timely manner (as determined by the administrator).
Light gray	Data Unavailable (The dataset did not exist on the date of monitoring)	Some datasets have appeared recently, and this status was introduced to reflect them in history (in past periods when they did not yet exist in the Resolution).
	Data Unavailable (Temporarily occupied territories)	We use this status for local governments from Donetsk, Luhansk, Sevastopol and the Autonomous Republic of Crimea.
Dark gray	Under Moderation	The dataset has been added by the data administrator to the Unified State Open Data Portal, but it is under moderation at the time of monitoring, according to the response to the request to the data administrator.
Blue	Excluded from Resolution No. 835	The dataset was excluded from the Resolution of the CMU No. 835 at the time of monitoring (last revision of the Resolution dated 27.08.2024)

## Advocacy

Tools used by the authors of the study to protect the rights of citizens to access environmental information:

- cooperation with the Ukrainian Parliament Commissioner for Human Rights, namely: drafting and sending complaints, holding explanatory meetings to restore and further protect the rights of citizens to access environmental information, including environmental information to be made public in the open data format;
- Interaction with central authorities (Ministry of Digital, Ministry of Environment), other data administrators, international technical assistance projects that support authorities in working with open data, etc;
- drafting and submitting a complaint to the Aarhus Convention Compliance Committee regarding Ukraine’s violation of citizens rights to access environmental information in open data format.

The results of the study and recommendations based on its findings will also be sent to the relevant authorized bodies. The Report itself, its individual sections and products developed on its basis will be used by the SaveDnipro team to protect the information rights of citizens to access environmental information.

## Team

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- Report design: O. Romaniukova.
- Communicator highlighting the results of the study and promoting key message: K. Fedorov.
- Advocacy specialist protecting access to environmental information and promoting the recommendations provided in the report: I. Chernysh.
- Project manager coordinating the teamwork: I. Chernysh.

## **II. ANALYSIS OF THE EU DIRECTIVES AND OTHER ENVIRONMENTAL REGULATIONS RELATED TO ACCESS TO ENVIRONMENTAL INFORMATION AND THE RESULTS OF THE EUROPEAN COMMISSION ASSESSMENT**



## Analysis of the EU Acquis on Access to Environmental Information

In the legislation of the European Union, the regulation and ensuring of the human right to access environmental information began to be formed within the framework of the legislation of the European Communities, starting in the 70s and 80s of the twentieth century. The established principles and priorities in the field of environmental protection, which were enshrined in the first (1973)<sup>2</sup>, second (1977)<sup>3</sup>, third (1983)<sup>4</sup> programmes of action of the European Communities on the environment, allowed the Fourth EU Environmental Programme (1987)<sup>5</sup> to prioritize the need to find and develop ways to improve public access to information held by public authorities.

Considering the retrospective of the formation of the right of citizens to access EU environmental information, it is worth noting the first special act at the EU level – Council Directive 90/313/EEC of 7 June 1990 on freedom of access to environmental information<sup>6</sup>. The Directive was adopted to ensure freedom of access to and dissemination of information relating to the environment held by public authorities and to set out the conditions and procedure for access to such information. The concept of “information related to the environment” in the context of the Directive is considered as any available information in written, visual, sound or database form on the state of water, air, soil, fauna, flora, land and natural objects, as well as on activities (including those that cause such effects as noise) or measures that adversely affect or may affect the environment, as well as on activities or measures aimed at their protection, including administrative measures and environmental management programmes (Article 2)<sup>7</sup>. Subsequently, this Directive was replaced by Directive 2003/4/EC of the European Parliament and of the Council of January 28, 2003 on public access to environmental information and repealing Directive 90/313/EEC.<sup>8</sup>

The signing of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in June 1998 at the Fourth Conference of Environment Ministers held in Aarhus (Denmark) had a significant impact on the formation of legal support for the human right to access environmental information at the EU level (the “Aarhus Convention”)<sup>9</sup>, which was subsequently ratified by both the European Union, in accordance with Council Decision 2005/370/EC of 17 February 2005 on concluding on behalf of the European Community the Convention on Access to Information, Public

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<sup>2</sup> OJ No. C 112, 20.12.1973, p. 1.

<sup>3</sup> OJ No. C 139, 13.6.1977, p. 1.

<sup>4</sup> OJ NO. C 46, 17. 2. 1983, p. 1.

<sup>5</sup> OJ No. C 70, 18.3.1987, p. 3.

<sup>6</sup> Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment OJ L 158, 23.6.1990, p. 56–58 (ES, DA, DE, EL, EN, FR, IT, NL, PT) URL: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A31990L0313>

<sup>7</sup> Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment OJ L 158, 23.6.1990, p. 56–58 (ES, DA, DE, EL, EN, FR, IT, NL, PT) URL: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A31990L0313>

<sup>8</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC OJ L 41, 14.2.2003, p. 26-32 URL: <https://eur-lex.europa.eu/eli/dir/2003/4/oj>

<sup>9</sup> Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25.06.1998, Aarhus (Denmark): International Treaty URL: [https://zakon.rada.gov.ua/laws/show/994\\_015#Text](https://zakon.rada.gov.ua/laws/show/994_015#Text)

Participation in Decision-making and Access to Justice in Environmental Matters<sup>10</sup> , and Ukraine .<sup>11</sup>

In order to promote the protection of the right of everyone, present and future generations, to live in an environment conducive to their health and well-being, in accordance with Article 1 of the Aarhus Convention, each of the State Parties to the Convention guarantees citizens the rights of access to information, public participation in decision-making and access to justice in environmental matters in accordance with the provisions of the Convention.

The Aarhus Convention enshrines three principles and interrelated procedural environmental rights, the realization of which allows to ensure human rights to a favorable (safe) environment, in particular, the right to access to environmental information, the right to public participation in the process of making environmentally significant decisions and the right to access to justice in environmental matters. These environmental human rights are very closely interrelated, but the realization of each of them begins with the issue of free access to environmental information.

The Aarhus Convention, in its Article 2, enshrines the concept of “environmental information”, which means any information in written, audiovisual, electronic or any other material form about the environment:

1. the state of such environmental components as air and atmosphere, water, soil, land, landscape and natural objects, biodiversity and its components, including genetically modified organisms, and the interaction between these components;
2. factors such as substances, energy, noise and radiation, and activities or measures, including administrative measures, environmental agreements, policies, legislation, plans and programmes that affect or may affect the components of the environment referred to in subparagraph (1) above, and cost-benefit analyses and other economic analyses and assumptions used in the decision-making process on environmental matters;
3. health and safety of people, living conditions of people, state of cultural objects and buildings to the extent that they are or may be affected by the state of environmental components or through these components, factors, activities or measures referred to in subparagraph 2 above.

The Convention also defines the subject composition of the relations of realization of the right to access to environmental information in terms of the definition of “public”, which is understood as “one or more natural or legal persons, their associations, organizations or groups acting in accordance with national legislation” and the concept of “concerned public”, which is understood as “the public that is affected or may be affected by the decision-making process on environmental matters or has an interest in this process; for the purposes of this definition,

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<sup>10</sup> 2005/370/EC: Council Decision of February 17, 2005 on the conclusion, on behalf of the European Community, of the Convention on access to information, public participation in decision-making and access to justice in environmental matters OJ L 124, 17.5.2005, p. 1-3 URL: <https://eur-lex.europa.eu/eli/dec/2005/370/oj>

<sup>11</sup> On Ratification of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters: Law of Ukraine of 6 July 1999, No. 832-XIV URL: <https://zakon.rada.gov.ua/laws/show/832-14#Text>

non-governmental organizations that contribute to environmental protection and comply with the national legislation are considered to have an interest” (Article 2).

The Convention also defines a wide range of authorized entities that have the power to collect, process, and dispose of environmental information and are covered by the concept of “public authority”. These are:

1. government agencies at the national, regional and other levels;
2. individuals or legal entities that discharge public administrative functions under national law, including specific duties, activities and services related to the environment;
3. any other individuals or legal entities entrusted with the discharge of public duties or functions, or providing environmental services to the public under the supervision of the body or person referred to in subparagraphs 1 or 2 above;
4. institutions of any regional economic integration organization established by the State Parties of the European Economic Commission, to which their State Parties have delegated powers in matters governed by the Aarhus Convention. Exceptions to this list of entities are bodies in the field of judicial proceedings and lawmaking (Article 2).

The Convention also enshrines general principles for ensuring the realization of the right of citizens to access environmental information (Article 3, General Provisions), which the State Parties to the Convention undertake to implement at the national level, including measures to develop national regulations and develop an access structure, create conditions for ensuring access and promote public participation in decision-making and access to justice, environmental education and public awareness, recognize associations and provide them with all possible support. It is worth noting that the Aarhus Convention encourages the creation of wider access to environmental information than is defined by its provisions.

The Aarhus Convention sets out the procedure for access to environmental information, the grounds for refusing to provide environmental information, and defines the obligations of the State Parties to collect and disseminate environmental information.

## Access to Environmental Information.

1. In accordance with Article 4.1. a) of the Aarhus Convention, environmental information is provided to the public without the need for them to express their interest.
2. Pursuant to Article 4 of the Aarhus Convention, environmental information shall be provided in the form requested by the public. The following cases are exceptions:
  - if a public authority is unable to provide environmental information in the form specified in the request, it must inform the applicant of the reasons for providing the information in another form;
  - if the requested information is already publicly available, in another form.

3. Period for providing environmental information: access to environmental information should be provided as soon as possible, but no later than one month after the request is submitted; if the volume and complexity of the information requires more time to prepare the information, this period may be extended up to two months after the request is submitted. The applicant must be informed of any extension of the deadline for providing information and the reasons for it (part 2 of Article 4).
4. The Aarhus Convention provides for cases when environmental information may be refused. Such cases can be divided into two groups: the first one is more related to the form of the request and the conditions under which it is impossible to provide environmental information; the second one is more related to protecting the interests of other entities.

The First Group	The Second Group
<ol style="list-style-type: none"> <li>1. the public authority to which the request is addressed does not possess the environmental information requested;</li> <li>2. the request is manifestly unfounded or formulated in an overly general manner;</li> <li>3. the request concerns material in progress or internal communications of public authorities, if such exemption is provided for by national law or customary practice, taking into account the public interest served by disclosure.</li> </ol>	<p>Both grounds aimed at protecting the interests of other entities and cases where disclosure of such information may be threatening:</p> <ol style="list-style-type: none"> <li>1. confidentiality of the activities of public authorities, if such confidentiality is provided for by national law;</li> <li>2. international relations, national defense or public security;</li> <li>3. the administration of justice, the ability of a person to obtain a fair trial, or the ability of a public authority to conduct a criminal or disciplinary investigation;</li> <li>4. confidentiality of commercial and industrial information, if such confidentiality is protected by law in order to protect a legitimate economic interest. This includes disclosure of emissions information relevant to environmental protection;</li> <li>5. intellectual property rights;</li> <li>6. confidentiality of personal data and/or files relating to an individual, unless the individual has given consent to the disclosure of information to the public, if such confidentiality is provided for by national law;</li> <li>7. interests of a third party that has provided the requested information without that party being or being able to be placed under a legal</li> </ol>

	<p>obligation to do so, and if that party does not agree to disclose the information;</p> <p>8. the environment to which the information relates, such as breeding grounds for rare species.</p>
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State Parties may authorize their public authorities to charge fees for the information furnished, provided that such fees do not exceed a reasonable amount. In this case, the public authorities shall inform the public of the amount of the fee and of the cases and grounds for exemption from such fee.

Ensuring the public's right of access to environmental information requires states to fulfill a number of obligations to collect, process and disseminate environmental information, which are enshrined in Article 5 of the Aarhus Convention.



*Obligations of states to collect, process and disseminate environmental information in accordance with Article 5 of the Aarhus Convention*

1	Each Party to the Aarhus Convention shall ensure that:	<p>a) public authorities that are administrators of environmental information not only have such information, but also constantly updated it;</p> <p>b) mandatory systems have been established to ensure that information on planned and ongoing activities that may have a significant impact on the environment is properly communicated to the public authorities;</p> <p>c) in cases that pose an imminent threat to the human health or the environment arising from human activity or natural phenomena, all information that could enable the public to take measures to prevent or reduce the damage that may result from such a threat and which is at the disposal of the public authority was promptly disseminated (made public) to members of the public potentially affected by the threat.</p>
2	Each of the Parties is obliged to ensure, at the level of national legislation, not only the transparency of the procedure for providing environmental information to the public, but also its easy accessibility / public availability through the following measures:	<p>a) providing the public with sufficient information on the types and scope of environmental information available to the relevant public authorities; the main conditions under which such information may be provided, as well as the process of obtaining it;</p> <p>b) organizing and implementing such practical measures as:  - providing public access to lists, registers or files (archives);  - establishing requirements for officials to support the public in obtaining access to information in accordance with this Convention;  - identifying contact centers;</p> <p>c) providing free access to environmental information contained in lists, registers, or files (archives);</p>
3	There is an obligation of each Party to ensure a gradual increase in the volume of environmental information in electronic databases that are easily accessible to the general public through public communication networks. The information available in this form should include:	<p>a) environmental reports in accordance with paragraph 4 below;</p> <p>b) texts of legislative acts on issues related to the environment or related to it;</p> <p>c) where applicable, policy documents, plans and programmes relating to the environment or relevant to it, as well as environmental agreements;</p> <p>d) other information to the extent that the availability of such information in such form may facilitate the application of national legislation to implement the provisions of the Aarhus Convention, provided that such information is already available in electronic form.</p>

4	Each Party is obliged to publish and disseminate regularly, at intervals not exceeding three or four years, a national report on the state of the environment, including information on environmental quality and information on environmental pressures.	
5	Each Party shall take measures within the framework of its legislation for the purpose of dissemination:	1) legislative and policy documents, such as documents on environmental strategies, policies, programmes and action plans, and reports on their implementation, prepared at various levels of government;
		2) international treaties, conventions and agreements on environmental issues;
		3) other important international documents on environmental issues, as appropriate.
6	Each Party shall encourage operators whose activities have a significant impact on the environment to regularly inform the public about the environmental impact of their activities and products, where appropriate, through voluntary environmental labeling, eco-audit schemes or other means.	
7	Each Party shall:	1) publish facts and analysis of facts that it considers relevant and important for the formation of the basic principles of environmental policy;
		2) publish or otherwise make public explanatory material about its relations with the public on matters falling within the scope of this Convention;
		3) provide information in the appropriate form on the performance of government functions or provision of public services related to the environment by the government at all levels.
8	Each Party shall develop mechanisms to ensure that sufficient product information is made available to the public so that consumers can make informed good environmental choices.	
9	Each Party shall take measures to progressively establish, subject to international processes, where appropriate, a harmonized, national system of pollution inventories or registers based on a structured, computerized and publicly accessible database compiled through standardized reporting. Such a system may include the inputs, emissions, and transfers of a defined range of substances and products, including water, energy, and resource use, from a defined range of activities to the environment and to on-site and off-site treatment and disposal sites.	

Public access to environmental information in accordance with Articles 6-8 of the Aarhus Convention should also be ensured:

1. in the process of public participation in decision-making on specific measures (in particular, in the process of decision-making on the authorization of planned activities) (Article 6);

2. in the process of public participation in the preparation of plans and programmes, policies related to the environment (Article 7).
3. in the process of public participation in the preparation of regulatory legal acts of the executive branch and/or generally accepted legally binding regulatory documents (Article 8).

It is also necessary to note the importance of the obligations of the party states to ensure free access to justice, in particular in cases of violation of the public's right to access environmental information. Pursuant to Article 9, Each Party shall, within the framework of its national legislation, ensure that any person who considers that his or her request for information has been ignored, wrongfully refused, whether in part or in full, inadequately answered, or otherwise not dealt with in accordance with the provisions of that article, has access to a review procedure before a court of law or another independent and impartial body established by law.

In the circumstances where a Party provides for such a review by a court of law, it shall ensure that such a person (whose right of access to environmental information has been violated) also has access to an expeditious procedure established by law that is free of charge or inexpensive for reconsideration by a public authority or review by an independent and impartial body other than a court of law. Final decisions shall be binding on the public authority holding the information.

The norms of access to environmental information enshrined in the Convention actually permeate the entire legal regulation of social relations arising in the field of natural resources use (including economic activity and economic circulation), environmental protection and environmental safety. It is important to note that the requirements for public access to environmental information must be observed in the activities of business entities whose activities affect the environment at all stages of their operations, as well as in the activities of public authorities and local governments, and must be ensured in the process of implementing various remedies for violated environmental rights of citizens.

After the states approved the Aarhus Convention, the European Union adopted Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Directive 90/313/EEC<sup>12</sup>, which significantly expanded access to environmental information compared to Directive 90/313/EEC.

The Directive 2003/4/EC on public access to environmental information and repealing Directive 90/313/EEC aims to:

1. Guaranteeing the right of access to environmental information held by or for public authorities and establishing the basic provisions, conditions and practical measures for its implementation;
2. ensuring gradual accessibility and dissemination of environmental information to the public in order to achieve the greatest possible systematic accessibility and dissemination of environmental information. To this end, the use of, inter alia,

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<sup>12</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC OJ L 41, 14.2.2003, p. 26-32 <https://eur-lex.europa.eu/eli/dir/2003/4/oj>

computer-based telecommunication and/or electronic technologies, where available, is encouraged.

The concept of “environmental information” in Article 2 of Directive 2003/4/EC is based on the definition of environmental information in the Aarhus Convention and “means any information in written, visual, sound, electronic or any other material form about:

1. the state of the elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural features, including wetlands, coastal and marine areas, biodiversity and its components, including genetically modified organisms, as well as interactions among these elements;
2. factors, such as substances, energy, noise, radiation or waste, including radioactive waste, emissions, discharges and other releases into the environment that affect or may affect the environmental elements referred to in paragraph 1;
3. measures (including administrative measures), such as policies, legislation, plans, programmes, environmental agreements, and activities that affect or may affect the elements and factors identified in paragraphs 1 and 2, as well as measures or activities designed to protect those elements;
4. reports on the implementation of environmental legislation;
5. cost-benefit analysis and other economic analysis and assumptions used in the measures and activities referred to in paragraph 3;
6. human health and safety, including contamination of the food chain, where appropriate, human living conditions, cultural sites and built structures, as they are or may be affected by or through the state of the environmental elements referred to in paragraph 1 by any of the matters referred to in paragraphs 2 and 3.”

It is important to note that “environmental information physically held by other bodies on behalf of public authorities” should also fall within the scope of Directive 2003/4/EC.

The procedure for access to environmental information on the basis of a request is defined in Article 3, the grounds for refusal to provide environmental information are defined in Article 4 and are based on the provisions of the Aarhus Convention.

Article 7 of the Directive specifies the obligations of State Parties to disseminate environmental information. State Parties shall ensure that information on the environment is progressively made available in electronic databases that are easily accessible to the public through public telecommunication networks. The following information shall be made available, disseminated and duly updated:

1. texts of international treaties, conventions or agreements, as well as EU, national, regional or local legislation on or relating to the environment;
2. policies, plans and programmes related to the environment;
3. progress reports on the implementation of documents (international treaties, conventions or agreements, as well as Community, national, regional or local

- legislation on or relating to the environment), if they are prepared or stored in electronic form by public authorities;
4. environmental reports, in particular, the publication of national and, where appropriate, regional or local environmental reports at regular intervals not exceeding four years; such reports should contain information on the quality and environmental impact;
  5. data or summaries of data obtained as a result of monitoring activities that affect or may affect the environment;
  6. permits of enterprises with significant environmental impacts and environmental agreements or a link to the place where such information can be requested or found under Article 3 of Directive 2003/4/EC;
  7. environmental impact studies and risk assessments for the environmental elements referred to in Article 2(1)(a) or a link to the place where information can be requested or found under Article 3 of the Directive.

Pursuant to Part 4 of Article 7 of Directive 2003/4/EC, State Parties are obliged, in the event of an imminent threat to human health or the environment caused by human activity or natural causes, to ensure that all information held by or for public authorities which may enable the public who may be affected to take measures to prevent or mitigate the damage caused by the threat is disseminated immediately and without delay.

Attention is also focused on the guarantee by the State Parties (Article 8) of the quality of environmental information, which must be relevant, accurate and comparable.

The following four directives can be grouped into a separate regulatory block, as they contain rules on ensuring access to environmental information in the process of public participation in decision-making on specific measures (issuance of permits, environmental impact assessment, etc.) and in the preparation of plans and programmes, policies related to the environment. Such directives include Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codified), as amended by Directive 2014/52/EU of the European Parliament and of the Council<sup>13</sup>, Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment<sup>14</sup> and Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in the drawing up of certain plans and

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<sup>13</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification) Text with EEA relevance URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0092>

<sup>14</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment OJ L 197, 21.7.2001, p. 30-37 URL: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32001L0042>

programmes relating to the environment and amending Council Directives 85/337/EEC and 96/61/EC on public participation and access to justice.<sup>15</sup>

Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codified), as amended by Directive 2014/52/EU, replaced the previous Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment. The new codified version of this Directive was adopted to implement the provisions of the Aarhus Convention. According to the directive, the public's right to access environmental information is ensured in the process of environmental impact assessment of certain private and public projects, namely: State Parties shall determine detailed measures to inform the public (for example, by placing advertisements within a certain radius or publishing in local newspapers) and consult the concerned public (for example, by written requests or by responding to a public request) (Part 5 of Article 6); at the national level, reasonable period should be provided for the various stages of environmental impact assessment, which provide sufficient time for informing the public and the public concerned to prepare and effectively participate in environmental decision-making (Part 6 of Article 6)<sup>16</sup>.

Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment<sup>17</sup> includes provisions of the United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context of 25 February 1991<sup>18</sup> and its Protocol on Strategic Environmental Assessment of 21 May 2003 (Kyiv)<sup>19</sup>. This Directive aims to ensure a high level of environmental protection by conducting an environmental impact assessment of certain plans and programmes. When assessing the impact of certain plans and programmes on the environment, State Parties shall ensure public access to environmental information and public consultations (Article 6).

The main purpose of Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in the drawing up of certain plans and programmes relating to the environment and amending Council Directives 85/337/EEC and 96/61/EC as regards public participation and access to justice is to facilitate the implementation of the obligations arising from the Aarhus Convention, in particular by:

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<sup>15</sup> Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC - Statement by the Commission URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32003L0035>

<sup>16</sup> Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (codification) Text with EEA relevance URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32011L0092>

<sup>17</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment OJ L 197, 21.7.2001, p. 30-37 URL: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32001L0042>

<sup>18</sup> United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context of 25 February 1991 URL: [https://zakon.rada.gov.ua/laws/show/995\\_272#Text](https://zakon.rada.gov.ua/laws/show/995_272#Text)

<sup>19</sup> Protocol on Strategic Environmental Assessment to the United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context of 21 May 2003: [https://zakon.rada.gov.ua/laws/show/995\\_b99#Text](https://zakon.rada.gov.ua/laws/show/995_b99#Text)

1. ensuring public participation in the development of certain plans and programmes related to the environment;
2. improving public participation and ensuring provisions for access to justice within the framework of Council Directives 85/337/EEC and 96/61/EC.

Directive 2003/35/EC also amended Council Directive 96/61/EC on integrated pollution prevention and control, which is now replaced by Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control)<sup>20</sup>, which laid down rules for the integrated prevention and control of pollution from industrial operations aimed at preventing or, where this is not practicable, reducing emissions to air, water and land and preventing the generation of waste in order to achieve a high level of protection of the environment as a whole. Pursuant to Article 24 of Directive 2010/75/EU on industrial emissions, there are requirements for access to environmental information and public participation in the procedures for issuing permits for activities that may affect the environment. State Parties are obliged to ensure that the public concerned is provided with early and effective opportunities, including access to environmental information, to participate in authorization procedures.

Pursuant to Part 2 of Article 24 of Directive 2010/75/EU, the competent authorities of the State Parties are obliged to publish the following information, including via the Internet, after making a decision to grant, revise or renew an authorization:

1. content of the decision, including a copy of the authorization and any subsequent updates;
2. reasons behind the decision;
3. results of consultations held prior to the decision and an explanation of how they were taken into account in the decision;
4. name of the reference documents on best available techniques that apply to the relevant installation or activity;
5. how the authorization conditions referred to in Article 14 of Directive 2010/75/EU, including emission limit values, have been determined on the basis of the best available technology and emission levels associated with the best available techniques;
6. if a derogation from the general authorization procedure is applied in accordance with Part 4 of Article 15 of Directive 2010/75/EU, the specific reasons for such derogation must be made public.

The legal regime of environmental information under EU law includes a number of legal provisions that define the legal basis for the formation of registers of environmental information and data. Among the EU acts in this regard, it is worth noting the Council Decision of 2 December 2005 on the conclusion on behalf of the European Community of the UN-ECE

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<sup>20</sup> Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (recast) (Text with EEA relevance) URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32010L0075&qid=1728762265239>

Protocol on Pollutant Release and Transfer Registers (2006/61/EC)<sup>21</sup>. Ukraine has also ratified the United Nations Economic Commission for Europe Protocol on Pollutant Release and Transfer Registers of 21.05.2003 (Kyiv)<sup>22</sup> (the “UN ECE PRTR Protocol”) in accordance with the Law of Ukraine No. 980-VIII of 03.02.2016.<sup>23</sup>

The legal basis for the development and approval of the UN-ECE PRTR Protocol by the states is Article 5(9) of the Aarhus Convention, according to which the State Parties “shall take steps to establish progressively, taking into account international processes where appropriate, a coherent, nationwide system of pollution inventories or registers on a structured, computerized and publicly accessible database compiled through standardized reporting taking into account international experience, if appropriate. Such a system may include inputs, releases and transfers of a specified range of substances and products, including water, energy and resource use, from a specified range of activities to environmental media and to on-site and offsite treatment and disposal sites.”<sup>24</sup>

The UN-ECE PRTR Protocol aims “to enhance public access to information through the establishment of consistent, integrated, nationwide pollutant release and transfer registers (PRTR) in accordance with the provisions of this Protocol, which could facilitate public participation in decision-making on environmental matters and contribute to the prevention and reduction of environmental pollution” (Article 1 of the UN-ECE PRTR Protocol).

In order to implement the UN-ECE PRTR Protocol in the European Union, Regulation (EC) No. 166/2006 of the European Parliament and of the Council of 18 January 2006 on establishing a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC<sup>25</sup> which shall be repealed as of 1 January 2028 by Regulation (EU) 2024/1244 of the European Parliament and of the Council of 24 April 2024 on reporting of environmental data from industrial installations, establishing an industrial emissions portal and repealing Regulation (EC) No 166/2006<sup>26</sup>.

Regulation (EU) 2024/1244 establishes rules for the collection and reporting of environmental data on industrial installations and establishes an Industrial Emissions Portal (the “Portal”) at the European Union level in the form of an online database to provide public

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<sup>21</sup> 2006/61/EC: Council Decision of 2 December 2005 on the conclusion, on behalf of the European Community, of the UN-ECE Protocol on Pollutant Release and Transfer Registers  
OJ L 32, 4.2.2006, p. 54-55. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32006D0061>.

<sup>22</sup> Protocol of the United Nations Economic Commission for Europe on Pollutant Release and Transfer Registers of 21.05.2003 (Kyiv). URL: [https://zakon.rada.gov.ua/laws/show/995\\_159#n2](https://zakon.rada.gov.ua/laws/show/995_159#n2).

<sup>23</sup> The Law of Ukraine *On Ratification of the Protocol on Pollutant Release and Transfer Registers* of 21.05.2003: <https://zakon.rada.gov.ua/laws/show/980-19#n2>

<sup>24</sup> Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25.06.1998, Aarhus (Denmark): International Treaty URL: [https://zakon.rada.gov.ua/laws/show/994\\_015#Text](https://zakon.rada.gov.ua/laws/show/994_015#Text)

<sup>25</sup> Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (Text with EEA relevance) URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006R0166&qid=1728836959451>

<sup>26</sup> Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (Text with EEA relevance) URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006R0166&qid=1728836959451>



access to such data. The provisions of Regulation (EU) 2024/1244 effectively implement the UN-ECE Protocol on Pollutant Release and Transfer Registers.

The main objectives of Regulation (EU) 2024/1244 are:

1. improving public access to environmental information by creating the Portal;
2. promoting and creating conditions for public participation in environmental decision-making;
3. identifying sources of industrial pollution;
4. creating realistic conditions for monitoring industrial pollution to help prevent and reduce it.

Regulation (EU) 2024/1244 pays special attention to the reporting of operators of industrial installations and undertakings that may have an impact on the environment.

An important element of the legal regime of environmental information in the EU is the formation of a spatial information infrastructure in accordance with the Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE)<sup>27</sup>. According to Article 1, this Directive aims to lay down common rules for the establishment of an infrastructure for spatial information in the European Community (the “INSPIRE”) for the purposes of the Community environmental policy and policies or activities which may have an impact on the environment. The INSPIRE system is based on nationally established spatial information infrastructures by State Parties that are compatible with common implementation rules and complemented by common measures at EU level. These measures should ensure that national spatial information infrastructures are interoperable and usable across the EU, including in a cross-border context.

National spatial information infrastructures should be designed in such a way as to ensure that:

- spatial data are stored, accessed and maintained at the most appropriate level;
- possibility of combining spatial data from different sources at the EU level and sharing data between multiple users and applications has been agreed upon;
- spatial data collected at one level of public authority can be used by other government agencies;
- spatial data are provided under conditions that do not unduly restrict their widespread use;
- available spatial data are easy to find, assess their suitability for the purposes of EU environmental policy and policies or activities that may have an impact on the environment, and know the conditions for their use.

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<sup>27</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) // OJ L 108, 25.4.2007, p. 1–14 URL: <https://eur-lex.europa.eu/eli/dir/2007/2/oj>

The introduction of national infrastructures should be gradual. In order to facilitate the integration of national infrastructures into INSPIRE, State Parties should provide access to their infrastructures through the European Union geoportal managed by the European Commission, as well as through any other access points (to be managed by State Parties).

There is a certain coincidence between the content of spatial information covered by Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an infrastructure for spatial information in the European Community (INSPIRE) and environmental information covered by Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Directive 90/313/EEC<sup>28</sup>. In addition, the objectives of Directive 2007/2/EC coincide with the objectives set out in Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information<sup>29</sup> (which was replaced on 17 July 2021 by Directive 2019/1024/EU of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast)).<sup>30</sup>

The founding agreements, in particular, Article 15 of the Treaty on the Functioning of the European Union<sup>31</sup>, set out the principles of access to public information, documents of institutions, bodies, services and agencies of the European Union, namely:

1. In order to promote good governance and ensure the participation of civil society, the Union's institutions, bodies, services and agencies operate in the most open manner possible.
2. When considering and voting on draft laws, the European Parliament and Council hold their meetings in public.
3. Subject to the principles and conditions to be laid down in accordance with this Section, every citizen of the Union and every natural or legal person residing or having its registered office in a State Party shall have the right of access to documents of the institutions, bodies, services and agencies of the Union reproduced in any medium.

In addition, the second paragraph of Article 1 of the Treaty on European Union<sup>32</sup> enshrines the concept of openness, noting that the Treaty heralds a new stage in the process of creating an ever closer union between the peoples of Europe, in which decisions are made as openly as possible and as close to the citizen as possible.

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<sup>28</sup> Directive 2003/4/EC of the European Parliament and of the Council of 28 January 2003 on public access to environmental information and repealing Council Directive 90/313/EEC OJ L 41, 14.2.2003, p. 26–32 URL: <https://eur-lex.europa.eu/eli/dir/2003/4/oj>)

<sup>29</sup> Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32003L0098&qid=1728854898359>

<sup>30</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast) PE/28/2019/REV/1 // OJ L 172, 26.6.2019, p. 56-83 URL: <https://eur-lex.europa.eu/eli/dir/2019/1024/oj>

<sup>31</sup> Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (2010/C 83/01) URL: [https://zakon.rada.gov.ua/laws/show/994\\_b06#Text](https://zakon.rada.gov.ua/laws/show/994_b06#Text)

<sup>32</sup> Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (2010/C 83/01) URL: [https://zakon.rada.gov.ua/laws/show/994\\_b06#Text](https://zakon.rada.gov.ua/laws/show/994_b06#Text)

To implement these principles and norms, Regulation (EC) No. 1049/2001 of the European Parliament and of the Council of 30 May 2001 on public access to documents of the European Parliament, of the Council and of the Commission<sup>33</sup> was adopted, which aims to:

1. define the principles, conditions and restrictions based on public and private interests governing the right of access to documents of the European Parliament, Council and Commission (the “Institutions”) provided for in Article 255 of the Treaty on European Union<sup>34</sup> in such a way as to ensure the widest possible access to documents;
2. establish rules to ensure that this right is exercised as easily as possible;
3. promote good administrative practice of access to documents.

Article 4 of Regulation (EC) No. 1049/2001 provides for grounds for denying access to documents if disclosure undermines the protection of the following interests:

1. public interest in public security, defense and military affairs, international relations, the financial, monetary, or economic policy of the EU or its State Parties;
2. confidentiality and integrity of the individual, in particular in accordance with the EU legislation on personal data protection;
3. commercial interests of an individual or legal entity, including intellectual property;
4. litigation and legal advice;
5. purpose of inspections, investigations and audits, unless there is an overriding public interest in disclosure.

Along with the norms implementing the concept of openness, environmental policy and legal documents, in particular, the 8th European Union Environment Action Programme, approved by Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030<sup>35</sup>, enshrines the obligation of the European Commission, State Parties regional and local authorities and stakeholders to effectively apply high standards of transparency, public participation and access to justice in accordance with the United Nations Economic Commission for Europe (UN-ECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters<sup>36</sup>, both at the level of the European Union and at the level of the State Parties.

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<sup>33</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents OJ L 145, 31.5.2001, p. 43-48 URL <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32001R1049&qid=1728922066549>

<sup>34</sup> Consolidated versions of the Treaty on European Union and the Treaty on the Functioning of the European Union (2010/C 83/01) URL: [https://zakon.rada.gov.ua/laws/show/994\\_b06#Text](https://zakon.rada.gov.ua/laws/show/994_b06#Text)

<sup>35</sup> Decision (EU) 2022/591 of the European Parliament and of the Council of 6 April 2022 on a General Union Environment Action Programme to 2030 PE/83/2021/REV/1 //OJ L 114, 12.4.2022, p. 22-36 URL: <https://eur-lex.europa.eu/eli/dec/2022/591/oj>

<sup>36</sup> Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25.06.1998, Aarhus (Denmark): International Treaty URL: [https://zakon.rada.gov.ua/laws/show/994\\_015#Text](https://zakon.rada.gov.ua/laws/show/994_015#Text)

All of the above has necessitated not only legislative implementation, but also active introduction to the administrative practice of EU institutions and bodies of both the provisions of the Aarhus Convention and Regulation (EC) No. 1049/2001. To solve these problems, Regulation (EC) No. 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on access to information, public participation in decision-making and access to justice in environmental matters to Community institutions and bodies was adopted.<sup>37</sup>

## Status of Adaptation of National Environmental Legislation to the EU Legislation

### Analysis of the Commission Opinion on Ukraine's application for membership in the European Union in the Communication from the European Commission to the European Parliament and the Council

On 28 February 2022, five days after the start of Russia's full-scale aggression, Ukraine applied for membership in the European Union. On 7 March 2022, the Council of the European Union asked the Commission to provide its opinion on this application, which was approved by the EU heads of state and government at an informal meeting of leaders in Versailles.

In the Commission Opinion on Ukraine's application for membership in the European Union dated 17.06.2022 (Brussels), the Commission examined the compliance with the accession criteria, economic criteria and Ukraine's ability to assume the responsibilities of membership.

Ukraine's ability to assume the obligations of membership was assessed by the following indicators:

1. obligations under the Association Agreement and the Deep and Comprehensive Free Trade Area and their fulfillment;
2. level of adoption, implementation and enforcement of the Acquis outside the AA/DCFTA.

Following the adoption of a revised enlargement methodology for EU enlargement policy, the EU Acquis is structured around six thematic clusters.

The *Green Agenda and Sustainable Development* cluster includes the Acquis chapters on transport policy, energy, trans-European networks, environment and climate change. Within this cluster, the high-level strategic dialogue with Ukraine on the European Green Deal and the Ukrainian Green Transition, which was launched in 2021, demonstrated a high level of interest and commitment to the Green Agenda on the part of the Ukrainian government. This is a prerequisite for enabling the country green transition and achieving new climate goals in line with the Paris Agreement. The dialogue also revealed that significant efforts are needed to ensure the harmonization of legislation with the EU Acquis, for example in the area of climate

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<sup>37</sup> Regulation (EC) No 1367/2006 of the European Parliament and of the Council of 6 September 2006 on the application of the provisions of the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters to Community institutions and bodies // OJ L 264, 25.9.2006, p. 13–19 URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32006R1367>

and environment, as well as to ensure the appropriate administrative, financial and organizational capacities for its implementation and enforcement.

The analytical report supplements the Communication from the Commission to the European Parliament, the European Council and the Council Opinion of the European Commission on Ukraine's application for membership in the European Union of 01.02.2023 (Brussels).

The European Commission's opinion on Ukraine's application for membership in the European Union, adopted on 17.06.2022, assesses Ukraine's overall capacity to comply with the obligations associated with membership, i.e. the full body of EU law set out in the Treaty, secondary legislation and EU policies (the EU Acquis).

The structural assessment in the Analytical Report is based on the criteria established by the European Council in Copenhagen in 1993 and in subsequent European Council conclusions. The report is based on the information and experience gained in the course of the EU's long-standing close cooperation with Ukraine and on Ukraine's responses to detailed questionnaires received on 8 and 13 April 2022.

The Analytical Report focuses on Ukraine's approximation of its legislation to the EU Acquis in 33 chapters of the Acquis, except for the areas covered in detail in the Opinion.

*The Report* provides an overview of the situation *as of July 2022* after the publication of the Commission Opinion.

The following rating scale is used to describe the state of affairs in the Analytical Report:

- initial level of preparation;
- certain level of preparation;
- average level of preparation;
- good level of preparation;
- a very good level of preparation.

The state of approximation of Ukraine's environmental legislation to EU legislation is discussed in Chapter 27, Environment and Climate Change. The EU Acquis described in Chapter 27 covers more than 200 key acts of both transparent and sectoral legislation (in the areas of air quality, waste management, water management, nature protection, industrial pollution control and risk management, chemicals, noise, civil protection and climate change). The environment and climate change are covered by Chapter 6 (Environment) and Chapters 13 (Trade) and 53 (Sustainable Development) of the AA/DCFTA. As noted in the Analytical Report, the EU environmental and climate change policies are based on preventive measures, as well as on the polluter pays principles, combating environmental damage at source, shared responsibility and mainstreaming environmental damage and climate change into other EU policies.

The European Commission emphasizes that Ukraine has done a good job of harmonizing its legislation with the EU Acquis, which sets out transparent environmental norms that include

the realization of environmental human rights, including *public access to environmental information*.

As a party to the Aarhus Convention, Ukraine has already introduced a number of norms into its national legislation that implement environmental rights (access to environmental information, public participation in decision-making, and access to justice).

The Commission pointed out that despite the fact that Ukraine is a party to the Espoo Convention and although it has been notified of non-compliance with its provisions, national legislation still needs to be improved, including the efficiency and consistency of implementation of the Convention. However, the European Commission emphasized that “there is insufficient information on the actual ability of the public to exercise their rights in practice”.

The Analytical Report noted that Ukraine has introduced a legal framework on environmental impact assessment and strategic environmental assessment. However, the Commission emphasizes that the implementation of environmental impact assessment and strategic assessment procedures at the national level requires more attention, as there are procedural inconsistencies and inconsistencies in the application of these norms in the national and transboundary contexts.

Among the tasks identified is the need to implement the provisions of the Environmental Liability Directive. It is necessary to ensure more effective and consistent application of the provisions on access to environmental information and participation in decision-making.

According to the criteria for assessing the status of harmonization of national legislation with the EU Acquis, the Analytical Report states that “Ukraine demonstrates an initial level of preparation in the field of environment and climate change”. It also notes that Ukraine has done many important things in recent years to develop its environmental legal framework and relatively little to reform its legal framework and harmonize it with the climate acquis.

The Commission also stated that “gaps in the level of legislative harmonization have increased with the broadening and deepening of the EU Acquis in these areas in connection with the European Green Deal. In general, the remaining problems with the capacity to adopt the relevant EU Acquis, to mainstream the European Green Deal in all policy areas, and to effectively implement and enforce the legislation need to be addressed”.

*In the subsequent Ukraine 2023 Report*, the Commission Communication to the European Parliament stated that in Chapter 27, Environment and Climate Change, the Commission noted progress in the harmonization of national environmental regulations with the EU Acquis, namely: “Ukraine has a certain level of preparation in the field of environment and climate change. Progress has been made in this area despite Russia’s aggressive war”.

Based on the analysis of the Ukraine 2023 Report, considering the previous achievements, priorities and tasks in the future activities of our state, in particular in terms of ensuring public access to environmental information, we can pay attention to certain provisions:

1. Ukraine has taken several notable steps to harmonize its national legislation with the EU horizontal environmental legislation, despite the difficulties caused by the ongoing Russian military aggression. In this context, the steps taken by Ukraine are even more significant, especially given the large-scale environmental destruction

that Ukraine has suffered, and are relevant for the country post-war recovery, which will ultimately depend on the way it is implemented and enforced.

