

PROJECT PROGRESS REPORT

Environmental Impact Assessment in Ukraine - Preparatory Support to the Launch of the National Registry

Reporting Period	November 2017 - August 2019
Implementation Period	November 2017 - August 2019
Date	30 August 2019
Prepared by	Andriy Zayika, Portfolio Manager
Contact details	andriy.zayika@undp.org

CONTENTS

Contents	2
Abbreviations and terms	2
1. Context of the project	3
2. Main highlights of the reporting period	4
3. Project outcomes and activities during the reporting period	4
OUTPUT 1: System Development	5
OUTPUT 2: Information protection system.....	6
OUTPUT 3: Technical assistance.....	7
4. Project management	8
ANNEXES:	8
Annex 1. The functionality of the pilot version of EIA Registry	10
The functionality of the pilot version - Edition 1.0.	10
The functionality of the pilot version - Edition 2.0.	10
Annex 2. Characteristics of the current G-Cloud infrastructure.....	11
Annex 3. Financial report as of 31 July 2019.....	13

ABBREVIATIONS AND TERMS

Abbreviation	Description
Account	User account
ACB	Authorized Central Body
ATB	Authorized Territorial Body
KOATUU	Classifier of Objects of Administrative and Territorial System of Ukraine
EE	Economic entity
EIA	Environmental Impact Assessment
EIAR	Environmental Impact Assessment Registry
EDS	Electronic digital signature
EIA	Environmental Impact Assessment
IaaS	Infrastructure as a Service
IIPS	Integrated Information Protection System
MENR	Ministry of Ecology and Natural Resources of Ukraine
System	Short name of Software for Automated Information System “Unified Environmental Impact Assessment Registry”
ToR	Terms of Reference
UNDP	United Nations Development Programme

Term	Definition
Administrator	Administrator has unlimited rights, full control over all users, modules, blocks and the System as a whole.

Authorized Central Body	Central body of executive power ensuring formation and implementation of the state policy in the sphere of environmental protection.
Authorized representative	Authorized representative means a person appointed by the MENR or the Contractor who has the authority to legally bind the relevant entities on the grounds of their signatures.
Authorized Territorial Body (ATB)	Regional, municipal Kyiv and Sevastopol state administrations (relevant subdivision on ecology and natural resources), executive authority of the Autonomous Republic of Crimea on ecology and natural resources.
Economic entity (EE)	Any individual or legal entity registered in the System using EDS and who/that has access to upload or download documents.
Environmental impact	Any impact of the planned activities on the environment, including impacts on human health and safety, impacts on flora, fauna, biodiversity, soil, air, water, climate, landscape, natural areas and facilities, historical monuments and other tangible assets, or impacts on all these factors altogether, as well as impacts on cultural heritage sites or socio-economic conditions that result from changes in these factors.
Planned activities	The planned economic activity, including construction, reconstruction, technical re-equipment, extension, reorientation, liquidation (dismantling) of facilities, other interference with the natural environment; the planned activities do not include reconstruction, technical re-equipment, capital repair, extension, reorientation of facilities, other interference with the natural environment that do not have a significant impact on the environment in accordance with the criteria approved by the Cabinet of Ministers of Ukraine
Public User	One or more individuals or legal entities, their associations or groups
Website of the Unified Environmental Impact Assessment Registry (website of the Registry)	Any individual, including an authorized representative of a legal entity.
	A separate part of the Registry on the Internet with open access, which is intended for integration into the official websites of the Authorized Central Body or Authorized Territorial Body for the purpose of official publication of the documentation on environmental impact assessment and for ensuring provision of information to the subjects of environmental impact assessment and other stakeholders on the progress and results of environmental impact assessment of planned activities.

1. CONTEXT OF THE PROJECT

The project objective is to develop a well-functioning **Unified National Environmental Impact Assessment Registry** fully consistent with the appropriate EU standards and tailored to the context in Ukraine.

