

**Ukraine's submission on capacity-building for countries with economies in transition
under the Kyoto Protocol (FCCC/SBI/2007/34, paragraph 123)**

Ukraine as a Party included in Annex I of the UNFCCC and Annex B of the Kyoto Protocol, having the status of a country with economy in transition, has been continuously and systematically implementing measures to improve institutional capacity in the following areas:

1. Development of legal principles and legal and regulatory framework of climate action;
2. Ensuring institutional capacity through the establishment and functioning of a special executive authority - the State Environmental Investment Agency, which is coordinated by the Minister of Ecology and Natural Resources of Ukraine;

The development of legal principles and legal and regulatory framework of climate action

The Law of Ukraine of 29.10.1996 № 435/96-VR ratified the UN Framework Convention on Climate Change, signed on behalf of Ukraine at the UN Conference on Environment in Rio de Janeiro on 11 June 1992.

The Law of Ukraine of 04.02.2004 № 1430-IV ratified the Kyoto Protocol to the United Nations Framework Convention on Climate Change, signed on behalf of Ukraine in New York on 15 March 1999.

Furthermore, relevant regulations have been developed under the above law, namely:

- **Decree of the President of Ukraine of 12.09.2005 № 1239** "On coordinator of measures for the implementation of the obligations of Ukraine under the Framework Convention of the United Nations on Climate Change and the Kyoto Protocol to the Framework Convention of the United Nations on Climate Change";
- **Resolution of the Cabinet of Ministers of Ukraine of 17.04.2008 № 392** "On the implementation of international obligations of Ukraine under the UN Framework Convention on Climate Change and its Kyoto Protocol";
- **Resolution of the Cabinet of Ministers of Ukraine of 22.02.2008 № 221** "On approval of the procedure for review, approval and implementation of Environmental (Green) Investment Projects during the timeframe of obligations of the parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change";
- **Resolution of the Cabinet of Ministers of Ukraine of 14.04.1999 № 583** "On the Inter-Agency Commission for Implementing the UN Framework Convention on Climate Change";
- **Resolution of the Cabinet of Ministers of Ukraine of 22.02.2006 № 206** "On approval of the Procedure of preparation, review, approval and implementation of projects aimed at reduction of anthropogenic emissions of greenhouse gases";
- **Resolution of the Cabinet of Ministers of Ukraine of 21.04.2006 № 554** "On approval of Procedure of functioning of the national system for estimating anthropogenic emissions and removals of greenhouse gases not controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer";
- **Resolution of the Cabinet of Ministers of Ukraine of 28.05.2008 № 504** "On the preparation and maintenance of national electronic register of anthropogenic emissions and removals of greenhouse gases";
- **Instruction of the Cabinet of Ministers of Ukraine of 18.08.2005 № 346-p** "On approval of the National Action Plan on implementation of the Kyoto Protocol to the Framework Convention of the United Nations on Climate Change";
- **Resolution of the Cabinet of Ministers of Ukraine of 23.03. 2011 N 348** "On approval of the Regulation on application of funds provided by the state budget for implementation of measures to reduce emissions (increasing absorption) of greenhouse gases";

- **Resolution of the Cabinet of Ministers of Ukraine dated 09.06.2011 N 621** "On approval of the Regulation on application of funds provided by the state budget to finance measures to fulfill the international obligations of Ukraine under the UN Framework Convention on Climate Change and its Kyoto Protocol."

Ensuring institutional capacity through the establishment and functioning of special executive authority – the State Environmental Investment Agency

According to the Resolution of the Cabinet of Ministers of Ukraine of 04.04.2007 № 612 the National Environmental Investment Agency of Ukraine was created.

Furthermore, the Resolution of the Cabinet of Ministers of Ukraine of 30.07.2007 № 977 approved the Regulations "On the National Environmental Investment Agency of Ukraine."

In addition, pursuant to the Decree of President of Ukraine of 09.12.2010 1085/2010 "On the optimization of the central authorities' the National Environmental Investment Agency of Ukraine was reorganized into the State Environmental Investment Agency of Ukraine and the Decree of President of Ukraine of 13.04.2011 № 455/2011 approved the Regulations "On State Environmental Investment Agency."

In accordance with paragraph 1 of the Regulations "On State Environmental Investment Agency", approved by the Decree of the President of Ukraine of 13.04.2011 № 455/2011 the State Environmental Investment Agency of Ukraine is a central body of executive power the activity of which is directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Ecology and Natural Resources of Ukraine, and which is a part of the executive establishment and within its competence it shall realize the government's policy on regulation of negative anthropogenic impact on climate change and adaptation to its changes as well as fulfill the requirements of the Framework United Nations Convention on Climate Change and its Kyoto protocol.

In accordance with the provisions of paragraph 3 "On State Environmental Investment Agency", approved by the Decree of the President of Ukraine of 13.04.2011 № 455/201, the State Environmental Investment Agency of Ukraine shall:

- 1) implement state policy on the control of negative anthropogenic impact on climate change and on adaptation to its changes, as well as submit proposals for its formation;
- 2) implement within its competence the requirements of the Framework United Nations Convention on Climate Change and its Kyoto Protocol;
- 3) establish and operate a national GHG emission trading system;
- 4) conduct international activities under the Framework Convention United Nations Convention on Climate Change and its Kyoto Protocol.

According to paragraph 4 of the Guidance on operation of the national system of estimating anthropogenic emissions and removals of greenhouse gases not controlled by the Montreal Protocol on Substances that Deplete the Ozone Layer, adopted by the Resolution of the Cabinet of Ministers of Ukraine of 21.04.2006 № 554 (hereinafter - Guidance) the National System is operated, in particular, by summarizing the results of the inventory and preparation of a national register of anthropogenic emissions and removals of greenhouse gases as well as materials to it.

At the same time, paragraph 5 of the Guidance on operation of the national system of estimating anthropogenic emissions and removals of greenhouse gases determines that on the basis of inventory a national register of anthropogenic emissions and removals of greenhouse gases is prepared annually as well as a national communication on climate change and research, related to raising the quality of the estimation of anthropogenic emissions and removals of greenhouse gases.

Ukraine has made a substantial effort in strengthening its capacity building under the Convention, but it needs adequate assistance and support in its efforts as an economy in transition, especially on the matter of developing a comprehensive national low carbon development strategy.

In view of the above, Ukraine invites Annex I Parties, which are in a position to do so, through multilateral agencies, including through the Global Environment Facility within its mandate, bilateral agencies and the private sector or through any further arrangements, as appropriate, to make available the capacity building, financial, technical and technology transfer assistance for the Parties undergoing the process of transition to a market economy in order to assist these Parties in the development and implementation of their national low-emission development strategy and action plans consistent with their priorities and with their emission reduction targets by adopting a relevant decision within the framework of the Convention and its Kyoto Protocol.