2. The Commission emphasizes the need to ensure public access to environmental information and participation in decision-making.
3. Ukrainian legislation provides for disciplinary, civil, administrative and criminal liability for environmental violations, but full harmonization with the relevant EU *acquis* has not yet been achieved.
4. In terms of air quality, work is ongoing to further harmonize the two air quality directives. In August 2022, the procedure for developing action plans to improve air quality was adopted, and in April 2023, methodological recommendations on their content and procedure were adopted. In accordance with the United Nations Economic Commission for Europe (UN-ECE) Air Convention, Ukraine submitted the Nomenclature of Reporting and Information Reports on Inventories in 2022 and 2023. In March 2023, legislative changes to the state monitoring system, including air quality, were adopted.
5. Ukraine ratified two amendments to the Espoo Convention in July 2022 and signed a bilateral agreement with Romania on the implementation of the Convention in November 2022.
6. A law limiting the use of plastic bags was passed in 2021, but more efforts are needed to implement it and disseminate information to the public.
7. On the environment, legislation was adopted to further harmonize horizontal issues, water quality, waste management, chemicals and noise. On climate, where progress has been limited, Ukraine continues to work on the national climate law and the National Energy and Climate Plan.
8. In May 2023, the Parliament adopted in the first reading the draft law on integrated environmental permitting and best available technologies. Existing national pollutant emission and discharge limits do not meet the emission levels associated with the best available technologies set out in the Industrial Emissions Directive, including for approximately 220 large combustion plants. Mandatory automated pollutant emission control system procedures were introduced in March 2023 for new equipment. However, they exclude the most polluting equipment from the Soviet era and the rules will not come into force until several years after the end of martial law.

Analyzing Ukraine 2024 Report of the European Commission, we can summarize that the problem of access to environmental information in Ukraine is becoming increasingly noticeable to European partners.

Thus, in general, the EC notes that Ukrainian environmental legislation is partially harmonized with the EU legal norms and that limited progress has been made during the reporting period.

The Report has two aspects regarding access to environmental information. The European Commission notes that in December 2023, EIA procedures were amended to allow

consultations with the authorities, introduce online hearings, and create electronic registers of EIAs and SEAs, which improved access to information. However, due to martial law, the public faced restrictions on access to this information.

Focusing on transboundary consultations, the EC notes that the Agreements with Romania and Moldova have contributed to the improvement of transboundary EIA procedures in accordance with the Espoo Convention. However, further efforts are needed to ensure that EIA and SEA are applied to all projects, plans and programmes, including the recovery process in Ukraine. It was also clarified that existing exemptions in the procedures should be reduced in line with the EU requirements, and new exemptions, in particular in the field of forestry and agriculture, should be avoided.

The report also has a separate *Access to Environmental Information* section, which notes progress on the Law *On the National Pollutant Release and Transfer Register (PRTR)* adopted in October 2023 and the bylaws for the implementation of the register in March 2024. At the same time, it is stated that Ukraine must ensure that access to environmental information is in line with the EU standards.



### **III. MONITORING AND ANALYSIS OF UKRAINIAN LEGISLATION AND STATUS QUO OF ACCESS TO ENVIRONMENTAL INFORMATION IN UKRAINE**



## Legislation Analysis on Access to Environmental Information

Since 1996, everyone's right to free access to information about the state of the environment is guaranteed by the Art. 50 of the Constitution of Ukraine. It also prohibited the classification of such information. Today, access to environmental information in Ukraine is protected by the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the Aarhus Convention, which was ratified by Ukraine in 1999), Art. 50 of the Constitution of Ukraine, the provisions of the Law of Ukraine "On Access to Public Information," the Law of Ukraine "On Information," the Law of Ukraine "On Environmental Protection," the Law of Ukraine "On the National Register of Emissions and Transfer of Pollutants" and other legal acts, in particular, the Resolution of the Cabinet of Ministers of Ukraine No. 835 "On Approval of the Regulation on Datasets that are Subject to Publication in the Form of Open Data."

At the same time, national legislation uses different wording to denote environmental information. In particular:

- 1) Art. 50 of the Constitution of Ukraine, Article 13 of the Law of Ukraine "On Access to Public Information" — information on the state of the environment;
- 2) Aarhus Convention, ratified by the Law of Ukraine N 832-XIV of July 6, 1999. — environmental information;
- 3) Art. 25 of the Law of Ukraine "On Environmental Protection" — information on the state of the natural environment (environmental information);
- 4) Art. 13 of the Law of Ukraine "On Information" — information on the state of the environment (environmental information).

Such inconsistency of terms and definitions introduces a certain discordance of interpretations by holders of such information since the level of access defined by these normative legal acts is not identical. However, legislator tried to solve this problem by providing an exclusive definition of information about the state of the environment (ecological information) in Art. 25 of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the State Environmental Monitoring System, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management."

In the new edition, Art. 25 of the Law of Ukraine "On Environmental Protection," according to which **"information about the state of the environment (environmental information)"** is any information in written, audiovisual, electronic or other material form about:

a) the state of the environment or its components (atmosphere, air, waters, soils, land, inland waters and territorial sea, coastal protective strips, natural landscapes and natural territories and objects, including wetlands, forests, flora and fauna, biological diversity and its components, including genetically modified organisms, and their interaction with environmental components);

b) factors that affect or may affect the state of the environment or its components specified in point "a" of this part - emissions, other pollutants ingress into the environment, substances, energy, noise, vibration, ionizing and non-ionizing radiation, waste (including radioactive);

c) measures (including administrative), state policy, legislation, state planning documents, plans, programs, international agreements of Ukraine in the field of environment, activities that affect or may affect the state of the environment or its components or factors specified in points "a" and "b" of this part, as well as measures or activities aimed at their protection;

d) reports on the implementation of environmental legislation;

e) expenses related to the implementation of environmental protection measures at the expense of environmental protection funds, other sources of financing, economic analysis used in the framework of the measures and activities provided for in point "c" of this part;

e) the state of health and safety of people, including the safety of the food chain, human living conditions, the state of objects of cultural heritage and buildings to the extent that they are affected or may be affected by the state of the components of the environment specified in point "a" of this part, or any factors and measures specified in points "b" and "c" of this part, which affect or may affect the issues mentioned above via the corresponding components.

Information about the state of the environment (environmental information) does not belong to information with limited access. The main sources of environmental information are environmental monitoring data, natural resource inventories, registers, automated databases, archives, as well as certificates issued by authorized state authorities, local self-government bodies, civil society organizations, and individual officials.

Environmental information is provided upon request in the manner determined by the law on access to public information. A holder's environmental information, which is physically stored by other persons on behalf of a holder, shall be provided by the holder upon request on a general basis."

The above-mentioned legal norms will enter into force only after six months from the date of cancellation or termination of martial law. However, in Part 2 of Section II of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the State System of Environmental Monitoring, Information on the State of the Environment

(Environmental Information) and Information Support for Environmental Management" dated March 20, 2023 No. 2973-IX<sup>38</sup>, the Cabinet of Ministers of Ukraine is obliged to:

1. in a one-year term from the day following the date of publication<sup>39</sup> of this Law:
  - to ensure the adoption of normative legal acts provided for by this Law;
  - to bring its normative legal acts into compliance with this Law;
  - to ensure that ministries and other central bodies of executive power bring their regulatory acts into compliance with this Law;
2. to inform the Verkhovna Rada of Ukraine about the status of its implementation within a year from the date of entry into force of this Law.

Fulfillment of the above-mentioned obligations by the Cabinet of Ministers of Ukraine today causes difficulties, as stated in the comments of the Chief Legal Department of the Apparatus of the Verkhovna Rada of Ukraine. The reason is that "so far, neither the Regulations of the Verkhovna Rada of Ukraine nor the Law of Ukraine "On the Cabinet of Ministers of Ukraine" have determined the terms, procedure, criteria and the consequences of the assessment by the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine regarding the state of implementation of the law, as well as the procedure for submitting and considering the relevant reports."<sup>40</sup> Although this problem does not directly concern the effectiveness of citizens' access to environmental information, it concerns the effectiveness of law-making procedures in general, and therefore affects all aspects of public life that are subject to legislative regulation in accordance with the Constitution of Ukraine. This problem should be solved with the implementation of legal monitoring after the entry into force of the Law of Ukraine "On Law-Making Activities" dated August 24, 2023 No. 3354-IX.<sup>41</sup>

The definition of the new law expands the framework of the definition of the term "environmental information (information about the state of the environment)" existing in the Law on Information and unifies it in national legislation. However, for the time being we can only use current national legislation.

Taking into account the hierarchy of normative legal acts in Ukraine, the current international treaties of Ukraine, the binding consent of which was given by the Verkhovna Rada of Ukraine, are concluded in accordance with the Constitution of Ukraine and have a

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<sup>38</sup> Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the State System of Environmental Monitoring, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management" dated March 20, 2023 No. 2973-IX URL:<https://zakon.rada.gov.ua/laws/show/2973-20/print>

<sup>39</sup> Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the State System of Environmental Monitoring, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management" dated March 20, 2023 No. 2973-IX was officially promulgated in the "Holos Ukrayiny" dated April 14, 2023, No. 1

<sup>40</sup> Comments to the Draft Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the State System of Environmental Monitoring, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management" (Registration No. 7327) of the Chief Legal Department of the Apparatus of the Verkhovna Rada of Ukraine. URL: [blob:https://itd.rada.gov.ua/157d5d35-0120-43bc-9053-8cf840ef8e07](https://itd.rada.gov.ua/157d5d35-0120-43bc-9053-8cf840ef8e07)

<sup>41</sup> Law of Ukraine "On Law-Making Activities" dated August 24, 2023 No. 3354-IX.URL: <https://zakon.rada.gov.ua/laws/show/3354-20#Text>

higher legal force on the territory of Ukraine than national normative legal acts. So, we will use the terminology of the Aarhus Convention ratified by Ukraine.

Ukraine's path to the EU significantly expanded Ukrainian law in terms of determining the level of citizens' access to environmental information and the decision-making process related to the impact on the environment.

The central document on disclosure of information on the state of the environment is Directive 2003/4/EC of the European Parliament and of the Council on public access to environmental information and repealing Council Directive 90/313/EEC.

These legislative acts create the basis for the implementation of citizens' right to access to environmental information, which includes data on the quality of air, water, soil, subsoil, permitting procedures, documents and programs, as well as information on various environmental risks and threats. The legislative framework provides that public authorities are obliged to provide environmental information taking into account public requests, as well as to ensure its openness and accessibility.

The Law of Ukraine "On Access to Public Information" (Article 5) establishes two methods of access to public information — active and passive.

- *Passive access* is provided by the relevant holder of public information by making it public.
- *Active access* involves the direct address of a person or a group of persons to the holder of information for the information one needs by submitting a corresponding request. In this case, the holder provides information only within the scope of the request, and the requester may incur additional costs for reimbursement of printing/copying costs.

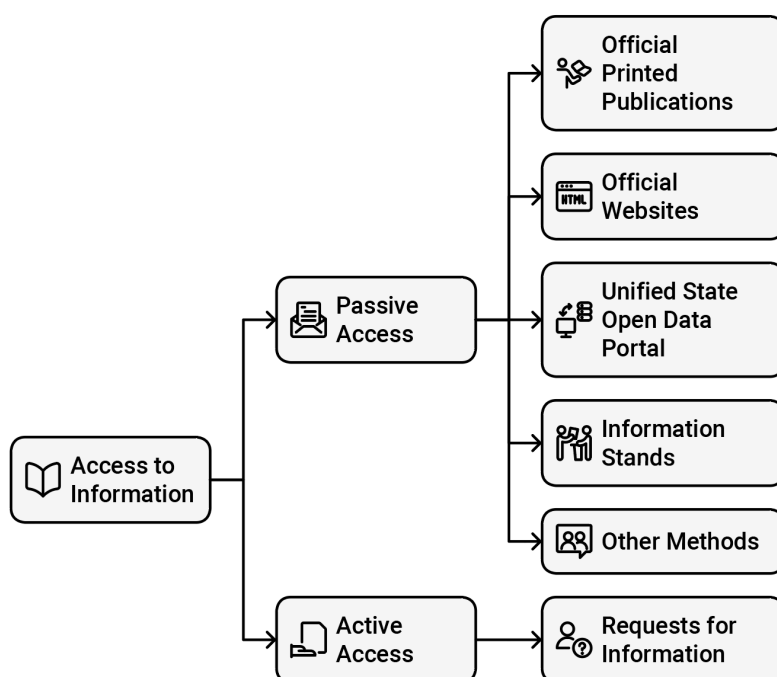


Fig. 1. Ways to access public information

According to this law, the requester has the right to address the information holder with a request, regardless of whether this information concerns one personally or not, without explaining the reason for submitting the request. The request for information can be individual or collective. Requests may be submitted orally, in writing, or in another form (by mail, fax, telephone, e-mail) at the requester's choice.

Inquiries regarding the state of the environment, accidents, catastrophes, dangerous natural phenomena and other extraordinary events that have occurred or may occur and threaten the safety of citizens must be answered no later than 48 hours after the request is received.

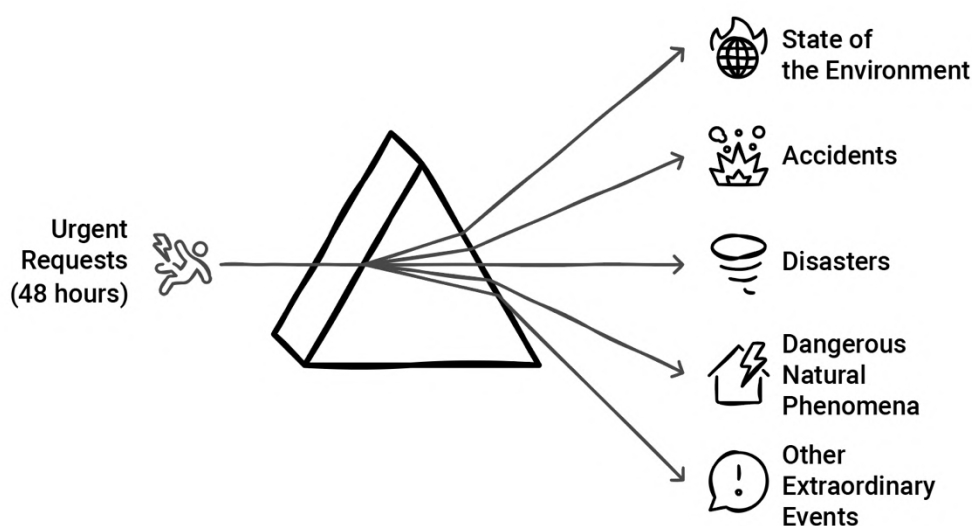


Fig 2. Urgent requests for information on the state of the environment

In addition to the information that citizens receive directly upon request, the role of holders' websites and platforms for providing access to environmental information, such as the websites of government bodies that host environmental information, is important.

The central policy-making body of the executive power — the Ministry of the Environment — fulfilling the obligations defined in the previous sections, creates analytical and informational systems that should improve citizens' access to environmental information by aggregating and systematizing it. There were failed attempts, such as the state automated "Open Environment" system in 2018, which was part of the Action Plan for the Implementation of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, which was never developed and put into operation. Some systems received legal regulation and digital solutions.

In 2021, the Ministry of the Environment put into operation the single ecological platform "EcoSystem," which, according to the Regulation, consists of electronic accounts, registers, a geo-information portal, an analytical platform, an "EkoZagroza" service for recording facts of damage to the environment as a result of emergency situations, events, armed aggression of the Russian Federation and individual functional modules to support state policy making and implementation within the competences of the Ministry of Environment. For its part, the "EcoSystem" and its functional modules are integrated with the Diia portal. Thus, when

creating the system, the state made it possible to provide access to environmental information, open the maximum number of environmental registers, and also transfer administrative services in the field of environmental protection online.

Such aggregation creates convenience for users but also increases the risk factors of access to environmental information. In accordance with the security conditions of martial law and the Decree of the President of Ukraine No. 64/2022 "On the Introduction of Martial Law in Ukraine," the Ministry of Environment, which provides methodical and methodological support for the functioning of the Unified Ecological Platform "EcoSystem," has a tool for instantly closing access to a separate register or to all registers at the same time. As will be noted later, such a case has already taken place after the start of the full-scale invasion of Russia in 2022.

One of the modules of the "Ecosystem" is an e-PRTR. The Pollutant Release and Transfer Register was developed after the ratification of the Protocol "On Pollutant Release and Transfer Registers" in Ukraine in accordance with Articles 5 and 10 of the Aarhus Convention. The Law of Ukraine "On the National Pollutant Release and Transfer Register" was adopted to implement the Protocol. According to the law, which entered into force on October 8, 2023, polluting enterprises had six months to enter the necessary information into the register. Currently, the Pollutant Release and Transfer Register is filled on the initiative of business entities, since according to the Law of Ukraine "On the Protection of the Interests of Subjects of Submission of Reports and Other Documents During the Period of Martial Law or the State of War," legal entities submit documents, the submission of which is required in accordance with the norms of the current legislation in documentary and/or electronic form, within three months after the termination or cancellation of martial law or the state of war for the entire period of failure to submit reports or the obligation to submit documents. In our opinion, this provision should not be applied to PRTR, as it limits information on environmental impact factors and does not meet the requirements of national legislation and the Aarhus Convention in terms of access to environmental information.

Also in July 2024, the Cabinet of Ministers of Ukraine approved Resolution No. 815 "On Information Interaction Between Automated Information Systems of State Authorities and The State Environmental Automated Information and Analytical System for Ensuring Management Decision-Making and Access to Environmental Information and Its Network," which will enter into force in six months after the cancellation or termination of martial law.

According to the notification of the Ministry of Environment, the procedure for collecting environmental information from various state and local authorities, as well as regional environmental monitoring centers, which are planned to be created in Ukraine, was determined. Such information from all available official online sources in the country will automatically appear in the single environmental system "EcoSystem," where it will be systematized and promulgated. In particular, the new state system foresees 8 monitoring subsystems — air, water, land and soil, forests, biological and landscape diversity, geological environment, in the field of waste management, physical factors. Monitoring will be carried out at 4 levels - national, regional, local and at a facility. At the same time, regional environmental monitoring centers are planned to be created in the field.

## Legislation Analysis on The Publication of Environmental Open Data (Machine-readable Format)

Environmental information, like any other public information, can have an open data format.

According to the definition of the Law of Ukraine "On Access to Public Information," public information in the form of open data is public information in a format that allows its automated processing by electronic means, free and free of charge access to it, as well as its further use.

These features determine the advantages of information in the format of open data: automated processing allows to build innovative products and services, free and free of charge access provides an opportunity for anyone to engage in processing, and freedom of use - the opportunity to use the created products for any purposes: commercial, public or private.

Before the full-scale invasion Ukraine, following the example of other leading countries in the world, such as the USA and EU member states, implemented an open data policy as part of the e-government policy, implementing into its legislation Directive 2019/1024 of the European Parliament and of the Council of June 20, 2019 on open data and the re-use of public sector information. In 2015, appropriate amendments were made to the Law of Ukraine "On Access to Public Information" and a decision was made to join the International Open Data Charter.

In Ukraine, the principle of "open by default" applies, which implements the provisions of the International Open Data Charter (which Ukraine joined in 2016). The holder must publish all public information in the form of open data, with the exception of that which is classified by the Law as information with limited access: provide public information in the format of open data upon request, publish and regularly update it on the Unified State Open Data Portal and on its websites.

Along with that, the Resolution of the CMU No. 835 is the main regulatory document, which defines the datasets to be made public in open data format. A detailed analysis of the holders' implementation thereof is provided in this report. It is worth noting that, according to the Resolution, uploading datasets in the field of environment and environment protection to the Unified State Open Data Portal is a priority direction for the implementation of the state policy in the field of open data. In accordance with the law, data holders are responsible for the reliability and relevance of uploaded datasets to the Unified State Open Data Portal. Data holders are obliged to update the datasets of open data, defined by the Regulation, at the Unified State Open Data Portal that regular as it was chosen according to the requirements of the Regulation. The data update frequency can vary, so each open dataset has its own update frequency, which is fixed in the open dataset card.



List of permits for activities

Data set

Groups

Activity

Suggestions

List of permits for activities related to artificial changes in the state of the atmosphere and atmospheric phenomena for economic purposes

Data and resources

List of permits for activities, ...

Download CSV

List of permits for activities related to artificial changes...

atmospheric air

permission

ecology

artificial changes of state ...

Additional information

Field	Value
Responsible person	Koretska Ruslana Olegivna
Version	1.0
Last updated	October 10, 2024, 16:44 (UTC+03:00)
Created	March 18, 2021, 14:03 (UTC+02:00)
Dataset update frequency	Annually
EDRPOU code	43672853
KOATUU code	8038900000
Grounds and purpose of information collection	Law of Ukraine "On Protection of Atmospheric Air"; Procedure for approval and issuance of permits for activities related to artificial changes in the state of the atmosphere and atmospheric phenomena for economic purposes
Dataset ID number	mepr_31
Dataset passport	Download
Dataset structure	Download

Fig 3. Screenshot of the dataset of the Unified State Open Data Portal

Open data is a component of public information. Therefore, Art. 23 and 24 of the Law of Ukraine "On Access to Public Information" define administrative liability for violation of the requirements for publishing datasets of open data.

## Analysis of Regulatory and Legal Changes in Access to Information During the Legal Regime of Martial Law

The introduction of martial law in Ukraine in connection with the full-scale invasion of the Russian Federation caused a number of restrictions on certain constitutional rights and freedoms of a person and a citizen. Here is a list of legal acts that were adopted after the beginning of the full-scale invasion of Russia on the territory of Ukraine. They determine the limitations of public access to information, taking into account the new security conditions of martial law:

- Decree of the President of Ukraine No. 64/2022 "On the Introduction of Martial Law in Ukraine," which stated that temporarily, for the period of the legal regime of martial law, the constitutional rights and freedoms of a person and a citizen, provided for in Articles 30-34, 38, 39, 41-44, 53 of the Constitution of Ukraine, can be limited. Temporary restrictions on the rights and legal interests of legal entities within the

limits and to the extent that is necessary to ensure the possibility of introducing and carrying out measures of the legal regime of martial law, which are provided for in the first part of Article 8 of the Law of Ukraine "On the Legal Regime of Martial Law" are introduced.