The purpose of the Registry is to enable the transparent process of the conducting the EIA for a new project. It records and makes publicly available online the assessment of a potential project's effects for the environment and human health, and records decisions and measures aimed at preventing, avoiding, reducing, eliminating significant negative environmental impacts of the planned activity. The Registry aims to contain open documentation for business and the public at all stages of the EIA procedure, which reduces corruption factors in decision making.

A key result of the project is the provision of software for launching a fully functional web-based Registry to the MENR, as well as technical assistance and communication support to the first cases entered in to the Registry.

2. MAIN HIGHLIGHTS OF THE REPORTING PERIOD

- UNDP has developed and launched a pilot version of the automated information system “Unified Environmental Impact Assessment Registry” (two editions).
- 3185 cases and 4,295 users have been registered in the pilot system (vis-à-vis 50 EIA cases planned).
- Technical support to MENR in maintaining the Registry and preparing three initial cases of environmental impact assessment in the pilot version of the Registry has been provided.
- Communication and outreach support to the launch of the pilot version of the Registry has been provided. Total at least 26,900 people were reached through awareness-raising and educational materials of the project focused on the EIA procedure via a variety of channels, including events, direct information distribution, social media, mass media and more.
- The pilot version of the Environmental Impact Assessment Registry has been moved to the cloud infrastructure ensuring the sustainability of its operation.
- Terms of Reference for the development of a full-fledged automated information system “Unified Environmental Impact Assessment Registry” has been developed by the project, reviewed and approved by the Ministry of Ecology and Natural Resources. The tendering process is completed, the first stage of the system development is ongoing.
- As a result of the extensive market research and negotiation, UNDP could save 82% of the funds planned for migrating and hosting the EIA Registry in the cloud. Given the practically absent in-house capacity of the MENR to maintain and host EIAR system during the government transition period beyond August 2019, UNDP suggests utilizing these funds (US\$ 12,000) to ensure the sustainability of EIAR System and sustaining cloud solution at least by August 2020.

3. PROJECT OUTCOMES AND ACTIVITIES DURING THE REPORTING PERIOD

By introducing the provisions of the EU Environmental IA Directive into national law, Ukraine has received a qualitative and transparent tool to prevent the negative environmental consequences of specific activities at the planning stage.

Unlike the previously existing environmental assessment procedure (environmental expertise), the EIA procedure, together with the Unified EIA registry, became an effective monitoring tool for civil society, which enabled them to directly influence the EIA scope and monitor the decision-making process.

In particular, the EIAR has evolved into a tool for assessing the investment attractiveness of the regions, eliminating potential corruption risks, including the intermediation between the business entity and the state servant. It also allows the public to participate at early stage in the discussion of the planned activity by formulating a list of issues to be explored during the EIA, influencing the choice of an alternative site for the planned activity, and implementing measures that will reduce the environmental impact of such activity.

The introduction of a web-based Registry has become an innovative mechanism for ensuring the transparency of the EIA procedure in Ukraine and has become a step forward as compared to the practices adopted in the EU Member States. It has provided a range of opportunities for both public, private sector and civil society.

Several non-governmental organizations such as ICF “Ecology-People-Law” actively use the Registry to monitor socially important projects and inform interested communities and activists about them. Some cases raised by the public obtained all-Ukrainian publicity, such as the construction of wind farms on the Borzhava mountain range and the tourist project “Svidovets” in the Ukrainian Carpathians. The Registry data was used to analyze the activity of opening new cases in the regions, including conduct of public consultations and more.

Over the first 12 months of the EIAR work (18 December 2017 - 18 December 2018), more than 1,700 cases were registered, an average for Poland, which was chosen as an indicator of the tool effectiveness, despite that during the first months of operation, the EIA law faced resistance from private sector companies and intention to abolish the law. Almost 500 public hearings were also organized and held during the year. The register provided access to information about each of these hearings.