- Law of Ukraine "On Approval of the Decree of the President of Ukraine "On the Introduction of Martial Law in Ukraine"" dated February 24, 2022 No. 2102-IX, which in turn approved the Decree of the President of Ukraine No. 64/2022.
- Law of Ukraine "On the Legal Regime of Martial Law" (Law No. 2260-IX dated 24.02.2022) — this law defines the procedure for introducing, changing and terminating martial law in Ukraine, as well as the powers of state authorities, which may include restrictions on access to information.
- Law of Ukraine No. 2277-IX "On Amendments to Certain Legislative Acts of Ukraine in Connection with the Aggression of the Russian Federation" — this law provides for a number of changes in the field of information security, in particular the possibility of closing access to information that can be used against the security of Ukraine.
- Resolution of the Cabinet of Ministers of Ukraine dated March 12, 2022 No. 263 "Some Issues of Ensuring the Functioning of Information and Communication Systems, Electronic Communication Systems, And Public Electronic Registers in The Conditions of Martial Law," where state data holders in accordance with paragraphs 4 and 1 may stop and limit the operation of information, information and communication and electronic communication systems, as well as public electronic registers.
- Resolution of the Cabinet of Ministers of Ukraine "Some issues of management and functioning of the State Land Cadaster under martial law" dated May 7, 2022 No. 564, which established that under martial law in Ukraine and within one month from the date of its suspension or cancellation, entry into of the State Land Cadaster of information (changes to them) about objects of the State Land Cadaster and the use of such information, in particular by accessing the State Land Cadaster, the publication of information of the State Land Cadaster, in particular through the Public cadastral map, which is part of the software of the State Land Cadaster, is ensured taking into account the following peculiarities:
- Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Temporary Restriction of Access to the Unified Register of Environmental Impact Assessment" dated April 20, 2022. No. 177, in which the temporary restriction of external use of the Register was specified - currently the Register operates in a limited mode.

Despite the special status defined for environmental information (information on the state of the environment) by the Law "On Access to Public Information" (Part 1, Article 7) and the Law "On Information" (Article 13), according to which it is prohibited to consider information about the state of the environment as confidential, holders used to refer, and some still refer, to these normative legal acts as a basis for restricting access.

Thus, during the first two months of Russia's full-scale invasion of the territory of Ukraine, state holders of various levels of data blocked free access to most of the datasets, registers and systems containing environmental information. Among them is the Unified Register of Environmental Impact Assessments, platforms with information on air quality monitoring systems in various regions, the Unified Register of Logging Tickets with cartographic display, data from radiation monitoring systems, Map of the Nature Reserve Fund, etc. In addition, in some cases, the technical inability of holders to distinguish environmental information from the rest, which was placed by the holders on their own websites, was named as the reason for data closure. Some information systems and websites were unavailable due to hacking attacks by the Russian Federation.

State data holders continue to refuse access to environmental information. Information is not made public by such holders on their own websites, on the Unified State Open Data Portal, and is not provided in response to requests.

It is worth noting that the peculiarities of the status of environmental information do not prevent holders from applying the three-component test (Part 2 of Article 6 of the Law of Ukraine "On Access to Public Information") to limit access to such information. While the three-component test should be applied if there are legal prerequisites for determining the category of restricted access for information (Articles 7, 8 or 9 of the Law), but at the same time, pursuant to the Law, this information is not defined as unconditionally open. However, the information about the state of the environment belongs to this type of information. Therefore, the application of the three-component test to limit access to information about the state of the environment contradicts the Constitution of Ukraine and the requirements of the Aarhus Convention and can't serve as a basis for limiting such information.

Taking into account the existence of cases when information holders use the three-component test to limit access to environmental information, let's analyze the algorithm for its application.

The holder provides answers to a series of questions to determine whether access to such information can be restricted:

1. Whether classifying information serves the interests of:
  - National security
  - Territorial integrity
  - Public order and crime prevention
  - Public health
  - Protection of reputation or other rights of people
  - Maintaining the authority and impartiality of justice
  - Non-disclosure of data received confidentially?
2. *Will disclosure of this information cause substantial harm to these interests? If it does, what exactly? What exactly can happen? What is the probability that this will happen?*
3. Does the harm caused by disclosure outweigh the public interest? And if so, why?

It is worth noting that only the totality of compliance with all three risk factors is the basis for restricting access.

But why the three-component test cannot be applied to environmental information, what is the legislator's logic? For the sake of clarity, let's do an exercise and test a dataset of environmental data according to a three-component test - radiation control data of the Joint-Stock Company "National Nuclear Energy Generating Company "Energoatom"" (hereinafter - Energoatom):

1. What or whom does the publication of radiation monitoring data threat? There are no signs that this information threatens the interests of national security, public order, protection of people's reputation, etc.
2. It is difficult to imagine how the disclosure of this information will cause significant damage to these interests. On the contrary, it is literally a matter of civil safety and public health.
2. Public interest in radiation monitoring data at NPPs controlled by Ukraine outweighs all possible risks, as it is related to ensuring civil safety, public health interests, and combating Russian special information and psychological operations in times of nuclear threats from the aggressor.

This example shows that the radiation monitoring data of Energoatom should be open. However, in reality it is not so. The data is sometimes made public by Energoatom in the form of analytics on its own resources and is not provided in machine-readable primary form upon request for information. [14]

Information on the radiation situation at NPP industrial sites and supervised areas as of 08:00 am on October 17, 2024						
	EDR, $\mu\text{Sv/h}$			Air emissions, % of emission limit		
	Industrial site	Sanitary protection zone	Supervised area	Radioactive inert gases	Long-lived radionuclides	Radioactive iodine
ZNPP	0,09*	0,12*	0,11*	**	**	**
SUNPP	0,09	0,10	0,09	0,05	0,009	0,002
KhNPP	0,10	0,10	0,10	0,06	0,004	0,0007
RNPP	0,09	0,11	0,09	0,18	0,05	0,005
CSFSF	0,16	0,34	0,16	-	-	-

\* data are obtained from the IAEA IRMIS system. Data on the radiation situation on the government-controlled territory are published within the weekly reports

\*\* data are not available due to the physical disconnection of the ZNPP data transmission systems by the russian occupationists

Fig 4. Screenshot of the website of the National Nuclear Energy Generating Company "Energoatom"

Referring to our analysis of closed environmental information using the three-component test, we would like to point out examples that, according to the authors, are examples of improper use of the three-component test to limit access to environmental information (information about the state of the environment).

*The State Tax Service of Ukraine* concluded that it is necessary to limit the publication of a dataset on the payment of environmental tax by subjects of natural monopolies and subsoil users. Why can environmental tax payment data be considered environmental information? This is due to the fact there is a real correlation between the fact and amount of tax payment and the amount of actual impact on the environment, which is an indisputable tool of state and public supervision and control, and also constitutes a significant public interest. We will give an example below.

At the same time, the warning about a potential attack by the Russian Federation on the production facilities of a business entity appears to be an exaggeration, taking into account a tax payment by the legal entity in a reporting period. If desired, this risk factor can be eliminated by increasing the period of updating the dataset, so that the information is provided with a significant delay. It is worth noting that data on the place of registration, and even more so on the location of the industrial facilities of a business entity concerned, are not specified in this set of open data.

Moreover, widespread precautions among various holders that displaying in open datasets a location of a business entity is a risk of the Russian Federation committing an attack on taxpayer sites are excessive, since this data is freely available on various Internet resources such as Google Maps, OpenStreetMap, etc. Along with this, modifications are possible to limit the completeness of addresses of production facilities (removal of sensitive information from datasets). Therefore, even if the data contains sensitive information, Article 4 of the Aarhus Convention contains a clear requirement for such cases: "Each Party shall ensure that, if information exempted from disclosure can be separated out from the rest of the information without prejudice to the confidentiality of the information exempted, public authorities make available the remainder of the environmental information that has been requested."

The volume of payment of environmental taxes is a marker of the just replenishment of the budget by enterprises that have a negative impact on the environment. An illustrative example before the full-scale invasion (when the data was available) was the lack of correlation between the daily activities of one of the largest granite mining enterprises in the Dnipropetrovsk region - Liubymivs'kyi Quarry LLC - and its payment of environmental tax in the amount of 0 hryvnias 00 kopiikas for 2020.





Fig 5. Aerial photography Liubymivs'kyi Quarry LLC, 2020  
Author: Artem Bespalko. Source: Google Maps

Інформація щодо сплати до Зведеного бюджету України по платниках - суб'єктах природних монополій та суб'єктах господарювання, які є платниками рентної плати за користування надрами станом на <b>01.01.2021</b> (податкові платежі)					
№ з/п с/г	Код платника	Назва платника	Код платежу	Назва платежу	Сума тис.грн.
A	B	C	1	2	3
Суб'єкти природних монополій					
85437	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	11010100	Податок на доходи фіз осіб, що спла подат агентами, із доходів платника под	68,94
85438	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	11011000	Військовий збір	5,76
85439	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	11021000	П.К на ПРИВІТТОК ПІДПРИЄМСТВ який сплачують інші підприємства	14,00
85440	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	13020100	Рентна плата за спеціалізовані води (крім рентної плати за спеціалізовані вод	1,38
85441	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	13030100	Рентна плата за користування надрами для видобування інших корисних копа	133,60
85442	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	14060100	ПОДАТОК НА ДОДАТКУ ВАРТІСТЬ із вироблених в Україні товарів(робіт,	158,70
85443	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	18010400	Под на нерух майно, відміне від зем ділянки, сплач юридособами, які є пл	6,66
85444	23926119	ТОВ "СПЕЦЕНЕРГОВУД"	18010600	ОРЕНДНА ПЛАТА з ЮРИДИЧНИХ ОСІБ	30,00
85445	7110	1	ВСЬОГО по ТОВ "СПЕЦЕНЕРГОВУД" - код ЄДРПОУ 23926119		419,03
85446	23935242	ТОВ "ЛЮБИМІВСЬКИЙ КАРСР"	11010100	Податок на доходи фіз осіб, що спла подат агентами, із доходів платника под	76,54
85447	23935242	ТОВ "ЛЮБИМІВСЬКИЙ КАРСР"	11011000	Військовий збір	6,38
85448	23935242	ТОВ "ЛЮБИМІВСЬКИЙ КАРСР"	13030100	Рентна плата за користування надрами для видобування інших корисних копа	1 444,00
85449	23935242	ТОВ "ЛЮБИМІВСЬКИЙ КАРСР"	13030200	Рентна плата за користування надрами для видобування корисних копалин	2,76
85450	23935242	ТОВ "ЛЮБИМІВСЬКИЙ КАРСР"	14060100	ПОДАТОК НА ДОДАТКУ ВАРТІСТЬ із вироблених в Україні товарів(робіт,	3,50
85451	23935242	ТОВ "ЛЮБИМІВСЬКИЙ КАРСР"	18010600	ЗЕМЕЛЬНИЙ ПОДАТОК з ЮРИДИЧНИХ ОСІБ	146,43
85452	7111	1	ВСЬОГО по ТОВ "ЛЮБИМІВСЬКИЙ КАРСР" - код ЄДРПОУ 23935242		1 679,61

Fig 6. Environmental tax data Liubymivs'kyi Quarry LLC, 2020  
Source: State Tax Service of Ukraine

At the same time, the Ministry of Energy of Ukraine has a section with environmental taxes of extractive industry entities for 2020-2023 on its Extractive Industry Data Portal of

Ukraine and partially publishes this data, with the exception of strategically important enterprises, thus confirming the importance of publishing information on the payment of environmental taxes from in order to ensure transparency and prevent corruption in the extractive industries. [15]

The State Tax Service also published a dataset of open data on the payment of environmental taxes by subjects of natural monopolies and subsoil users until February 1, 2022. While part 3, Art. 6 of the Law "On Access to Public Information" clarifies that if information with limited access was lawfully made public by the holder earlier, then it must be provided now. That is, a holder's violation of the requirements of the Law is also confirmed by this norm.

Such inconsistencies in the interpretation and determination of approaches by holders regarding restrictions on citizens' access to environmental information during martial law, the improper use of a three-component test for the application of restrictions lead to a violation of civil rights, limitation of full-fledged public control and, as a result, improper environmental accountability and democracy.

# **IV. ANALYSIS OF CITIZENS' EFFECTIVE ACCESS TO ENVIRONMENTAL INFORMATION SINCE THE BEGINNING OF THE FULL-SCALE INVASION**





During the full-scale war, the access to environmental information has significantly worsened, which we partially covered in the previous chapter. Therefore, we analyze the state of access to environmental information in Ukraine before February 2022 and with the beginning of a full-scale invasion to further advocate for the restoration of the violated rights of citizens.

This analysis contains two main blocks:

1. Monitoring the state of access to environmental open data.
2. Monitoring of access to other environmental information.

The list of datasets for the analysis of point 1 is compiled in accordance with the list of datasets, the publication of which is provided for by the Resolution of the CMU No. 835 by the relevant data holders. The list of compliance criteria of the datasets with environmental information was formed on the basis of Art. 13 of the Law of Ukraine "On Information." We have also added those datasets that contain information important for analyzing the state of the environment.

The list of information for analysis in point 2 is compiled based on those requests that, in our opinion, are important for citizens. We included in the analysis the information used by the authors of the study and the information that was identified as a priority by the civil society organizations that we had previously interviewed.

The detailed research methodology is outlined in Section I of this report.

## Environmental Open Data

Since the beginning of Russia's full-scale invasion of the territory of Ukraine, access to the Unified State Open Data Portal (USODP) has been closed until August 1, 2022. Thus, for the first six months of the full-scale invasion, the public and other interested parties did not have the opportunity to use information that is subject to disclosure in the form of open data in accordance with the Resolution of the CMU No. 835. After the access had been granted, the project team conducted a retrospective analysis of the state of access to open environmental data and continued periodic monitoring.

In the course of monitoring environmental data openness, we researched the fact of publication and the frequency of updates of 209 datasets by 74 holders for the period from the beginning of 2022 (before the start of full-scale war) and up to and including October 2024.

To do this, we analyzed the existing datasets of environmental open datasets at the USODP. If the dataset was missing or not updated on time, we directed requests for information on the placement of environmental open datasets on the USODP and their regular updating to the holders. 155 requests for information were sent. Further, all responses were processed and 118 complaints were prepared to the Ombudsman in order to restore the rights of access to information in the form of open data. It is worth noting that in their responses, holders gave us various explanations for not publishing and updating data, and also provided non-working links; some holders did not distinguish the information posted on their own web resources from the publication of open data on the USODP and some referred to the completion of a three-component test as a reason for closing information, which is a violation of national legislation.

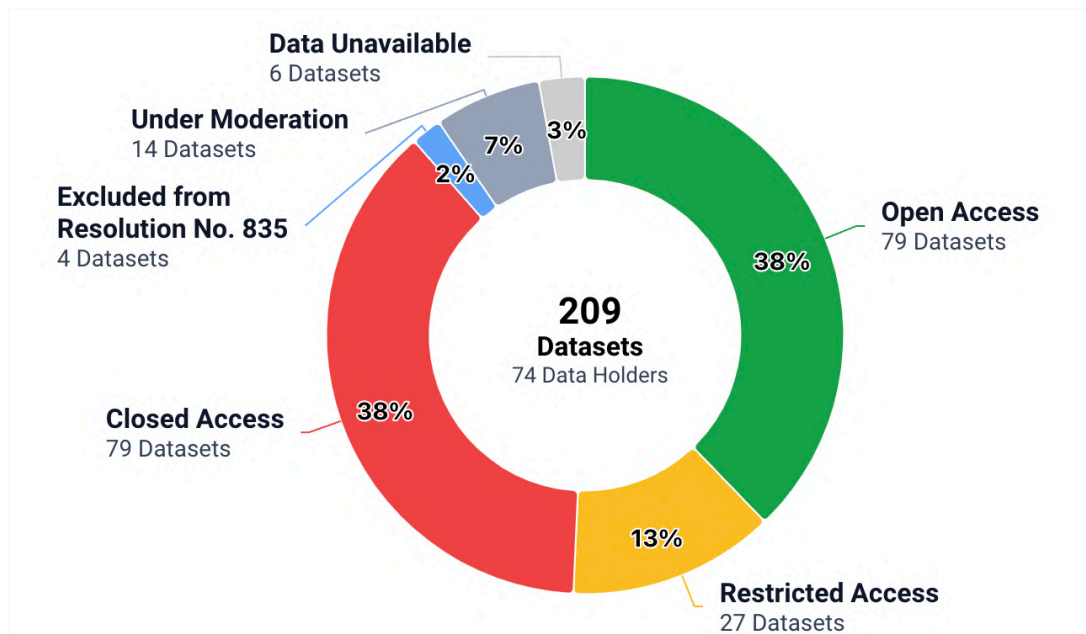


Fig 7. Access to Environmental Open Data  
Total number of environmental datasets as per Resolution of CMU No. 835 dated October 29, 2024

As of the end of October 2024:

- 79 datasets have completely open access;
- 27 datasets have restricted access;
- 79 datasets are completely closed from public access in an open format.

Some datasets are under moderation—there are 14 of them. Four datasets are excluded from the latest version of Resolution of the CMU No. 835, and there are no data for six datasets.

Organization	Total Datasets Number	Open Access	Restricted Access	Closed Access	Under moderation / Excluded from the Resolution of the CMU No. 835
Ministry of Environmental Protection and Natural Resources of Ukraine	46	22	4	13	3 under moderation and 4*
Ministry of Energy of Ukraine	17	1		16	
Ministry of Justice of Ukraine	1			1	
Ukrainian Hydrometeorological center	5	1		4	
State Agency of Water Resources of Ukraine	4	4			
State Service for Geology and Subsoil of Ukraine	17	12	2		3 under moderation
State Agency of Ukraine on Exclusion Zone Management	2		1	1	
State Forest Resources Agency of Ukraine	15	3	2	8	2 under moderation
Antimonopoly Committee of Ukraine	1	1			
State Environmental Inspection of Ukraine	4	1	2	1	
State Agency for Energy Efficiency and Energy Saving of Ukraine	2	1	1		
State Agency for Development of Land Reclamation, Fisheries, and Food Programs of Ukraine	6	5	1		
Ministry of Internal Affairs of Ukraine	7	1	2	4	
National Commission for State Regulation of Energy and Public Utilities (NCRECP)	6	1	1	2	2 under moderation
Ministry of Agrarian Policy and Food of Ukraine	3	1		2	

State Regulatory Service of Ukraine	1			1	
State Tax Service of Ukraine	2			2	
State Service of Ukraine for Geodesy, Cartography and Cadastre	2			1	1 under moderation
State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine	2		1		1 under moderation
State Labor Service of Ukraine	2			1	1 under moderation
State Service of Ukraine on Food Safety and Consumer Protection	11	7	3	1	
Vinnytsia Regional State Administration	1		1		
Volyn Regional State Administration	1	1			
Dnipropetrovsk Regional State Administration	1	1			
Donetsk Regional State Administration	1			1	
Zhytomyr Regional State Administration	1		1		
Zakarpattia Regional State Administration	1			1	
Zaporizhzhia Regional State Administration	1			1	
Ivano-Frankivsk Regional State Administration	1	1			
Kyiv Regional Military Administration	1	1			
Kyiv City State Administration	1	1			
Kirovohrad Regional State Administration	1	1			
Luhansk Regional Military-Civil Administration	1		1		
Lviv Regional State Administration	1	1			
Mykolayiv Regional State Administration	1			1	
Odesa Regional State Administration	1			1	
Poltava Regional State Administration	1			1	
Rivne Regional State Administration	1			1	

Sumy Regional State Administration	1	1			
Ternopil Regional State Administration	1	1			
Kharkiv Regional State Administration	1			1	
Kherson Regional State Administration	1			1	
Khmelnyskyi Regional State Administration	1			1	
Cherkasy Regional State Administration	1	1			
Chernihiv Regional State Administration	1	1			
Chernivtsi Regional State Administration	1	1			
Vinnytsia City Council	1			1	
Lutsk City Council	1		1		
Dnipro City Council	1			1	
Donetsk City Council	1				1**
Zhytomyr City Council	1	1			
Uzhhorod City Council	1		1		
Zaporizhzhia City Council	1			1	
Ivano-Frankivsk City Council	1	1			
Kyiv City Council	1			1	
Kropyvnytskyi City Council	1	1			
Luhansk City Council	1				1**
Lviv City Council	1	1			
Mykolayiv City Council	1			1	
Odesa City Council	1			1	
Poltava City Council	1			1	
Rivne City Council	1			1	
Sumy City Council	1			1	
Ternopil City Council	1		1		
Kharkiv City Council	1			1	
Kherson City Council	1			1	
Khmelnyskyi City Council	1	1			
Cherkasy City Council	1				1 under moderation
Chernihiv City Council	1		1		
Chernivtsi City Council	1	1			
Simferopol City Council	1				1**
Sevastopol City Council	1				1**

Government of the Autonomous Republic of Crimea	1				1**
Sevastopol City State Administration	1				1**

\* Positions excluded on the basis of CMU Resolution No. 578 dated 05/17/2024:

Generalized data of regional registers of waste generation, processing and disposal facilities, Data on issued licenses for conducting economic activities for the production of particularly hazardous chemical substances and licensees, List of enterprises, institutions and organizations that are granted the right to develop documents justifying the volumes of emissions for enterprises, institutions, organizations and natural persons — entrepreneurs, List of conclusions on transportation of waste across the border, List of institutions of the nature reserve fund, which the Ministry of Environment manages.