As of August 2019, the volume of processed cases reached 3185. Almost 3000 comments and suggestions to the scope of EIA were provided to these cases by public. 1843 reports on EIA were uploaded to the Registry and available at any time.

Based on the EIA Registry and available data on the number of granted permits, the Save Dnipro NGO has launched the SaveEcobot, which is used by over 7000 users today. Together with the EIA registry, chatbot is another step towards environmental digitization.

Broad public involvement in the EIA procedure provides access to environmental information and becomes a kind of safety cushion for the investor or customer with a potentially negative impact on the environment, while realizing the public's right to access environmental information, participate in decision-making process and access to justice required by the Aarhus Convention.

OUTPUT 1: System Development

Development of the demo-version for 50 users

Developed and launched a pilot version of the National EIA Registry which currently hosts more than 3185 cases (with 50 cases originally envisaged for the pilot phase) with 4295 users.

The pilot version has two editions. First edition was rapidly launched by 18 December 2017, before the Law of Ukraine “On Environmental Impact Assessment” No. 2059-VIII (the “Law of Ukraine on EIA”) became effective and included the basic functionality.

Migrating to the cloud and maintaining the pilot version of the EIA Registry

Upon further consultations with the MENR and upon their request few additional functionalities were added during December 2018 - February 2019 to support functioning and improve user-friendliness. Functions of the first and second

editions are listed in Annex 1 to this report.

In the second half of 2018, the MENR has articulated a request for an immediate solution to support the functioning of the existing version of EIA registry by procuring cloud space to enable MENR to upload, store and process an increasing number of new cases, as the existing local infrastructure (local hardware) has exhausted its physical capacity and further upgrade was not possible due to budget constraints.

Considering the security requirements of MENR, UNDP identified a provider of cloud infrastructure with ISO/IEC 27001:2013 and IIPS certificate, as well as servers located in Ukraine. The contract for IaaS cloud services was signed between UNDP and DeNovo on 20 February 2019 with duration by 31 August 2019. G-Cloud (a cloud with IIPS certification for state and

governmental institutions) is located in Ukrainian data centre, which corresponds to the requirements of TIER III (Concurrent Maintainable) by the Uptime Institute's Tier Classification System.

G-Cloud also has additional limitations related to compliance with the requirements of the Integrated Information Protection System, in particular, the use of certified cryptographic means to protect technological information. See Annex 2 for the detailed characteristics of the current G-Cloud infrastructure.

The pilot version of the Registry was migrated to the cloud on 10 June 2019, as clearance to proceed with the transfer was received from the MENR on 28 May 2019. As informed by MENR, the delay was linked to internal maintenance of the system and the necessity to ensure uninterrupted access to the registry for the users.

Development of the full-fledged version of the EIA Registry

Currently, UNDP is negotiating with MENR regarding the handover of the pilot version and subsequent handover of the full-fledged version of EIA registry when developed. Draft

documentation for the handover of the pilot version has been sent to MENR on 12 July 2019, but no response has been received to date.

Call for Expression of Interest [UKR/2019/219](#) to develop the full-scope EIA Registry System was advertised on 20 March 2019 with the 07 April 2019 deadline. UNDP received nine (9) applications, seven (7) bidders have passed the requirements of EOI and were shortlisted for the further tendering process.