\*\* Data missing due to the temporary occupation by the armed forces of Russian Federation.

It is worth noting that in May 2024, the section of Resolution of the CMU No. 835 on datasets of the Ministry of Environment was supplemented with new datasets for which by-laws have not yet been created, so there is yet no information from these datasets.

It is significant that before the advocacy efforts of the research team, which will be described below, the access to data looked significantly worse. Some of the environmental open data holders were not aware of their obligations to publish datasets of open data on the USODP, some did not have the technical basis for preparing datasets in appropriate machine-readable formats, others believed that publication on their own web portals was enough to fulfill the requirements of the legislation on access to information. This indicates the low awareness of the representatives of the authorities of open data, their value for further use by researchers, developers of digital products and other authorities for making management decisions, etc.

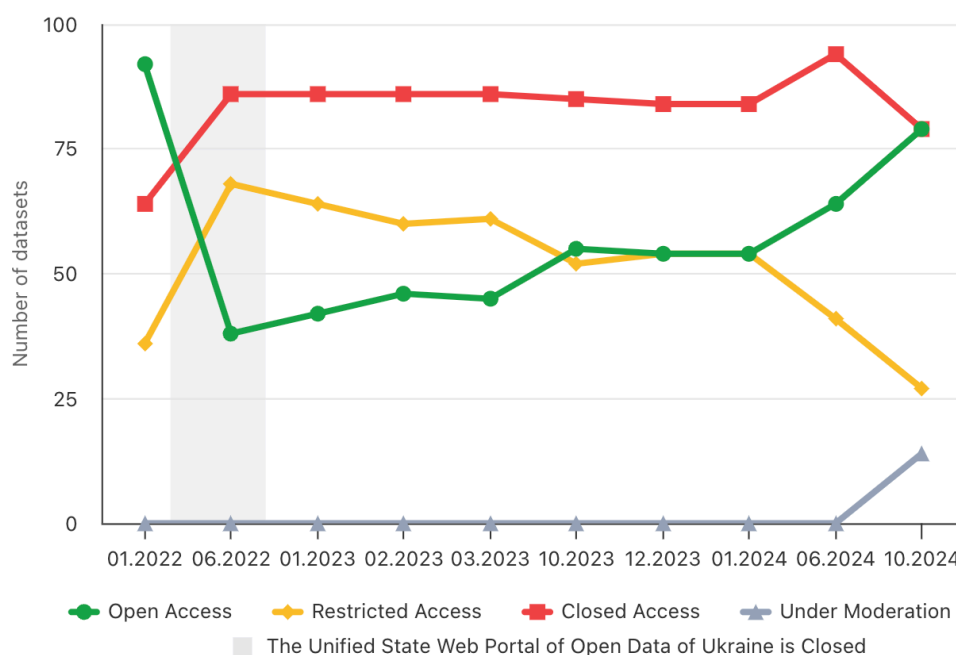


Fig 8. Dynamics of access to environmental open data in Resolution of the CMU No. 835 for 2022-2024, as of 10/29/2024

The researchers also noted a systemic problem with the way open datasets are moderated in the Ministry of Digital. Due to the lack of personnel in the structural division of the Ministry of Digital, responsible for open data, many datasets managed by various holders were on moderation for several months, which significantly affected the statistics of openness during monitoring in retrospect.

For ease of use of detailed analysis data, we have developed a digital monitoring product for access to environmental information and a ranking of openness of environmental open data holders in the SaveEcoBot system, which are also attached to this report in separate appendices. This analytics includes a regional breakdown, classification by category of authorities-holders of information, ranking by “openness” and “closeness” of specific holders, etc.

## Environmental Data

Given the fact that public information is information displayed and documented by any means and on any media, which was obtained or created in the process of the performance of the authorities' duties, and the existing definitions of environmental data contain a large amount of potential information, it is not considered possible to conduct an analysis of access to absolutely all environmental information. Therefore, we focused our analysis on certain information that is of public interest. We will dwell on some individual examples in more detail.

In total, 34 cases of access to environmental information were analyzed. In particular, we analyzed two main levels of access: passive (availability of information on public resources) and active (provision of information upon information request).

Taking into account that the information we requested was in some cases quite voluminous (for example, the EIA register or information from air quality monitoring systems in certain regions), we limited ourselves to a certain time period that is of interest to researchers — from the beginning of 2022 to October 1, 2024. Besides, determining the main features of an average person, we created a portrait of a requester. Our potential requester is literate, speaks Ukrainian, does not have an electronic digital signature and is not familiar with machine data analysis. Therefore, the information we requested had to be provided in a way that did not limit access for such a requester.

We include a detailed analysis of access to environmental information that we prioritized in a monitoring product and in the appendix to this report.

Information holders' understanding of the level of necessary access to environmental information differs significantly, taking into account the holder's activity profile. Above, we have already described how the State Tax Service of Ukraine limits access to environmental information.

In the *field of energy*, access to environmental information containing data on the impact of objects on the environment is completely absent. Thus, in its responses to requests, the Ministry of Energy explains the refusal to provide and publish relevant data with the possibility of damaging the national interests of Ukraine as a result of providing access to documents that contain information that can be used by the aggressor state – the Russian Federation. Therefore, the Ministry of Energy temporarily, during the period of martial law in Ukraine, stopped the fulfillment of requests for public information related to infrastructure facilities of the fuel and

energy complex, strategic and operational plans for ensuring energy security in order to protect the national security interests of our state.

This central executive body considers the provisions of Ch. 3, Art. 34, Ch. 2, Art. 64 of the Constitution of Ukraine, Art. 6, Ch. 6, Art. 22 of the Law of Ukraine "On Access to Public Information," Decree of the President of Ukraine dated 24.02.2024 No. 64/2022 "On the Introduction of Martial Law in Ukraine (as amended) and dated 17.05.2022 No. 341/2022, dated 17.08.2022 No. 573/ 2022, dated 18.11.2022 No. 757/2022 "On the Extension of the Period of Martial Law in Ukraine" and the requirements of the Resolutions of the NCRECP dated 26.03.2022 No. 349 "Regarding Protection of Information that Can Be Classified As Information With Limited Access Under Martial Law, Including Objects of Critical Infrastructure", dated 20.4.2022, No. 384 "On Amendments to the Resolution of the National Commission, which Carries Out State Regulation in the Spheres of Energy and Communal Services, No. 349, dated March 26, 2022." But we have to remind a second time about the provisions of the Aarhus Convention on the distinction between "sensitive" data from relevant information and the provision of environmental information without restrictions.

But the most revealing is the violation of the regime of access to environmental information by its main holder, *the Ministry of Environmental Protection and Natural Resources*. Thus, in its explanations regarding limited access to one of the most important profile registers — the Environmental Impact Assessment Register, the Ministry of the Environment refers to the preparation of a three-component test, which cannot be applied to restrict access to environmental information. And who, if not the Ministry of Environment, should know this and explain it to other holders of environmental information. However, referring to the three-component test in response to requests to obtain it, the Ministry of Environment doesn't provide it to the researchers. The complaint about this case was filed with the Ombudsman at the time of the report preparation.

The Environmental Impact Assessment Register, which has been operating in Ukraine since 2017, contains environmental information on projects of planned activity and tools for accessing it. Along with this, on March 22, 2022, the Ministry of the Environment issued Order No. 159 "On the temporary restriction of access to the Environmental Impact Assessment Register." These restrictions were introduced with reference to the Resolution of the CMU dated March 18, 2022 No. 314 "Some issues of ensuring the conduct of economic activity under martial law" and the Resolution No. 263 "Some issues of ensuring the functioning of information and communication systems, electronic communication systems, public electronic registers under martial law", dated March 12, 2022. [4] But in less than three months "in order to ensure public participation in the process of making a decision on the implementation of a planned activity for which an environmental impact assessment procedure is being carried out" the Ministry partially opened access to the Register. It was done by issuing the Order of the Ministry of Environment No. 225 "On Partial Opening of Access to the Unified Register of Environmental Impact Assessment," dated 06.15.2022. Firstly, the restrictive resolution referred to by the Ministry is still in force, so the Ministry is violating the requirements of the legislation then or now. Secondly, the partial opening of access to the EIA Register with a mandatory user registration is a violation of the citizens' rights to access environmental information, since it makes it difficult or completely impossible for persons who don't have an electronic digital signature. Third, access to the documents of this registry was closed completely and has not been restored, although until February 2022 all documents were available for download. The new EIA register, effective from the end of 2023, is available only after registration and identification of users.



In April 2024, the Ministry of Environment published a Draft Concept Note defining the scope of detours from the rules of environmental impact assessment (EIA) and strategic environmental assessment (SEA). In addition to other detours, the Draft concerns activities related to the placement of the National Military Memorial Cemetery, the implementation of which takes place outside the procedures of the EIA and SEA. It is interesting to note that the Espoo Convention, Directive 2011/92/EU and the Aarhus Convention do not specify the requirements for carrying out an environmental impact assessment for the placement of cemeteries. At the same time, the implementation of this project led to a violation of the citizens' rights in access to public environmental information by the State Institution "National Military Memorial Cemetery" (hereinafter - SI "NMMC") regarding the provision of project documentation for the "Project" stage, first stage of construction. SI "NMMC" refuses to provide to the applicant NGO "Markhalivka.Pydtrymka" project documentation, which they have in the relevant electronic formats — PDF, DWG, IMS, in accordance with Agreement No. 004-2024 dated January 29, 2024 between SI "NMMC" and "TERRA ENGINEERING" private enterprise. SI "NMMC" has legal grounds to provide a scanned copy of the working drawings of the project documentation but refuses to provide these documents in response to a request for information from the public.

**V. ADVOCACY FOR  
RESTORATION OF ACCESS AND  
PROPERLY ENSURING THE  
RIGHTS OF CITIZENS OF  
UKRAINE TO ENVIRONMENTAL  
INFORMATION ACCESS**



In the course of studying access to environmental information and the state of publishing environmental open data, the researchers formed a basis for advocacy for access restoring and properly ensuring the rights of Ukrainian citizens to access to environmental information.

The tools that the authors of the study used to protect the rights of citizens to access environmental information:

- work with the Human Rights Commissioner of the Verkhovna Rada of Ukraine, namely: preparing and filing complaints, holding explanatory meetings for the restoration and further protection of citizens' rights to access to environmental information, including environmental information subject to publication in the format of open data;
- interaction with central authorities (Ministry of Digital, Ministry of Environment, other holders, international technical assistance projects that support authorities in working with open data, etc.);
- preparing and filing a complaint to the Committee of the Aarhus Convention regarding Ukraine's violation of citizens' rights to access to environmental information in open data format.

In particular, 66 complaints were filed with the Human Rights Commissioner of the Verkhovna Rada of Ukraine regarding the violation of citizens' access rights to environmental information in the format of open data. In particular, the complaints related to the fact that open data holders don't publish and properly update the datasets with the specified frequency and quality, which is provided for by Resolution of the CMU No. 835.

The complaints included datasets of environmental open data that can be attributed to environmental information in accordance with Art. 13 of the Law of Ukraine "About Information". As a result of the opening of proceedings by the Ombudsman and the working meetings between the interested parties — the Ministry of Digital, the Ministry of the Environment, the Office of the Ombudsman, dozens of holders of environmental open data and representatives of researchers — the situation with the publication of datasets has significantly improved.

Due to identifying a problem with the moderation of open datasets, in the course of the communication and proceedings of the Ombudsman's office regarding the violations of the holders and the Ministry of Digital, 13 environmental open datasets were checked by the moderators of the USODP and additional comments were provided by the holders. Also, the issue of timely moderation of datasets is given a high status, so as not to create an artificial problem of the closure of environmental information in the form of open data in the future.

In addition, a problem with harvesting was discovered in several regions (automatic transfer of datasets from regional portals of local authorities to USODP) in the course of communication with the data holders. For convenience, a holder places open datasets on the local open data portal and, in order to publish the datasets on the USODP, an automatic transfer of the datasets using harvesting was set up. However, due to technical difficulties, the process didn't occur automatically and was not checked by the parties - the holder and the moderator of the USODP.

In the framework of joint work with the above-mentioned interested authorities, representatives of material and technical assistance projects and holders, a number of working meetings were held. The prospects for further steps to improve the access to environmental information in the form of open data were discussed.

In order to highlight and update the issue of access to environmental information in Ukraine, we addressed the Compliance Committee of the Aarhus Convention on Ukraine's non-fulfillment of the provisions of the Convention regarding citizens' access to environmental information in the form of open data. We note that due to the introduction of general restrictions on access to information during martial law, Ukrainian citizens can't obtain current environmental information in the form of open data. This violates their right to participate in decision-making and access to justice in matters of environmental protection. At the same time, the review process is lengthy and requires prior use of all national (domestic) means of legal protection of citizens. We chose the option of involving the Commissioner for Human Rights of the Verkhovna Rada of Ukraine. In the event that this tool will not have a sufficient result to restore the violated rights, we will continue to interact with the Compliance Committee of the Aarhus Convention.

We did not use only one tool for protection of violated rights in the framework of the study - court appeal, given the length of this process and the large number of potential defendants. However, this is definitely a promising direction, which researchers consider as a tool for further advocacy for the protection of violated rights.

## VI. CONCLUSIONS



The analysis of the mentioned acts of the European Union allows us to conclude that there is a significant number of legal norms in the current environmental legislation of the EU, which are aimed at ensuring the right of the public to access environmental information both within the EU and at the national level of the member states. This study presents the most important special EU acts aimed at ensuring the right of access to environmental information. These norms permeate the entire system of environmental legislation of the EU and must be ensured both at the level of the EU and at the level of the EU member states. One of the most important issues for Ukraine in terms of fulfilling its European integration obligations regarding joining the European Union is the issue of consistency of national legislation with EU legal norms, in particular, regarding ensuring the public's right to access environmental information.

Summarizing the conclusions of the EC regarding Ukraine for 2022, 2023, and 2024, the following can be stated:

First, the European Commission noted progress in Ukraine's activities in harmonizing the norms of national environmental legislation with the EU acquis.

Second, the Commission continues to emphasize the need to ensure public access to environmental information and participation in decision-making. Legal norms regarding public access to environmental information and participation in environmentally significant decision-making are norms that permeate the entire system of national environmental legislation and must be integrated into all new legislative and administrative procedures, the implementation of which may affect the environment and climate change. At the same time, the EC notes problems with citizens' access to environmental information at all stages of participation.

The broad interpretation of the concept of "environmental information" in the national legislation of Ukraine and international acts, such as the Aarhus Convention, creates opportunities for citizens to access information, as well as challenges due to different interpretations and legal inconsistencies. Despite attempts by legislators to address this problem through the adoption of new regulations, terminological differences can still cause difficulties in the application of legislation.

The legislative framework, which defines environmental information as data on the state of the environment, activities that may affect the environment, and its impact on human health and safety, is gradually being expanded and adapted to EU requirements. It is important to integrate environmental data into unified information systems, such as "EcoSystem," which simplifies citizens' access to data and ensures transparency of management. At the same time, the quality of information posted depends on qualified data administration. At the same time, martial law challenges affect the full implementation of these processes and access to registers.

At the same time, after carrying out research and analytical work on the access to environmental information during the full-scale war of Russia against Ukraine, we come to the conclusion that the special status of access to environmental information, which is provided for by the relevant national legislation and EU acquis, was not implemented in Ukraine. Owners and holders of such information don't always realize that their information meets the definition of "environmental" and use restrictions by referring to general norms of law. Also common is the problem when environmental information is not separated from that which may have limitations, and access to the entire array of data is closed in violation of the law.

Problems with access to environmental information in Ukraine, in our opinion, exist due to several circumstances:

1. The insufficient awareness level of the environmental information owners about its level of protection and their own obligations regarding the publication and provision of such information upon request in accordance with national legislation.
2. Insufficient level of responsibility of owners and holders for limiting access to environmental information.
3. Lack of sufficient administrative and technical capacity of environmental information holders in the form of open data to ensure compliance with the requirements of the Resolution of the CMU No. 835.
4. Inadequacy of the administrative and technical capacity of the Ministry of Digital for high-quality and timely moderation of the USODP and ensuring access to datasets of environmental open data.

The analysis of the practice of partially restricting access to information under martial law conditions and the revealed need for personal identification through the use of one's own electronic signature for verification allows us to state that there is a certain discrimination against persons who, for various reasons (economic, social, etc.), don't have the opportunity to file in a request in electronic form or undergo such verification, and no other alternative form of request is provided.

It is worth underlining that there are few tools for protecting the violated rights of citizens to access to environmental public information, which would be available to citizens and effective in restoring access to environmental information and preventing future violations by holders in Ukraine, which exacerbates the problem.

## VII. RECOMMENDATIONS





Based on the research results and with the aim of improving the legal mechanism for ensuring, implementing, and protecting every citizen's right to free access to environmental information, including in the form of open data, under martial law and during the reconstruction period, proposals and recommendations regarding amendments to national legislation were prepared.

## Improvement of the Legal Mechanism of Access to Environmental Information

**First,** to increase the effectiveness of providing access to environmental information as public, including in the form of open data, we propose to introduce amendments and additions to the Law of Ukraine "On Access to Public Information," namely:

1. To supplement Article 1 of the Law of Ukraine "On Access to Public Information" with parts 3, 4, and 5 with the following content:

*3. Information about the environment (environmental information) is public information.*

*4. Information about the state of the environment (environmental information) is any information in written, audiovisual, electronic or other material form about:*

*a) the state of the environment or its components (atmosphere, air, waters, soils, land, inland sea waters and territorial sea, coastal protective strips, natural landscapes and natural territories and objects, including wetlands, forests, vegetation and animal life, biological diversity and its components, including genetically modified organisms, and their interaction with environmental components);*

*b) factors that affect or may affect the state of the environment or its components specified in point "a" of this part - emissions, other ingress of pollutants into the environment, substances, energy, noise, vibration, ionizing and non-ionizing radiation, waste (including radioactive);*

*c) measures (including administrative), state policy, legislation, state planning documents, plans, programs, international treaties of Ukraine in the field of environment, activities that affect or may affect the state of the environment or its components or factors specified in points "a" and "b" of this part, as well as measures or activities aimed at their protection;*

*d) reports on the implementation of environmental legislation;*

*e) expenses related to the implementation of environmental protection measures at the expense of environmental protection funds, other sources of financing, economic analysis used in the framework of measures and activities provided for in point "c" of this part;*

*f) state of health and safety of people, including the safety of the food chain, human living conditions, the state of cultural heritage objects and buildings to the extent that they are affected or may be affected by the state of the environment components,*

*specified in point "a" of this part, or any factors and measures specified in points "b" and "c" of this part, which affect or may affect through the relevant components.*

*5. Information about the state of the environment (environmental information) doesn't belong to information with limited access."*

2. To supplement part 1 of Article 10-1 of the Law of Ukraine "On Access to Public Information" with paragraph 3 with the following content:

*"If access to public information (datasets, registers, etc.) involves filling out an electronic request form, information holders are obliged, in order to prevent discrimination of the rights of citizens who don't have the opportunity to fill out an electronic form, to provide for alternative forms of submitting a request for access to information (written, oral, or in another form (by mail, fax, telephone, e-mail) at the requester's choice)."*

**Secondly,** in order to ensure the right of every citizen to access environmental information under the conditions of the legal regime of martial law and during the reconstruction period, to amend part 1, section II. "Final Provisions" of the Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Regarding the State Environmental Monitoring System, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management" dated March 20, 2023 No. 2973-IX, setting it out as follows:

*"1. This Law shall enter into force on January 1, 2025, except for clause 2 of this section, which shall enter into force on the day following the date of publication of this Law."*

## Recommendations for Environmental Open Data

Considering the importance of publishing environmental information in a machine-readable format for further use in the creation of new digital solutions and products, we suggest that government authorities at various levels and the public take measures to improve the quality of access to such information.

1. Environmental open data organizations (according to the list in Appendix B) — to conduct information audits, which are provided for by Resolution of the CMU No. 835.
2. Organizations — to regularly update the dataset "Register of datasets in the possession of the holder" for the relevance of publication of datasets, certain restrictions, if any. It should also be noted separately that the dataset was created and uploaded to the USODP and is under moderation.
3. Ministry of Digital — to contribute to the development of standards for the publication of environmental open datasets.
4. Ministry of Digital — to amend the Resolution of the CMU No. 835 on updating data holders and datasets and increasing the number of environmental open datasets.

5. Ministry of Digital and international technical assistance projects with the involvement of the expert public — to organize training of organizations on working with open data.
6. The Cabinet of Ministers of Ukraine — to strengthen the control and provision of resources for operations with open data in the central bodies of the executive authorities.
7. Public — to conduct regular public control of the publication, updating and quality of data by organizations at the USODP.
8. Commissioner of the Verkhovna Rada of Ukraine for Human Rights — to ensure proper parliamentary control over compliance with citizens' informational rights to access environmental information in the form of open data. Together with the Ministry of Digital — to provide support to holders to improve work with such data.

## Proposals for Amendments of the Resolution of the CMU No. 835

Amendments to the Resolution of the Cabinet of Ministers of Ukraine No. 835 dated October 21, 2015 "On Approval of the Regulation on Datasets that are Subject to Publication in the Form of Open Data," proposed by the researchers:

1. To supplement part 2 with paragraph 3 with the following content: "By January 1, 2025, information holders must develop and implement internal regulations (orders, instructions, procedures) that provide for the procedure for collection, processing, coordination of the activities of internal divisions regarding publication, systematic updating and checks for completeness, authenticity of information in open datasets, which are made public by this information holder in accordance with his authority."
2. The dataset "State Register of Plant Varieties Suitable for Cultivation in Ukraine" was transferred from the Ministry of Economy to the Ministry of Agrarian Policy — to bring the holder into compliance with the current legislation.
3. The dataset "Information Bank of Data on the Condition of Soils of Agricultural Lands" was transferred from the Ministry of Economy to the Ministry of Agrarian Policy.
4. The dataset "Data of the Soil Monitoring System on Agricultural Lands" was transferred from the Ministry of Economy to the Ministry of Agrarian Policy.
5. The dataset "Reports on the Transportation of Dangerous Goods by Sea Transport" — the holder changed from the State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine to the Ministry of Infrastructure.
6. The dataset "Register of Conclusions of the State Sanitary and Epidemiological Examination, issued by the State Service of Ukraine on Food Safety and Consumer Protection" — the frequency was changed to "No longer updated". If the dataset is no longer needed, then exclude it from Resolution of the CMU No. 835.
7. In the datasets assigned to the powers of the Ministry of Environment:

- The dataset "List of international agreements in the field of environmental protection, to which Ukraine is a party, and the status of their implementation" is to be set out in a new version: "List and texts of international agreements in the field of environmental protection, ensuring environmental safety and protection of environmental human rights and their implementation status".
  - To add a new dataset: "National Reports to International Organizations and Bodies on the Status of Ukraine's Implementation of International Agreements in the Field of Environmental Protection, Ensuring Environmental Safety and Protecting Environmental Human Rights".
  - To add a dataset "Register of Installations for Monitoring, Reporting and Verification of Greenhouse Gas Emissions".
  - To add a dataset "Operator's Report on Greenhouse Gas Emissions".
  - To add a dataset "Unified Register of Strategic Environmental Assessment".
  - To add a dataset "National Register of Pollutant Release and Transfer (facilities and operators' reports)".
8. The datasets assigned to the competence of the State Agency for Tourism Development should be supplemented with a dataset "State Cadaster of Natural Territories of Resorts of Ukraine".
9. For regional state administrations (regional military administrations):
- To add a dataset of "Environmental Protection Program".
  - To add a dataset of "Annual Report on the implementation of the Natural Environment Protection Program".

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# ANNEXES

## ANNEX A. Regulatory Legal Acts Governing Access to Environmental Information in Ukraine

### CONSTITUTIONAL NORMS

- The Constitution of Ukraine

### LAWS OF UKRAINE

- The Law of Ukraine *On Environmental Impact Assessment*
- The Law of Ukraine *On Strategic Environmental Assessment*
- The Law of Ukraine *On Amendments to Certain Laws of Ukraine on Access to Public Information in Open Data Format*
- The Law of Ukraine *On Amendments to Certain Legislative Acts of Ukraine on Improvement of Legislation in the Field of Subsoil Use*
- The Law of Ukraine *On Amendments to Certain Legislative Acts of Ukraine on the State System of Environmental Monitoring, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management*
- The Law of Ukraine *On Information*
- The Law of Ukraine *On the Register of Pollutant Emissions and Transfer*
- The Law of Ukraine *On Ratification of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters*
- The Law of Ukraine *On the Principles of Monitoring, Reporting and Verification of Greenhouse Gas Emissions*

### BYLAWS

- Resolution of the CMU No. 815 dated 12 July 2024 *On Information Interaction between Automated Information Systems of Public Authorities and the National Environmental Automated Information and Analytical System for Ensuring Management Decision-Making and Access to Environmental Information and its Network*
- Resolution of the CMU No. 684 dated 13 June 2024 *On Some Issues of Functioning of the State Environmental Monitoring System and its Subsystems*
- Resolution of the Verkhovna Rada of Ukraine *On Informing the Public on Environmental Issues*

## ANNEX B. Regulatory Legal Acts Governing Open Data in Ukraine

### LAWS OF UKRAINE

- The Law of Ukraine *On Access to Public Information*, which defines the procedure for exercising the right to access public information, in particular in the form of open data
- The Law of Ukraine *On Information*, which regulates relations regarding the creation, collection, receipt, storage, use, dissemination, protection, and defense of information
- The Law of Ukraine *On Protection of Personal Data*, which defines the conditions for the dissemination of personal data, in particular when public information is published in the form of open data
- The Law of Ukraine *On Amendments to Certain Laws of Ukraine on Access to Public Information in the Form of Open Data*
- The Law of Ukraine *On Public Electronic Registers*

### BYLAWS

- Resolution of the CMU No. 835 *On Approval of the Regulation on Datasets to be Disclosed in the Form of Open Data*, which sets requirements for the format and structure of datasets to be disclosed in the form of open data, the frequency of updates and the procedure for their disclosure, as well as the list of such datasets
- Resolution of the CMU No. 867 *On Some Issues of Publication of Public Information in the Open Data Format*, which defines the mechanism for maintaining the Unified State Open Data Portal to provide access to public information in the open data format and interaction with users regarding open data
- Order of the CMU No. 686-r *On Some Issues of Accession to the International Open Data Charter*
- Order of the CMU No. 900-r *On Approval of the Action Plan for Implementation of the Principles of the International Open Data Charter*
- *Procedure for Annual Assessment of the Status of Publication and Updating of Open Data by Information Administrators on the Unified State Open Data Portal*, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 835 of 21 October 2015
- Resolution of the CMU *On Some Issues of Ensuring the Functioning of State Information Resources*
- *Procedure for the Transfer, Storage, Operation and Access to State Information Resources (Public Electronic Registers) and Their Backups Located on Cloud Resources and/or Data Centers Located Outside of Ukraine*, approved by Resolution of the Cabinet of Ministers of Ukraine No. 1500 of 30 December 2022



- Resolution of the CMU *On Issues of the Unified State Web Portal of Electronic Services and the Register of Administrative Services*
- *Regulation on the Unified State Web Portal of Electronic Services", approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1137 of 4 December 2019 (as amended by the Resolution of the Cabinet of Ministers of Ukraine No. 937 of 16 August 2022)*
- Resolution of the CMU *On Information Interaction between Automated Information Systems of Public Authorities and the National Environmental Automated Information and Analytical System for Management Decision Making and Access to Environmental Information and its Network*

## ANNEX C. Environmental Open Data Organizations and Datasets According to the Resolution of CMU No. 835 Dated October 21, 2015

Organization	Name of the dataset
Antimonopoly Committee of Ukraine	Consolidated list of natural monopolies
State Agency of Ukraine on Exclusion Zone Management	State Register of Radioactive Waste
	State Cadastre of Radioactive Waste Storage Facilities and Temporary Storage Sites
State Agency on Energy Efficiency and Energy Saving of Ukraine	Database of energy certificates
	Register of Alternative Fuels
State Agency of Water Resources of Ukraine	List of permits for special water use
	Data on state monitoring of surface water bodies, including coastal waters
	State water cadastre in the section "Water use"
	State Water Cadastre by sections: "Surface water" in terms of accounting for surface water bodies
State Service of Ukraine for Geodesy, Cartography and Cadastre	Public cadastral map of Ukraine
	Information from the State Land Cadastre
State Service of Geology and Mineral Resources of Ukraine	List of special permits for the use of subsoil (including for the use of oil and gas subsoil)
	Interactive map of subsoil areas for which special subsoil use permits have been granted
	List of objects for investment attraction
	Data from the State Cadastre of Mineral Deposits and Occurrences
	Data from the State Cadastre of Groundwater Deposits
	Data from Oil and Gas Well Register
	Data from the state balance of mineral reserves
	Information on the state of the mineral resource base of Ukraine
	General-purpose geological maps
	State Water Cadastre in the <i>Groundwater</i> Section
	Data on applications for granting, extending, re-issuing and revoking special permits for subsoil use, amending them and issuing duplicates

	Details and links to scanned copies of documents received and/or sent by the State Service of Geology and Mineral Resources of Ukraine (Derzhheonadra) in the course of exercising its powers in the field of consideration of applications for granting, extending, reissuing and revoking special permits for subsoil use
	Information on subsoil in respect of which the issue of organizing a production sharing agreement is being decided
	Data on subsoil plots for which the issue of selling a special permit for subsoil use without an auction is being decided
	Data on subsoil plots for which the issue of selling a special permit for subsoil use at auction is being decided
	Catalog of geological information with data on its cost
	Essential terms of agreements on the use of a site (including the work programme and special conditions of subsoil use, which include requirements for the efficiency of work; the procedure for the extraction of minerals; types, scope and timing of work on the subsoil site; grounds for termination of activities related to the use of the subsoil site)
State Environmental Inspectorate of Ukraine	Information on the effectiveness of state supervision (control) by the territorial bodies of the State Environmental Inspectorate
	Report on the implementation of the annual plan of state supervision (control) measures
	Information on the results of state supervision (control) in the field of environmental protection
	Annual plan for the implementation of state supervision (control) measures
State Agency of Forest Resources of Ukraine	Register of Logging Permits
	Electronic list of issued certificates of origin of timber and timber products
	Information from the State Forest Cadastre
	Information on timber harvesting from a separate forest area
	Materials for recording pest and disease outbreaks
	Notification of signs of deterioration in the sanitary condition of forest plantations
	Acts of forest pathology surveys
	Decision of the scientific and technical council of the natural reserve fund institution on the expediency of sanitary and health measures (sanitary condition of forests)

	Numbering of trees intended for selective environmental harvesting
	Maps of test areas for surveying the sanitary condition of plantations
	Summary of trial areas established in plantations requiring continuous environmental harvesting
	Summary of plantations requiring continuous environmental harvesting
	List of measures to improve the sanitary condition of forests
	Register of Long-Term Temporary Forest Use Agreements
	Myslyvets database
State Labor Service of Ukraine	List of business entities licensed to manufacture industrial explosives
	Information on mining allotments granted for the development of mineral deposits by underground mining
State Service of Ukraine on Food Safety and Consumer Protection	State Register of Genetically Modified Organisms – sources of food, feed, feed additives and veterinary drugs containing such organisms or obtained with their use
	Register of Manufacturers of Organic Products (Raw Materials)
	Register of Opinions of the State Sanitary and Epidemiological Examination Issued by the State Service of Ukraine on Food Safety and Consumer Protection
	Lists of objects of regulation in accordance with the Law of Ukraine <i>On Plant Quarantine</i>
	List of persons included in the Register of Persons Engaged in Economic Activities Related to the Production and Circulation of Regulated Objects defined by the Law of Ukraine <i>On Plant Quarantine</i>
	Results of the analysis of risks defined by the Law of Ukraine <i>On Plant Quarantine</i>
	Information on the prohibition of import of regulated products specified by the Law of Ukraine <i>On Plant Quarantine</i>
	List of regulated pests defined by the Law of Ukraine <i>On Plant Quarantine</i>
	Decision on the introduction or cancellation of the quarantine regime determined by the Law of Ukraine <i>On Plant Quarantine</i>
	Overview of the spread of quarantine organisms in Ukraine
	Register Of Facilities (Objects) For Processing, Handling and Disposal Sites of Animal By-Products

State Agency of Fisheries of Ukraine	Information on the status and volume of fish stocks in the waters where commercial fishing is conducted
	Information on catch volumes by fish species in terms of water bodies, administrative units, and river basins
	Information on the volume of fish migration (breeders) by fish species in terms of water bodies, administrative units, and river basins
	License Register of Decisions on Issuance of Licenses for Conducting Economic Activities Related to Commercial Fishing of Aquatic Bioresources Outside the Jurisdiction of Ukraine
	State Register of Fishery Water Bodies (Their Parts)
	List of permits for import and export of specimens of wild fauna and flora, certificates for traveling exhibitions, re-export and introduction from the sea of the said specimens, which are subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora in terms of sturgeon and products made from them
State Tax Service of Ukraine	Information on the payment of environmental tax by natural monopolies and business entities that pay rent for subsoil use
	Information on business entities with tax debt
State Regulatory Service of Ukraine	Data from the integrated automated system of state supervision (control)
Ministry of Internal Affairs of Ukraine	Data on background concentrations of pollutants in the air in settlements based on the observation network of hydrometeorological organizations
	Materials of hydrometeorological observations, information base of hydrometeorological data and data on the state of the environment
	Latest data on atmospheric air quality in settlements according to the observation network of hydrometeorological organizations
	Data from the Ukrainian Hydrometeorological Center for Public Use
	Up-to-date information on emergency situations of man-made, natural and other nature in Ukraine
	State Water Cadastre in the <i>Surface Waters</i> Section in terms of conducting permanent hydrometric and hydrochemical observations of quantitative and qualitative characteristics of surface waters

	Forecast and up-to-date information on adverse weather conditions in the territory of settlements
Ministry of Justice of Ukraine	Unified State Register of Legal Entities, Individual Entrepreneurs and Non-Governmental Organizations
Ministry of Agrarian Policy and Food	Information bank of data on soil condition of agricultural land
	Data from the soil monitoring system on agricultural land
	State Register of Plant Varieties Suitable for Distribution in Ukraine
Ministry of Environmental Protection and Natural Resources of Ukraine	List of permits for air pollutant emissions from stationary sources of Group 1, 2, 3 facilities with the number and validity period
	Register of Licenses for Hazardous Waste Management Activities
	Unified Register of Environmental Impact Assessment
	List of waste declarations
	Register of Environmental Auditors and Legal Entities Authorized to conduct Environmental Audits
	State Register of Pesticides and Agrochemicals Authorized for Use in Ukraine
	Generalized data from Regional Registers of Waste Generation, Treatment and Disposal Facilities
	State Cadastre of Wildlife
	State Cadastre of Territories and Objects of the Nature Reserve Fund
	Plan of state testing and research of pesticides and agrochemicals
	Data from the state environmental monitoring system
	List of international environmental agreements to which Ukraine is a party and the status of their implementation
	State Register of Business Entities Engaged in Acceptance and/or Disassembly of Vehicles for Utilization
	List of enterprises, institutions and organizations that are entitled to develop documents justifying emissions for enterprises, institutions, organizations and individual entrepreneurs
	List of facilities that are the largest polluters of the environment in terms of pollutant discharges into water bodies
	List of facilities that are the largest polluters in Ukraine in terms of air emissions

	List of opinions on transboundary waste transportation
	Register of Written Consents (Notifications) for Transboundary Transportation of Hazardous Waste and Opinions on Transboundary Transportation of waste
	List of permits for importation into the customs territory of Ukraine of unregistered pesticides and agrochemicals used for state testing and scientific research, as well as seed (planting) material treated with them
	List of permits for the special use of wildlife objects
	Calculated felling rate (List of calculated felling rate)
	Hunting standards for hunting animals belonging to the state hunting fund for the hunting season
	List of permits for works on the lands of the water fund within the coastal protection zones along the seas, bays and estuaries, inland sea waters, estuaries and territorial sea
	List of permits for the import and export of wild fauna and flora species, certificates for traveling exhibitions, re-export and introduction of these specimens from the sea, except for sturgeon and products made from them
	Information on limits (norms) of use of wildlife (except for aquatic bioresources) and special use of wildlife (except for aquatic bioresources)
	Limits on the special use of natural resources within the territories and objects of the natural reserve fund of national importance
	National waste list
	List of institutions of the nature reserve fund that belong to the sphere of management of the Ministry of Environment
	List of business entities approved by the Ministry of Environment for emission indicators (specific emissions) of pollutants into the air
	List of permits for special use (extraction, collection) of the Red Data Book of Ukraine
	List of permits for activities related to artificial changes in the state of the atmosphere and atmospheric phenomena for economic purposes
	List of permits for transit movement of genetically modified organisms not registered in Ukraine
	List of permits for state testing of genetically modified organisms in the open system

	Red Book of Ukraine
	Green Book of Ukraine
	Register of Business Entities Obligated to Submit a Waste Declaration
	Register of Permits for Waste Treatment Operations
	Register of Manufacturers of Products Subject to Extended Producer Liability
	Register of Extended Manufacturer Responsibility Organizations
	Register of Business Entities in the Field of Waste Management
	Register of By-Products (Register of Business Entities in Whose Production Process a Given Substance or Object is Defined as a By-Product)
	Register of Waste Status Termination (Register of Business Entities Declaring Waste Status Termination)
	Register of Business Entities for Waste Collection and Storage Operations
	Register of Business Entities for Waste Transportation Operations
	Information on authorizations for the use of a particularly hazardous chemical substance that is being withdrawn from the market
	Datasets in the field of circular and low-carbon economy
Ministry of Energy of Ukraine	Environmental and radiation situation in the area of nuclear power plants
	National Report within the Extractive Industries Transparency Initiative
	Production of raw coal by state-owned enterprises, institutions, organizations and associations under the management of the Ministry of Energy and business entities in respect of which the Ministry of Energy manages the corporate rights of the state (by mines, product brands)
	Mining and processing of uranium raw materials
	Electricity generation by nuclear power plants (by units)
	Schedule of repairs of nuclear power units
	Coal processing (by companies)
	Forecast balance of electricity in the integrated power system of Ukraine



	Fuel flow at energy enterprises (latest data)
	Performance indicators of nuclear power plants
	Operational safety of nuclear power plants
	Underproduction of electricity by nuclear power plants
	Information about nuclear power plants
	Directory of coal mining enterprises in Ukraine
	Data on the implementation of the National Emission Reduction Plan for Large Combustion Plants by operators of large combustion plants
	Reporting data from operators of large combustion plants on the implementation of the National Emission Reduction Plan for Large Combustion Plants
	Volumes of coal imports for energy needs (by coal grade)
State Service of Maritime and River Transport of Ukraine	License Register for Carrying Out economic Activities for the Transportation of Passengers, Dangerous Goods and Hazardous Waste by River and sea Transport
	Reports on the transportation of dangerous goods by sea
National Commission for State Regulation of Energy and Public Utilities	Data on heat production
	Data on heat energy consumption
	Register of Business Entities Operating in the Energy and Utilities Sectors Regulated by the NEURC
	Register of Natural Monopolies in the Energy Sector
	Register of Natural Monopolies in the Areas of Heat Supply, Centralized Water Supply and Sewerage, and Household Waste Disposal
	Register of Electric Power Facilities Using Alternative Energy Sources (except for blast Furnace and Coke Oven Gases, and Only Small Power Plants Using Hydropower)
Ukrainian Hydrometeorological Center	Results of radiation monitoring
	Daily and monthly data on the regime and resources of land surface water in rivers and reservoirs of Ukraine
	Daily and monthly monitoring of air pollution
	Climate Cadastre of Ukraine

			Agrometeorological conditions of cultivation and yield of major crops
Vinnitsia Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Vinnitsia region
Volyn Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Volyn region
Dnipropetrovsk State Administration	Regional		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Dnipropetrovsk region
Donetsk Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Donetsk region
Zhytomyr Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Zhytomyr region
Zakarpattia Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with the number and validity period of Zakarpattia region
Zaporizhzhia Regional Administration	State		List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period of Zaporizhzhia region
Ivano-Frankivsk State Administration	Regional		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Ivano-Frankivsk region
Kirovohrad Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Kirovohrad region
Kyiv Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Kyiv region
Luhansk Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Luhansk region
Lviv Regional Administration	State		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Lviv region

Mykolaiv Regional Administration	State	List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period of Mykolaiv region
Odesa Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Odesa region
Poltava Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Poltava region
Rivne Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Rivne region
Sevastopol City Administration	State	List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period in Sevastopol
Sumy Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Sumy region
Ternopil Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Ternopil region
Government of the Autonomous Republic of Crimea		List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period in the Autonomous Republic of Crimea
Kharkiv Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Kharkiv region
Kherson Regional Administration	State	List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period of Kherson region
Khmelnyskyi Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Khmelnytskyi region
Cherkasy Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Cherkasy region
Chernivtsi Regional Administration	State	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Chernivtsi region