- Terms of Reference for the development of a full-scale automated information system "Unified Environmental Impact Assessment Registry" has been significantly updated to allow for the proper tendering process, reviewed and approved by the Ministry of Ecology and Natural Resources on 10 June 2019 (endorsement letter and signed TOR is attached as Annex 3). The review process for the ToR was needed as between January-December 2018 the EIA has evolved far beyond the parameters of the demo version in terms of the number of users, modules etc. The updated ToR also takes into account the experience and lessons learnt of using the EIA as well as the requirements in terms of future possible integration of the EIA registry with the 'Open Environment' platform currently being designed/deployed by MENR.
- Tender No. 389-2019-UNDP-UKR-RFP-EIA was announced on 11 June 2019 with the 25 June 2019 deadline. Pre-bid conference with potential bidders, UNDP and MENR representatives took place on 14 June 2019. The tendering process has been completed on 24 July 2019 and Contract No. UKR / 2019/389 was signed on 05 August 2019 between UNDP and Web Studio Sterling LLC. The development of the system is planned with the use of a stage-by-stage approach to implementation, consisting of five main stages: 1) system design - under 21 days, 2) system development - under 31 days, 3) quality assurance - under 13 days (simultaneously with the stage 2), 4) final development and training of users - under 7 days, and 5) warranty services - 3 months from the acceptance of the system. However, the schedule of the stages 1-4 is highly dependent on a rapid response from MENR for provision of all necessary information, scheduling of meetings, respond to queries, rapid review and approval of deliverables, specifically within 6 hours for questions/requests marked "urgent" and within 2 working days for questions/requests marked "non-urgent". However, currently, the average response time from MENR is over 2 weeks.

OUTPUT 2: Information protection system

- Developing documentation of the Integrated Information Protection System (IIPS)
- Development of Integrated Information Protection System
- Independent expertise of the IIPS

The development of the Integrated Information Protection System was impossible, as the Ministry did not have a separate server dedicated to the Registry, which was a requirement of the State Service of Special Communications and Information Protection of Ukraine.

MENR has also informed that, as of September 2018, there were no provisions in current or

forthcoming budget enabling the MENR to procure the necessary equipment.

In the view of this, it was agreed and stipulated in Project Concept Revision as of 09 October 2018 to remove the “Integrated Information Protection System” from the project deliverables and reallocate the costs accordingly.

As of now, the EIA registry is now operating based on DeNovo cloud infrastructure for government entities which has the required IIPS certificate.

OUTPUT 3: Technical assistance

- Information and communication support
- Technical assistance for the first three EIA cases
- Registry roll-out workshop

Communication and outreach support to the launch of the pilot version of the Registry has been provided.

- **5 informational digests** prepared during Apr-Aug 2018: [Edition 1](#) (test edition), [Edition 2](#) (13 July 2018), [Edition 3](#) (1 August 2018), [Edition 4](#) (14 August 2018), [Edition 5](#) (03 September 2018). The

digests highlighted key facts related to environmental impact assessment introduction on the national level, regional updates on EIA and media coverage of this topic, description of different environmental initiatives and regular updates on public hearings held. They were distributed by MENR and UNDP among media and MPs, reaching **419 recipients** in total.

- **4 posts and infographics** prepared for MENR. Their purpose was to explain the audience the procedure of EIA and how to take part in public hearings. Also, the infographics provided data on the number of public hearings held in different regions of Ukraine. The total number of post reaches is equal to **26,504**, whereas the total number of post engagements is **2,441**. Published on Facebook: [23 June 2019](#), [03 July 2019](#), [17 July 2018](#), [15 August 2018](#), [03 September 2018](#). Published on 21 June 2018 on [Governmental Portal](#) and [MENR Website](#).
- Communication and organizational support to the **press-conference of the Minister of Ecology and Natural Resources of Ukraine Mr. Ostap Semerak** on 04 July 2018 (informational materials, talking points, statistical information). The primary highlight of the event was the presentation of first Ukrainian ecobot “SaveEcoBot” by the Ministry of Ecology and Natural Resources and eco-group “Save Dnipro”. The bot was created to monitor data on the quality of air in Ukraine, industrial polluters and their certification as well as to get quick access to data about EIA process in the regions of Ukraine. The event was recorded and published on [YouTube](#).
- Communication and organizational support, as required, to the events, meetings and working group discussions on EIA procedure.