Chernihiv Regional State Administration	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Chernihiv region
Vinnytsia City Council	Data on green spaces to be removed, according to the issued green space inspection reports by Vinnytsia City Council
Dnipro City Council	Data on green spaces to be removed, according to the issued green space inspection reports by Dnipro City Council
Donetsk City council	Data on green spaces to be removed, according to the issued green space inspection reports of the Donetsk City Council
Zhytomyr City Council	Data on green spaces to be removed, according to the issued green space inspection reports of the Zhytomyr City Council
Zaporizhzhia City Council	Data on green spaces to be removed, according to the issued green space inspection reports by Zaporizhzhia City Council
Ivano-Frankivsk City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Ivano-Frankivsk City Council
Kyiv City Administration	List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of the city of Kyiv
Kyiv City Council	Data on green spaces to be removed, according to the issued green space inspection reports by Kyiv City Council
Kropyvnytskyi City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Kropyvnytskyi City Council
Lviv City Council	Data on green spaces to be removed, according to the issued green space inspection reports by Lviv City Council
Luhansk City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Luhansk City Council
Lutsk City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Lutsk City Council
Mykolaiv City Council	Data on green spaces to be removed, according to the issued green space inspection reports by Mykolaiv City Council
Odesa City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Odesa City Council
Poltava City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Poltava City Council

Rivne City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Rivne City Council
Sevastopol City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Sevastopol City Council
Simferopol City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Simferopol City Council
Sumy City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Sumy City Council
Ternopil City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Ternopil City Council
Uzhhorod City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Uzhhorod City Council
Kharkiv City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Kharkiv City Council
Kherson City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Kherson City Council
Khmelnyskyi City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Khmelnyskyi City Council
Cherkasy City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Cherkasy City Council
Chernivtsi City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Chernivtsi City Council
Chernihiv City Council	Data on green spaces to be removed, according to the issued green space inspection reports of Chernihiv City Council

## ANNEX D. Monitoring Product for Access to Environmental Open Data

Ministry of Environmental Protection and Natural Resources of Ukraine										
46 Datasets = 22 + 4 + 13 + 3 + 4										
Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for air pollutant emissions from stationary sources of Group 1, 2, 3 facilities with the number and validity period										Open Access
Register of Licenses for Hazardous Waste Management Activities										Open Access
Unified Register of Environmental Impact Assessment										Closed Access
List of waste declarations										Open Access
Register of Environmental Auditors and Legal Entities Authorized to conduct Environmental Audits										Under Moderation
State Register of Pesticides and Agrochemicals Authorized for Use in Ukraine										Open Access
Generalized data from Regional Registers of Waste Generation, Treatment and Disposal Facilities										Excluded from No.835
State Cadastre of Wildlife										Open Access

## Ministry of Environmental Protection and Natural Resources of Ukraine

46 Datasets = 22 + 4 + 13 + 3 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
State Cadastre of Territories and Objects of the Nature Reserve Fund										Open Access
Plan of state testing and research of pesticides and agrochemicals										Restricted Access
Data from the state environmental monitoring system										Closed Access
List of international environmental agreements to which Ukraine is a party and the status of their implementation										Restricted Access
State Register of Business Entities Engaged in Acceptance and/or Disassembly of Vehicles for Utilization										Open Access
List of enterprises, institutions and organizations that are entitled to develop documents justifying emissions for enterprises, institutions, organizations and individual entrepreneurs										Excluded from No.835
List of facilities that are the largest polluters of the environment in terms of pollutant discharges into water bodies										Restricted Access
List of facilities that are the largest polluters in Ukraine in terms of air emissions										Under Moderation

## Ministry of Environmental Protection and Natural Resources of Ukraine

46 Datasets = 22 + 4 + 13 + 3 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of opinions on transboundary waste transportation										Excluded from No.835
Register of Written Consents (Notifications) for Transboundary Transportation of Hazardous Waste and Opinions on Transboundary Transportation of waste										Open Access
List of permits for importation into the customs territory of Ukraine of unregistered pesticides and agrochemicals used for state testing and scientific research, as well as seed (planting) material treated with them										Open Access
List of permits for the special use of wildlife objects										Under Moderation
Calculated felling rate (List of calculated felling rate)										Open Access
Hunting standards for hunting animals belonging to the state hunting fund for the hunting season										Open Access
List of permits for works on the lands of the water fund within the coastal protection zones along the seas, bays and estuaries, inland sea waters, estuaries and territorial sea										Open Access
List of permits for the import and export of wild fauna and flora species, certificates for traveling exhibitions, re-export and introduction of these specimens from the sea, except for sturgeon and products made from them										Open Access



## Ministry of Environmental Protection and Natural Resources of Ukraine

46 Datasets = 22 + 4 + 13 + 3 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Information on limits (norms) of use of wildlife (except for aquatic bioresources) and special use of wildlife (except for aquatic bioresources)										Restricted Access
Limits on the special use of natural resources within the territories and objects of the natural reserve fund of national importance										Open Access
National waste list										Open Access
List of institutions of the nature reserve fund that belong to the sphere of management of the Ministry of Environment										Excluded from No.835
List of business entities approved by the Ministry of Environment for emission indicators (specific emissions) of pollutants into the air										Open Access
List of permits for special use (extraction, collection) of the Red Data Book of Ukraine										Open Access
List of permits for activities related to artificial changes in the state of the atmosphere and atmospheric phenomena for economic purposes										Open Access
List of permits for transit movement of genetically modified organisms not registered in Ukraine										Open Access

## Ministry of Environmental Protection and Natural Resources of Ukraine

46 Datasets = 22 + 4 + 13 + 3 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for state testing of genetically modified organisms in the open system										Open Access
Red Book of Ukraine										Open Access
Green Book of Ukraine										Open Access
Register of Business Entities Obligated to Submit a Waste Declaration										Closed Access
Register of Permits for Waste Treatment Operations										Closed Access
Register of Manufacturers of Products Subject to Extended Producer Liability										Closed Access
Register of Extended Manufacturer Responsibility Organizations										Closed Access
Register of Business Entities in the Field of Waste Management										Closed Access
Register of By-Products (Register of Business Entities in Whose Production Process a Given Substance or Object is Defined as a By-Product)										Closed Access

## Ministry of Environmental Protection and Natural Resources of Ukraine

46 Datasets = 22 + 4 + 13 + 3 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Register of Waste Status Termination (Register of Business Entities Declaring Waste Status Termination)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Closed Access
Register of Business Entities for Waste Collection and Storage Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Closed Access
Register of Business Entities for Waste Transportation Operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Closed Access
Data sets in the field of circular and low-carbon economy	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Closed Access
Information on authorizations for the use of a particularly hazardous chemical substance that is being withdrawn from the market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Closed Access

## Ministry of Energy of Ukraine

17 Datasets = 1 + 16

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Environmental and radiation situation in the area of nuclear power plants										Open Access
National Report within the Extractive Industries Transparency Initiative										Closed Access
Production of raw coal by state-owned enterprises, institutions, organizations and associations under the management of the Ministry of Energy and business entities in respect of which the Ministry of Energy manages the corporate rights of the state (by mines, product brands)										Closed Access
Mining and processing of uranium raw materials										Closed Access
Electricity generation by nuclear power plants (by units)										Closed Access
Schedule of repairs of nuclear power units										Closed Access
Coal processing (by companies)										Closed Access
Forecast balance of electricity in the integrated power system of Ukraine										Closed Access

## Ministry of Energy of Ukraine

17 Datasets = 1 + 16

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Fuel flow at energy enterprises (latest data)										Closed Access
Performance indicators of nuclear power plants										Closed Access
Operational safety of nuclear power plants										Closed Access
Underproduction of electricity by nuclear power plants										Closed Access
Information about nuclear power plants										Closed Access
Directory of coal mining enterprises in Ukraine										Closed Access
Data on the implementation of the National Emission Reduction Plan for Large Combustion Plants by operators of large combustion plants										Closed Access
Reporting data from operators of large combustion plants on the implementation of the National Emission Reduction Plan for Large Combustion Plants										Closed Access
Volumes of coal imports for energy needs (by coal grade)										Closed Access



## Ministry of Justice of Ukraine

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Unified State Register of Legal Entities, Individual Entrepreneurs and Non-Governmental Organizations										Closed Access

## Ukrainian Hydrometeorological Center

5 Datasets = 1 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Results of radiation monitoring										Closed Access
Daily and monthly data on the regime and resources of land surface water in rivers and reservoirs of Ukraine										Closed Access
Daily and monthly monitoring of air pollution										Open Access
Climate Cadastre of Ukraine										Closed Access
Agrometeorological conditions of cultivation and yield of major crops										Closed Access

## State Water Resources Agency of Ukraine

4 Datasets = 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for special water use										
Data on state monitoring of surface water bodies, including coastal waters										
State water cadastre in the section "Water use"										
State Water Cadastre by sections: "Surface water" in terms of accounting for surface water bodies										

## Ukrainian Geological Survey

17 Datasets = 12 + 2 + 3

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Register of special permits for subsoil use										
Interactive map of subsoil areas for which special subsoil use permits have been granted										
List of objects for investment attraction										

## Ukrainian Geological Survey

17 Datasets = 12 + 2 + 3

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data from the State Cadastre of Mineral Deposits and Occurrences										Open Access
Data from the State Cadastre of Groundwater Deposits										Open Access
Data from Oil and Gas Well Register										Open Access
Data from the state balance of mineral reserves										Open Access
Information on the state of the mineral resource base of Ukraine										Restricted Access
General-purpose geological maps										Open Access
State Water Cadastre in the Groundwater Section										Open Access
Data on applications for granting, extending, re-issuing and revoking special permits for subsoil use, amending them and issuing duplicates										Open Access
Details and links to scanned copies of documents received and/or sent by the State Service of Geology and Mineral Resources of Ukraine (Derzhheonadra) in the course of exercising its powers in the field of consideration of applications for granting, extending, reissuing and revoking special permits for subsoil use										Under Moderation










## Ukrainian Geological Survey

17 Datasets = 12 + 2 + 3

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Information on subsoil in respect of which the issue of organizing a production sharing agreement is being decided										Under Moderation
Data on subsoil plots for which the issue of selling a special permit for subsoil use without an auction is being decided										Open Access
Data on subsoil plots for which the issue of selling a special permit for subsoil use at auction is being decided										Open Access
Catalog of geological information with data on its cost										Open Access
Essential terms of agreements on the use of a site (including the work programme and special conditions of subsoil use, which include requirements for the efficiency of work; the procedure for the extraction of minerals; types, scope and timing of work on the subsoil site; grounds for termination of activities related to the use of the subsoil site)										Under Moderation

### State Regulatory Service of Ukraine

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data from the integrated automated system of state supervision (control)										Closed Access



















### State Tax Service of Ukraine

2 Datasets = + 2

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Information on the payment of environmental tax by natural monopolies and business entities that pay rent for subsoil use										Closed Access
Information on business entities with tax debt										Closed Access

### State Agency of Ukraine on Exclusion Zone Management

2 Datasets = + 1 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
State Register of Radioactive Waste										Restricted Access
State Cadastre of Radioactive Waste Storage Facilities and Temporary Storage Sites										Closed Access

## State Forest Resources Agency of Ukraine

15 Datasets = 3 + 2 + 8 + 2

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Register of Logging Permits										Open Access
Electronic list of issued certificates of origin of timber and timber products										Open Access
Myslyvets database										Restricted Access
Information from the State Forest Cadastre										Restricted Access
Information on timber harvesting from a separate forest area										Closed Access
Materials for recording pest and disease outbreaks										Under Moderation
Notification of signs of deterioration in the sanitary condition of forest plantations										Closed Access
Acts of forest pathology surveys										Closed Access
Decision of the scientific and technical council of the natural reserve fund institution on the expediency of sanitary and health measures (sanitary condition of forests)										Closed Access

## State Forest Resources Agency of Ukraine

15 Datasets = 3 + 2 + 8 + 2

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Numbering of trees intended for selective environmental harvesting										Closed Access
Maps of test areas for surveying the sanitary condition of plantations										Closed Access
Summary of trial areas established in plantations requiring continuous environmental harvesting										Closed Access
Summary of plantations requiring continuous environmental harvesting										Closed Access
List of measures to improve the sanitary condition of forests										Under Moderation
Register of Long-Term Temporary Forest Use Agreements										Open Access

## Antimonopoly Committee of Ukraine

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Consolidated list of natural monopolies										Open Access

## State Environmental Inspectorate of Ukraine

4 Datasets = 1 + 2 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Annual plan for the implementation of state supervision (control) measures										Closed Access
Information on the effectiveness of state supervision (control) by the territorial bodies of the State Environmnetal Inspectorate										Restricted Access
Report on the implementation of the annual plan of state supervision (control) measures										Restricted Access
Information on the results of state supervision (control) in the field of environmental protection										Open Access

### State Agency for Energy Efficiency and Energy Saving of Ukraine

2 Datasets = 1 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Database of energy certificates										Restricted Access
Register of Alternative Fuels										Open Access

### State Service of Ukraine for Geodesy, Cartography and Cadastre

2 Datasets = + 1 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Public cadastral map of Ukraine										Closed Access
Information from the State Land Cadastre										Under Moderation



## State Agency of Ukraine for the Development of Land Reclamation, Fisheries and Food Programs

6 Datasets = 5 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Information on the status and volume of fish stocks in the waters where commercial fishing is conducted										Open Access
Information on catch volumes by fish species in terms of water bodies, administrative units, and river basins										Restricted Access
Information on the volume of fish migration (breeders) by fish species in terms of water bodies, administrative units, and river basins										Open Access
License Register of Decisions on Issuance of Licenses for Conducting Economic Activities Related to Commercial Fishing of Aquatic Bioresources Outside the Jurisdiction of Ukraine										Open Access
State Register of Fishery Water Bodies (Their Parts)										Open Access
List of permits for import and export of specimens of wild fauna and flora, certificates for traveling exhibitions, re-export and introduction from the sea of the said specimens, which are subject to the Convention on International Trade in Endangered Species of Wild Fauna and Flora in terms of sturgeon and products made from them										Open Access

## Ministry of Internal Affairs of Ukraine

7 Datasets = 1 + 2 + 4

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on background concentrations of pollutants in the air in settlements based on the observation network of hydrometeorological organizations										Closed Access
Materials of hydrometeorological observations, information base of hydrometeorological data and data on the state of the environment										Closed Access
Latest data on atmospheric air quality in settlements according to the observation network of hydrometeorological organizations										Restricted Access
Data from the Ukrainian Hydrometeorological Center for Public Use										Open Access
Up-to-date information on emergency situations of man-made, natural and other nature in Ukraine										Restricted Access
State Water Cadastre in the Surface Waters Section in terms of conducting permanent hydrometric and hydrochemical observations of quantitative and qualitative characteristics of surface waters										Closed Access
Forecast and up-to-date information on adverse weather conditions in the territory of settlements										Closed Access



### The State Service for Maritime, Inland Waterway Transport and Shipping of Ukraine

2 Datasets = + 1 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
License Register for Carrying Out economic Activities for the Transportation of Passengers, Dangerous Goods and Hazardous Waste by River and sea Transport										Under Moderation
Reports on the transportation of dangerous goods by sea										Restricted Access

### National Commission for State Regulation of Energy and Public Utilities

6 Datasets = 1 + 1 + 2 + 2

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on heat production										Under Moderation
Data on heat energy consumption										Under Moderation
Register of Business Entities Operating in the Energy and Utilities Sectors Regulated by the NEURC										Open Access
Register of Natural Monopolies in the Energy Sector										Closed Access
Register of Natural Monopolies in the Areas of Heat Supply, Centralized Water Supply and Sewerage, and Household Waste Disposal										Closed Access
Register of Electric Power Facilities Using Alternative Energy Sources (except for blast Furnace and Coke Oven Gases, and Only Small Power Plants Using Hydropower)										Restricted Access

## The Ministry of Agrarian Policy and Food of Ukraine

3 Datasets = 1 + 2

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
State Register of Plant Varieties Suitable for Distribution in Ukraine										Open Access
Information bank of data on soil condition of agricultural land										Closed Access
Data from the soil monitoring system on agricultural land										Closed Access

## State Service of Ukraine on Labor Issues

2 Datasets = + 1 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of business entities licensed to manufacture industrial explosives										Under Moderation
Information on mining allotments granted for the development of mineral deposits by underground mining										Closed Access

## State Service of Ukraine on Food Safety and Consumer Protection

11 Datasets = 7 + 3 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
State Register of Genetically Modified Organisms – sources of food, feed, feed additives and veterinary drugs containing such organisms or obtained with their use										
Register of Manufacturers of Organic Products (Raw Materials)										
Register of Opinions of the State Sanitary and Epidemiological Examination Issued by the State Service of Ukraine on Food Safety and Consumer Protection										
Lists of objects of regulation in accordance with the Law of Ukraine On Plant Quarantine										
List of persons included in the Register of Persons Engaged in Economic Activities Related to the Production and Circulation of Regulated Objects defined by the Law of Ukraine On Plant Quarantine										
Results of the analysis of risks defined by the Law of Ukraine On Plant Quarantine										
Information on the prohibition of import of regulated products specified by the Law of Ukraine On Plant Quarantine										
List of regulated pests defined by the Law of Ukraine On Plant Quarantine										

## State Service of Ukraine on Food Safety and Consumer Protection

11 Datasets = 7 + 3 + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Decision on the introduction or cancellation of the quarantine regime determined by the Law of Ukraine On Plant Quarantine										
Overview of the spread of quarantine organisms in Ukraine										
Register Of Facilities (Objects) For Processing, Handling and Disposal Sites of Animal By-Products										

### Vinnitsia Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Vinnitsia region										

### Volyn Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Volyn region										

### Dnipropetrovsk Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Dnipropetrovsk region										

### Donetsk Regional Military Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Donetsk region										Closed Access

### Zhytomyr Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Zhytomyr region										Restricted Access

### Zakarpattia Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with the number and validity period of Zakarpattia region										Closed Access



### Zaporizhzhia Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period of Zaporizhzhia region										Closed Access

### Ivano-Frankivsk Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Ivano-Frankivsk region										Open Access

### Kyiv Regional Military Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Kyiv region										Open Access

### Kyiv City State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of the city of Kyiv										

### Kirovohrad Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Kirovohrad region										

### Luhansk Regional State Administration










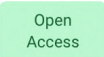
1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Luhansk region										




### Lviv Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Lviv region										



### Mykolaiv Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period of Mykolaiv region										

### Odesa Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Odesa region										

### Poltava Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Poltava region										Closed Access

### Rivne Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Rivne region										Closed Access

### Sumy Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Sumy region										Open Access

### Ternopil Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Ternopil region										Open Access

### Kharkiv Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Kharkiv region										Closed Access

### Kherson Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period of Kherson region										Closed Access

### Khmelnytskyi Regional State Administration

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Khmelnytskyi region										Closed Access

### Cherkasy Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Cherkasy region										Open Access

### Chernihiv Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Chernihiv region										Open Access

### Chernivtsi Regional State Administration

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period of Chernivtsi region										Open Access

### Vinnysia City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports by Vinnysia City Council										Closed Access

### Lutsk City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Lutsk City Council										Restricted Access



### Dnipro City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports by Dnipro City Council										Closed Access

### Donetsk City council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of the Donetsk City Council										Data Unavailable

### Zhytomyr City Council

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of the Donetsk City Council										Open Access

### Uzhhorod City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of the Zhytomyr City Council										

### Zaporizhzhia City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports by Zaporizhzhia City Council										

### Ivano-Frankivsk City Council

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Ivano-Frankivsk City Council										

### Kyiv City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports by Kyiv City Council										 Closed Access









### Kropyvnytskyi City Council

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Kropyvnytskyi City Council										 Open Access

### Luhansk City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Luhansk City Council										 Data Unavailable



### Lviv City Council

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports by Lviv City Council										Open Access

### Mykolaiv City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports by Mykolaiv City Council										Closed Access

### Odesa City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Odesa City Council										Closed Access

### Poltava City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Poltava City Council										Closed Access

### Rivne City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Rivne City Council										Closed Access

### Sumy City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Sumy City Council										Closed Access

### Ternopil City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Ternopil City Council										

### Kharkiv City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Kharkiv City Council										








### Kherson City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Kherson City Council										

### Khmelnytskyi City Council

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Khmelnytskyi City Council										 Open Access

### Cherkasy City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Cherkasy City Council										 Under Moderation

### Chernihiv City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Chernihiv City Council										 Restricted Access










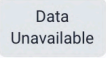
### Chernivtsi City Council

1 Dataset = 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Chernivtsi City Council										






### Simferopol City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Simferopol City Council										










### Sevastopol City Council

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
Data on green spaces to be removed, according to the issued green space inspection reports of Sevastopol City Council										










## Government of the Autonomous Republic of Crimea

1 Dataset = + 1

Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emissions of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3, indicating the number and validity period in the Autonomous Republic of Crimea										Data Unavailable

## Sevastopol City State Administration

1 Dataset = + 1

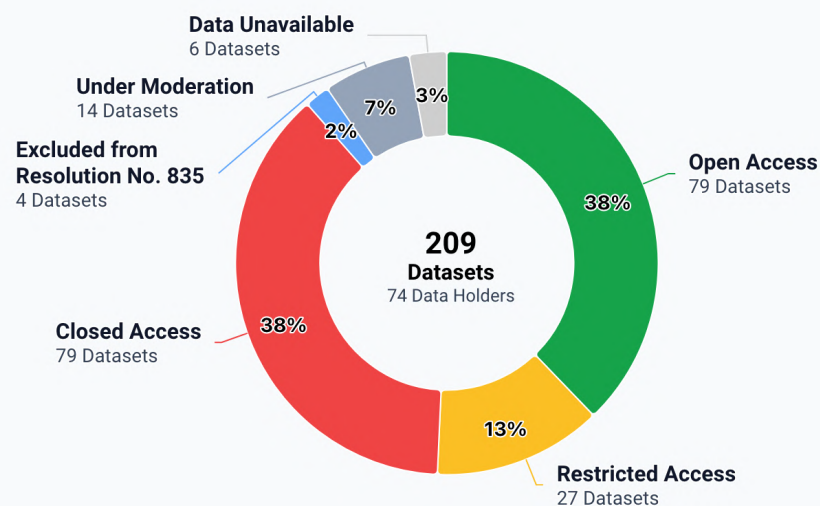
Dataset	23.01.2022	01.06.2022	01.01.2023	16.02.2023	06.03.2023	20.10.2023	15.12.2023	01.01.2024	14.06.2024	29.10.2024
List of permits for emission of pollutants into the atmosphere by stationary sources of objects of groups 2 and 3 with indication of the number and validity period in Sevastopol										Data Unavailable



## ANNEX E. Openness Ranking of Environmental Open Data Holders

### The Status of Access to Environmental Open Data in Ukraine

The total number of environmental datasets in Resolution of the Cabinet of Ministers of Ukraine No. 835 "About Open Data"

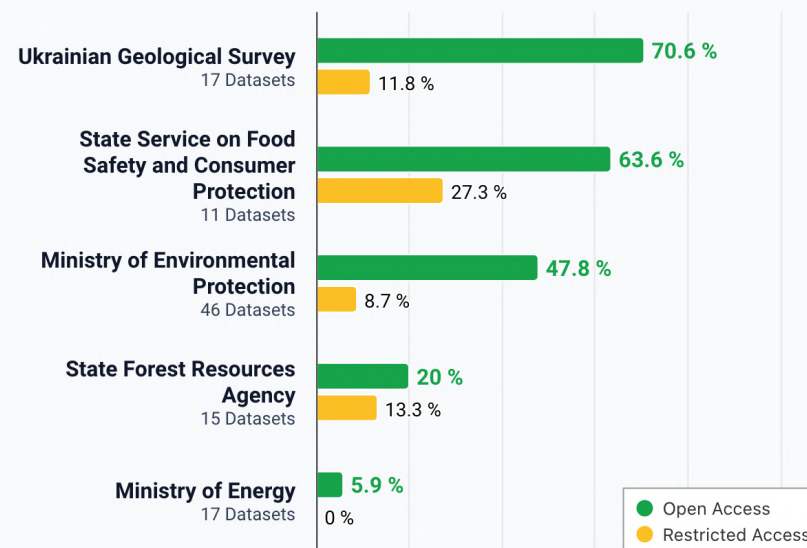


As of 29.10.2024



### Openness Ranking of the Largest Environmental Open Data Holders in Ukraine

Data holders with more than ten environmental datasets in Resolution No. 835.