- Technical support to MENR in maintaining the Registry, as well as assistance in preparing initial cases of environmental impact assessment in the pilot version of the Registry has been provided, in particular:
 - Supported with the preparation of responses to requests and appeals of the public.
 - Supported with the preparation of responses to requests and appeals of economic entities.
 - Contributed to the development of the guidelines on the types of activities and objects that are made subject to EIA.
 - Provided expert assistance during the process of reviewing/screening the documents for the EIA assessment procedure, notably setting up the thresholds and/or criteria for the examination research and the scope of information, which had to be included into the EIA report.
 - Supported organization of the first public hearings and preparation of reports on the results of the public discussion on the EIA Report.
- Awareness-rising and educational activities on the use of EIA registry for the public conducted:
 - School of Environmental Journalism launched on 17 May 2019 with one study section dedicated to the use of EIA Registry (37 participants: 31 women, 6 men). The event was held in synergies with the project “Sustainable Energy and Environment Secretariat to Support the Parliament of Ukraine in Sustainable Energy and Environment Area”, funded by Sweden.
 - Educational material on how-to-use [Strategic Environmental Assessment and Environmental Impact Assessment](#) for journalists and media activists prepared. Channels for disseminating these materials (beyond the School of Environmental Journalism training sessions) are under consideration (potentially MediaLab platform).

4. PROJECT MANAGEMENT

Management recommendations:

- Negotiate and complete the handover of the demo version and, subsequently, full version, to MENR to ensure national ownership of the product.
- Consult with MENR regarding ensuring the sustainability of EIA and UNDP support during the government transition period beyond August 2019, in particular:
 - Issues of technical support to EIA beyond current project duration, given practically absent in-house capacity of the MENR.
 - Sustaining cloud solutions (with a need of proper MENR budget allocations) or ensuring proper in-house infrastructure to host EIA.
- Finalize tender and complete development and deployment of the full version of EIA.
- Explore option of no-cost extension of the project by 12 months to support transition in MENR (in terms of EIA governance) and technical support to correct any deficiencies in the system functionality or software configuration of the System (the warranty period) in order to ensure uninterrupted functioning of the Registry as agreed with MENR in the Terms of Reference.

ANNEXES:

1. The functionality of the pilot version of the EIA Registry.
2. Characteristics of the current G-Cloud infrastructure.
3. Terms of Reference for the development of the automated information system “Unified Environmental Impact Assessment Registry” (English version) and signed TOR with endorsement letter from the MENR dated 10 June 2019 (Ukrainian version).
4. Financial report as of 30 August 2019.

ANNEX 1. The functionality of the pilot version of EIA Registry

The functionality of the pilot version - Edition 1.0.

- Accounts for three categories of users: Economic entity, authorized representatives of ATB/ACB and Administrator.
- Access to the system modules through the web interface.
- Registration and authentication using electronic digital signature.
- Possibility to upload limited types of documents (2 types) into the system in PDF format without a possibility to edit or delete them. Specifically: a notification about the planned activities subject to the EIA and a request to provide conditions for the scope of research to be uploaded by EE. At this stage only EE could upload documents.
- Automatic assignment of case numbers.
- Possibility for EE to monitor the status of own cases.
- Possibility to view the list of published cases through the website of the Registry,
- Possibility to view and download uploaded documents in PDF format.
- Possibility for ATB/ACB to change and monitor the status of the case.
- Possibility for ATB/ACB to assign status to uploaded documents.
- Basic configuration of the System (by Administrator).
- Manage content of the website of the Registry (by Administrator).

The functionality of the pilot version - Edition 2.0.