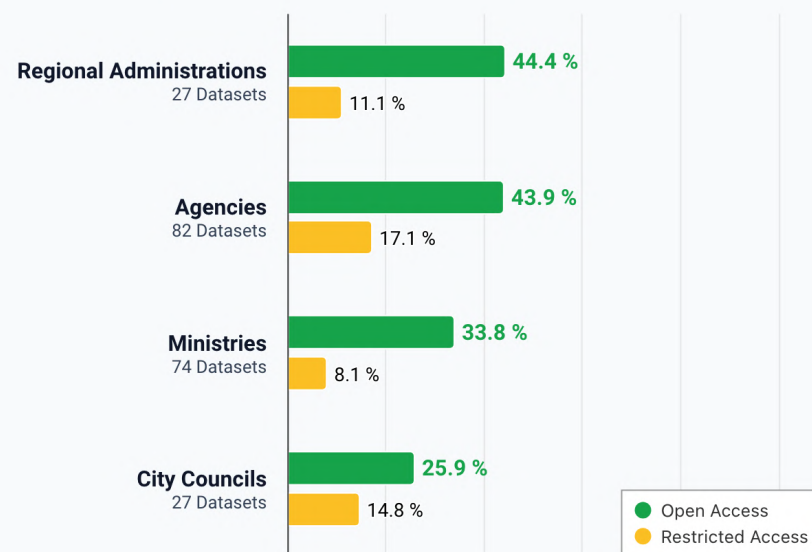


As of 29.10.2024



## Openness Ranking of Government Bodies to Environmental Open Data in Ukraine

Data holders in Resolution No. 835 grouped by type of government body

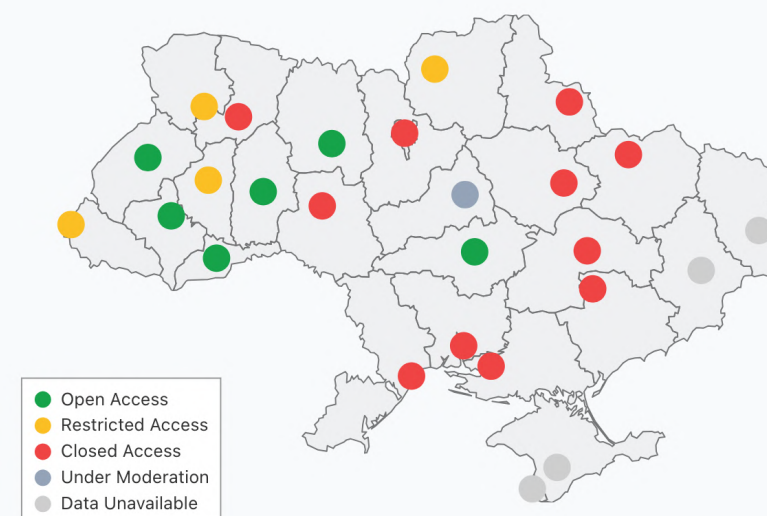


As of 29.10.2024



## Openness of City Councils on Environmental Datasets in Ukraine

Dataset in Resolution No. 835 "Data on green spaces subject to removal according to issued inspection reports on green spaces" (city councils of regional centers)



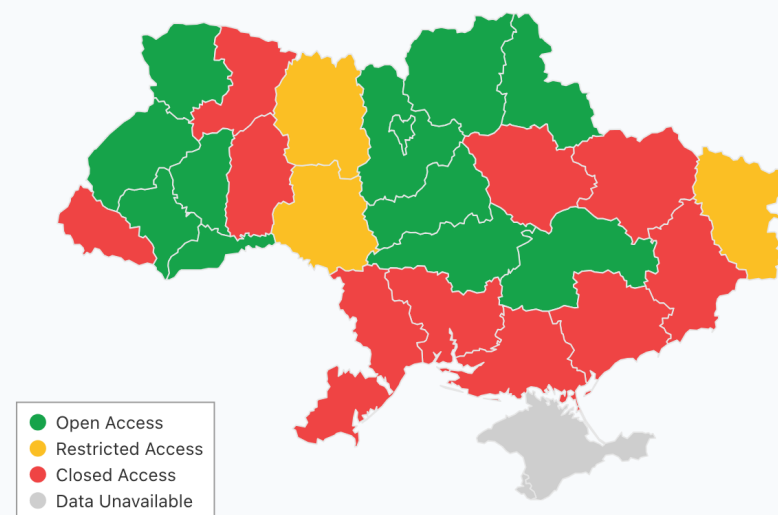
As of 29.10.2024





## Openness of Regional Administrations on Environmental Datasets in Ukraine

Dataset in Resolution No. 835 "List of permits for emissions of pollutants into the atmospheric air from stationary sources of objects in categories II and III"

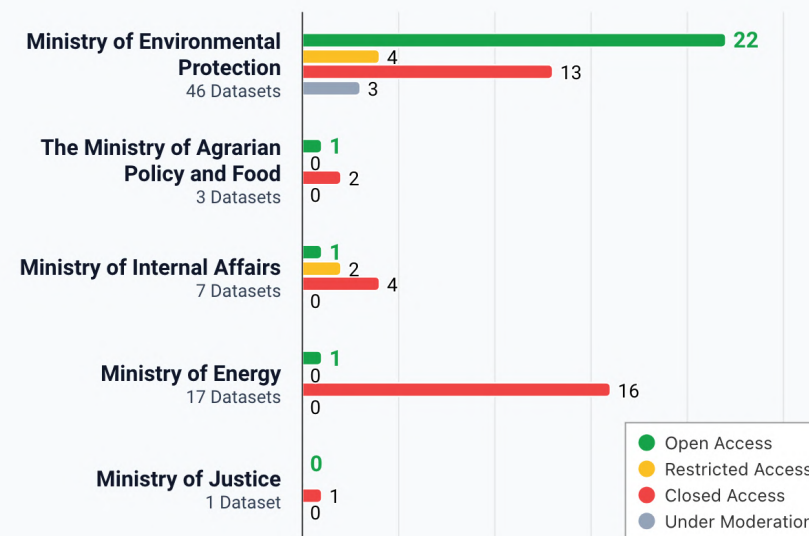


As of 29.10.2024



## The Status of Access to Environmental Open Data from Ministries in Ukraine

The number of environmental datasets in ministries in Resolution No. 835

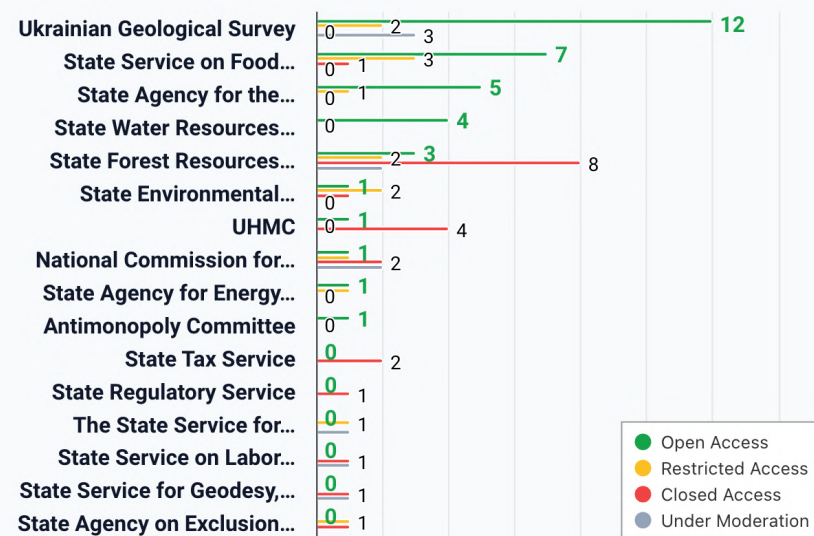


As of 29.10.2024



## The Status of Access to Environmental Open Data from Agencies in Ukraine

The number of environmental datasets in agencies in Resolution No. 835

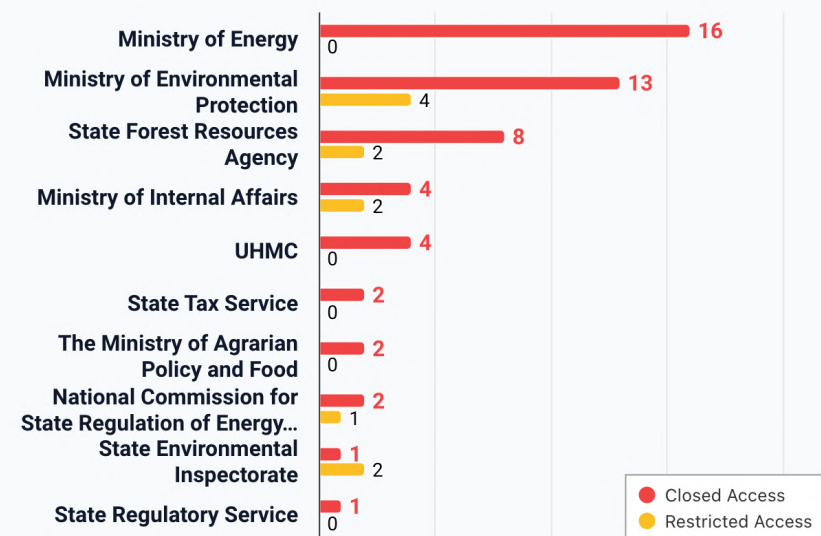


As of 29.10.2024



## Antiranking of Environmental Open Data Holders in Ukraine

Data holders with the largest number of datasets with restricted access in Resolution No. 835

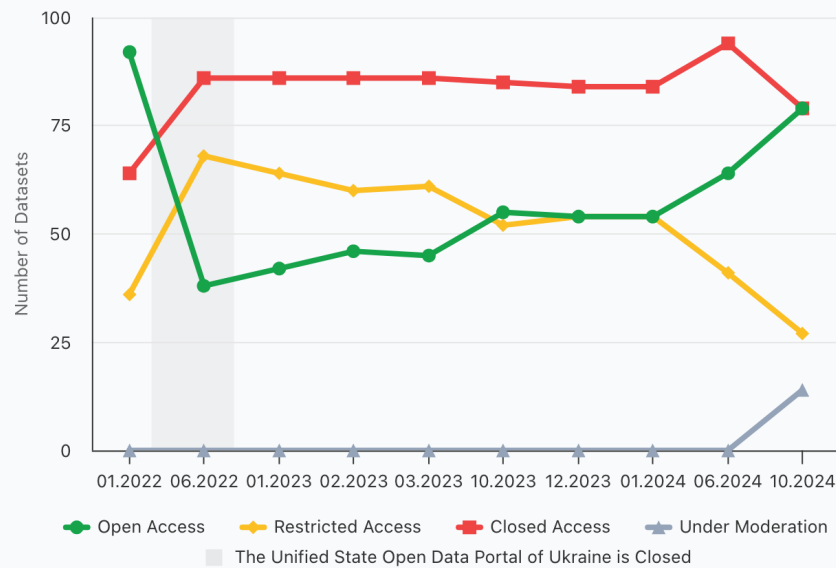


As of 29.10.2024



## Dynamics of Access to Environmental Open Data in Ukraine

The number of environmental datasets in Resolution No. 835 for the period 2022-2024

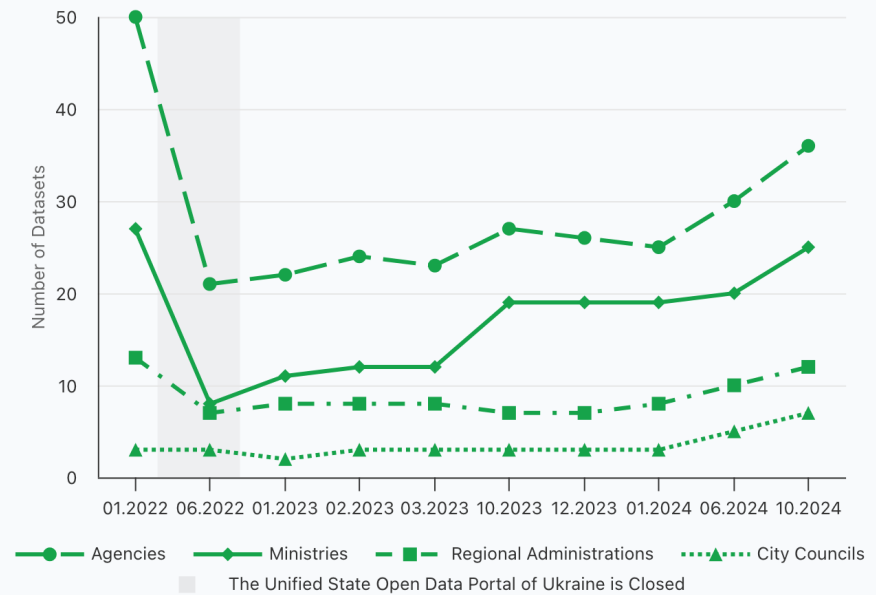


As of 29.10.2024



## Dynamics of Environmental Datasets with Open Access from Government Bodies in Ukraine

The number of environmental datasets with open access in Resolution No. 835.



As of 29.10.2024



## ANNEX F. Monitoring Product for Access to Environmental Information

Dataset and Data Holder	Passive Access	Active Access
Volumes of electricity production from alternative sources that are included in the balancing group of the Guaranteed Buyer State Enterprise "Guaranteed Buyer"	Available Passive Access	Didn't Request
Monitoring of the radiation situation at observation points of the Main Special Control Center Main Center of Special Monitoring	Available Passive Access	Didn't Request
Online register of permits for special water use State Water Resources Agency of Ukraine	Available Passive Access	Didn't Request
Online map "Exceeding the GDK of water quality indicators at monitoring posts" State Water Resources Agency of Ukraine	Available Passive Access	Didn't Request
Automated air quality monitoring system in Donetsk region Donetsk Regional Military Administration	Passive Access Unavailable	No Response to Request
Online registry of logging tickets State Forest Resources Agency of Ukraine	Available Passive Access	Didn't Request
Location map of wood processing facilities State Forest Resources Agency of Ukraine	Passive Access Unavailable	No Access
The plan for the implementation of comprehensive measures of state supervision of state supervision (control) bodies State Regulatory Service of Ukraine	Available Passive Access	No Response to Request

Dataset and Data Holder	Passive Access	Active Access
Automatic system for monitoring radiation state in the Chornobyl Exclusion Zone State Specialized Enterprise "Ecocentre"	Available Passive Access	Didn't Request
Information on the radiation status at industrial sites and in the monitoring zones of the NPP State Enterprise "National Atomic Energy Generating Company "Energoatom"	Available Passive Access	Data Provided
Automatic radiation control system in a 30-kilometer zone around the Zaporizhzhia NPP Zaporizhzhia Nuclear Power Station	Passive Access Unavailable	No Data Provided
Reference automated air quality monitoring system in Kyiv Kyiv City State Administration	Available Passive Access	Didn't Request
Automated air quality monitoring system in the Kyiv region Kyiv Regional Military Administration	Passive Access Unavailable	No Data Provided
Additional automated air quality monitoring system in Kyiv Municipal Enterprise "Main Information and Computing Center"	Available Passive Access	Didn't Request
Automated monitoring system of atmospheric air quality and radiation status in the Dnipropetrovsk region Municipal Enterprise "Center for Environmental Monitoring of the Dnipropetrovsk Regional Council"	Passive Access Unavailable	Didn't Request, System Doesn't Work
Automated air quality monitoring system in Kremenchug Kremenchug City Council	Passive Access Unavailable	No Data on Provided Website
Automated air quality monitoring system in Lviv Lviv City Council	Available Passive Access	Data Provided



Dataset and Data Holder	Passive Access	Active Access
Inspection Portal (Integrated Automated State Supervision (Control) System) State Regulatory Service of Ukraine	Passive Access Unavailable	No Response to Request
Unified Register of Strategic Environmental Assessment Ministry of Environmental Protection and Natural Resources of Ukraine	Available Passive Access	Didn't Request
Unified Register of Environmental Impact Assessment (Online Registry) Ministry of Environmental Protection and Natural Resources of Ukraine	Available Passive Access	No Data Provided
National Pollution Release and Transfer Register (PRTR) Ministry of Environmental Protection and Natural Resources of Ukraine	Available Passive Access	Didn't Request
National network of stationary atmospheric air monitoring stations of the Ukrainian Hydrometeorological Center (measurements in manual mode) Ministry of Environmental Protection and Natural Resources of Ukraine	Available Passive Access	Didn't Request
Interactive map of territories and objects of the nature reserve fund Ministry of Environmental Protection and Natural Resources of Ukraine	Passive Access Unavailable	No Data Provided
Automated air quality monitoring system in Odesa Odesa Regional State Administration	Passive Access Unavailable	No Data Provided
Automatic radiation control system in a 30-kilometer zone around the Yuzhno-Ukrainian NPP South Ukraine Nuclear Power Plant	Passive Access Unavailable	No Data Provided
Integrated automated system of environmental radiation monitoring at SE "Ukrainian State Association Radon" State Specialized Enterprise "Radon Association"	Passive Access Unavailable	No Data Provided

Dataset and Data Holder	Passive Access	Active Access
Automatic radiation control system in a 30-kilometer zone around the Rivne NPP Rivne Nuclear Power Plant	Passive Access Unavailable	No Data Provided
Interactive map of the current radiation situation Ukrainian Hydrometeorological Center	Available Passive Access	Didn't Request
Interactive map of daily hydrological situation Ukrainian Hydrometeorological Center	Available Passive Access	Didn't Request
The state of the unified energy system of Ukraine National Power Company Ukrenergo	Passive Access Unavailable	No Data Provided
Automatic radiation control system in a 30-kilometer zone around the Khmelnytskyi NPP Khmelnytskyi Nuclear Power Plant	Passive Access Unavailable	No Data Provided
Automatic radiation monitoring at the Chernobyl NPP State Specialized Enterprise "Chernobyl Nuclear Power Plant"	Available Passive Access	Didn't Request
Interactive map of hydrometeorological observations Ukrainian Hydrometeorological Center	Available Passive Access	Didn't Request
Data portal of the extractive industry of Ukraine (environmental taxes and subsoil use rent) Ministry of Energy of Ukraine	Available Passive Access	Didn't Request