- Accounts for three categories of users: Economic entity, authorized representatives of ATB/ACB and Administrator.
- Access to the system modules through the web interface.
- Registration and authentication using electronic digital signature.
- Possibility to upload limited types of documents (2 types) into the system in PDF format without a possibility to edit or delete them. Specifically: a notification about the planned activities subject to the EIA and a request to provide conditions for the scope of research to be uploaded by EE. At this stage only EE could upload documents.
- Automatic assignment of case numbers.
- Possibility for EE to monitor the status of own cases.
- Possibility to view the list of published cases through the website of the Registry,
- Possibility to view and download uploaded documents in PDF format.
- Possibility for ATB/ACB to change and monitor the status of the case.
- Possibility for ATB/ACB to assign status to uploaded documents.
- Basic configuration of the System (by Administrator).
- Manage content of the website of the Registry (by Administrator).
- Possibility to create an unlimited number of cases by one user.
- Automatic email notifications with case status.
- Possibility to upload the document after rejection (1 time).
- Possibility to upload one additional type of documents into the system in PDF format without a possibility to edit or delete it. Specifically: a conclusion on environmental impact assessment or decision to decline issuing a conclusion to be uploaded by ATB or ACB. At this stage functionality for ATB and ACB to upload documents was added.
- Possibility to search in the EIA Registry using limited attributes: KOATUU or keyword (case number, case title, economic entity, region).
- Possibility to filter the EIA Registry's case list by oblast.

ANNEX 2. Characteristics of the current G-Cloud infrastructure

Architecture	Hyper convergent
Servers	Intel Xeon E5 v3 16 cores 2.4GHz 256 GB RAM
Storage	vSAN Hybrid NetApp
Network	Cisco 10G
Location	Kyiv, Ukraine
Certification	1. Certificate ISO/IEC 27001:2013 dated 27 April 2017; 2. Certificate of compliance with IIPS requirements №14162, issued by the State Service of Special Communications and Information Protection of Ukraine on 22 July 2016, valid by 22 July 2021.
Processor E5/E7	10 GHz
vRAM	14 GB
vHDD type C	250 GB
Backup as a Service 7d	250 GB
Virtual Network	1 network OrgNet/vAppNet/ExtNet
Technical support	by 31 August 2019

ANNEX 3. Terms of Reference for the development of the full-fledged System

1. Terms of Reference for the development of the automated information system “Unified Environmental Impact Assessment Registry” (English version) is enclosed separately.
2. Signed TOR with an endorsement letter from the MENR dated 10 June 2019 (Ukrainian version) can be [viewed by the link](#).

ANNEX 4. Financial report as of 30 August 2019

Activity	Revised budget, USD as of 2018	Budget Utilization+ (expenditures+ commitments, USD)	Budget Utilization, %	Reallocation of available funds for additional support	Proposed Budget, USD
System Development					
Demo-version development Module 1 - for 50 users	\$18 682.94	\$18 682.94	100%		\$18 682.94
Developing a full version ¹	\$41 346.04	\$41 155.50	100%	\$5 920.81	\$47 076.31
Migrating and maintaining the demo version on cloud (10 months)	\$15 000.00	\$2 659.54	18%	\$1 600.00	\$4 259.54
Information protection system					
Developing documentation of the Complex System of Information Protection					
Development of Complex System of Information Protection					
Independent expertise of the CSIP					
Technical Assistance					
Information/Communication Support (3 months)	\$3 000.00	\$3 000.00	100%		\$3 000.00
Technical assistance for the first 3 EIAs	\$3 847.08	\$3 857.26	100%		\$3 857.26
Registry roll-out workshops ²	\$2 000.00	\$2 000.00	100%	\$5 000.00	\$7 000.00
Project Management					
Project management cost (9 months)	\$18 000.00	\$18 000.00	100%		\$18 000.00
Project operational costs (9 months)	\$9 000.00	\$9 000.00	100%		\$9 000.00
Subtotal	\$110 876.05	\$98 355.24	89%	\$12 520.81	\$110 876.05
UNDP service fee (8%)	\$8,870.08	\$7 868.42	89%	\$1 001.66	\$8,870.08
TOTAL	\$119 746.13	\$106 233.66	89%	\$13 522.47	\$119 746.13

¹ Including System administration/ technical support activities beyond the ToR.

² Additionally envisaged: (i) regional training for journalists on EIA issues; (ii) System using training for regional System users and administrators.

