



UfU Unabhängiges Institut
für Umweltfragen

COUNTRY FACTSHEET

UKRAINE

NGOs as catalysts for mainstreaming
climate policy

Contributions of civil society to climate policies in the Ukraine

2019

Ukraine – NGOs as catalysts for mainstreaming climate policy

Ukraine's NDCs are considered unambitious by many, which is why there are ambitions to strengthen Ukraine's climate policy engagement by a revision process and through the implementation of the *2050 Low Emission Development Strategy*. NGOs organized in the NGO climate network often deal with climate policies directly and also make use of possibilities for participation.

Climate policy of Ukraine

Structural change starting in the 1990s, the 2009 financial crisis and the war in Donbass have caused greenhouse gas emissions to drop by 60% in the Ukraine.¹

In its NDCs, the Ukraine intends to decrease its emission by 40% in comparison to its emissions in 1990², which currently implies a possible emission increase.³ Yet, the signing of the Paris agreement was followed by a change in the political rhetoric of the Ukrainian government. For the first time a coal phase-out was considered at all.⁴ In fact, some NGOs argue that the implementation of sector-specific strategies as well as the *2050 Low Emission Development Strategy* would significantly over-accomplish the NDCs⁵ and consequently criticize the NDCs low ambition level. Currently, the legal framework for the regulation of greenhouse gas emissions seems insufficient: The latest decrees emphasize the importance of climate protection but lack measurable targets.⁶

<u>Climate policy Ukraine</u>	
Climate Change Performance Index (CCPI 2019)	
• Overall value	Average (Rank 19)
• National climate policy	34.3 of 100
Civic space	
• CIVICUS monitor	obstructed
• Bertelsmann Transformation Index 2018	
Freedom of expression	7 of 10
Civil society traditions	4 of 10
Civil society participation	7 of 10
Association/ assembly rights	9 of 10

¹ Government of the Ukraine (2015)

² ibid.

³ Climate Action Tracker (2016)

⁴ Nabiyeva, Komila (2016)

⁵ Climate Action Tracker 2016

⁶ State Environmental Investment Agency (2014)

a decreased dependence on Russian energy supplies are strong supporting arguments for a decarbonization of Ukraine's energy sector. However, the expansion of renewable energies is still slow.⁷ NGOs argue that an emission trading system as favored by several ministries^{8 9} should not be implemented and instead a tax on CO₂ should be raised and the NDCs furnished with concrete, measurable programs.¹⁰ The climate-driven civil society also criticizes that the sector specific climate relevant strategies were neither aligned to one another nor to the NDCs. According to the Ukrainian environmental minister the planned revision process might result in more ambitious NDCs.¹¹

Climate-driven civil society

The Ukrainian constitution guarantees assembly and association rights as well as freedom of expression. These are mostly respected, e.g. during *EuroMaidan* in 2014.¹² This is mirrored in an active civil society covering many different topics.¹³ Regarding the freedom of press and freedom of expression there are some restrictions due to ambitions to confine Russian propaganda and a media landscape partly dependent on oligarchs.¹⁴

The Ukraine is part of the UNECE Aarhus Convention, which grants all citizens access to environmental information and courts as well as participation rights in environmental matters.¹⁵ The consultation of NGOs, e.g. on draft laws or the development of the NDCs, is taken for granted nowadays in the Ukraine. The driving force for political reforms is the *Reanimation Package of Reforms*¹⁶ which led to the constitution of 20 working groups granting partaking NGOs access to information on current legislative processes and decision makers. Also, NGOs can contribute to and comment on the draft of laws.

The consultation of NGOs, e.g. in the development of the NDCs or draft legislations, are very common today. The Ministry of Environment and Resources emphasizes the importance of NGO pressure to prevail against other ministries in interdepartmental negotiations. According to funding organizations and NGOs the major climate-driven NGOs in the Ukraine are *Ecoaction (Ekodya)*, an organization which emerged from *NECU (National Environmental Centre*

⁷ Interviews for the final report of the project *Strengthen Civil Society for the implementation of national climate policy*

⁸ Climate Action Tracker (2016)

⁹ State Environmental Investment Agency (2014)

¹⁰ Interviews for the final report of the project *Strengthen Civil Society for the implementation of national climate policy*

¹¹ Ecoaction (b)

¹² Bertelsmann Transformation Index (2018)

¹³ Freedomhouse (2018)

¹⁴ ibid.

¹⁵ Updated list on environmental lawsuits in the Ukraine. Source: Ökologie-Recht-Mensch (Екологія-Право-Людина, 2014)

¹⁶ Regarding these reforms the author cannot unreservedly agree with the Civicus Monitor evaluation as civil society relevance has gained importance since the EuroMaidan.

Ukraine), the *Ecoclub Rivne* and *OPORA*.¹⁷ *Ecoaction* and *NECU* engage in environmental education and climate policy lobbying. *OPORA* is a reform-oriented think tank focusing on education, transparency and fighting corruption.

There is an active NGO climate network in the Ukraine since 2000. It holds a seat in the interdepartmental coordination table on the UNFCCC implementation and unites 16 NGOs that engage in climate and energy issues on a local, regional and national level.¹⁸ According to the interviewed NGOs they cooperate well although the network is rather dependent on larger organizations. Smaller and regional organization may participate in the network's activities but their capacities are usually insufficient for them to develop their own positions.¹⁹

Climate-driven civil society activities in the Ukraine

The climate-driven civil society in the Ukraine comprises a relatively large number of NGOs which directly deal with climate issues by e.g. employing climate referents. The climate network is used by NGOs to increase the perception of their commonly agreed on positions and to put these on the political agenda. The organizations successfully combine information campaigns, evaluation work and grassroots mobilization: Thus, some NGOs regularly publish the latest information on climate protection or provide practical knowledge for citizens on the installation of renewable energies in their households. This information work is supplemented with the evaluation of climate related government actions including the supervision of the actions of several ministries, investigations in the Ukraine itself as well as the participation as observers in international negotiations (COPs).²⁰ Although many NGOs organize larger street activities dealing with climate change and energy larger protests for climate political issues are still new in the Ukraine.²¹ According to civil society representatives this format is to be used more often in the future.

¹⁷ Final report of the project *Strengthen Civil Society for the implementation of national climate policy*

¹⁸ *Ecoaction* (e)

¹⁹ *Ecoaction* (a)

²⁰ Overview on positions and publications of the Ukrainian climate network. Source: *Ecoaction* (c)

²¹ *ibid.*

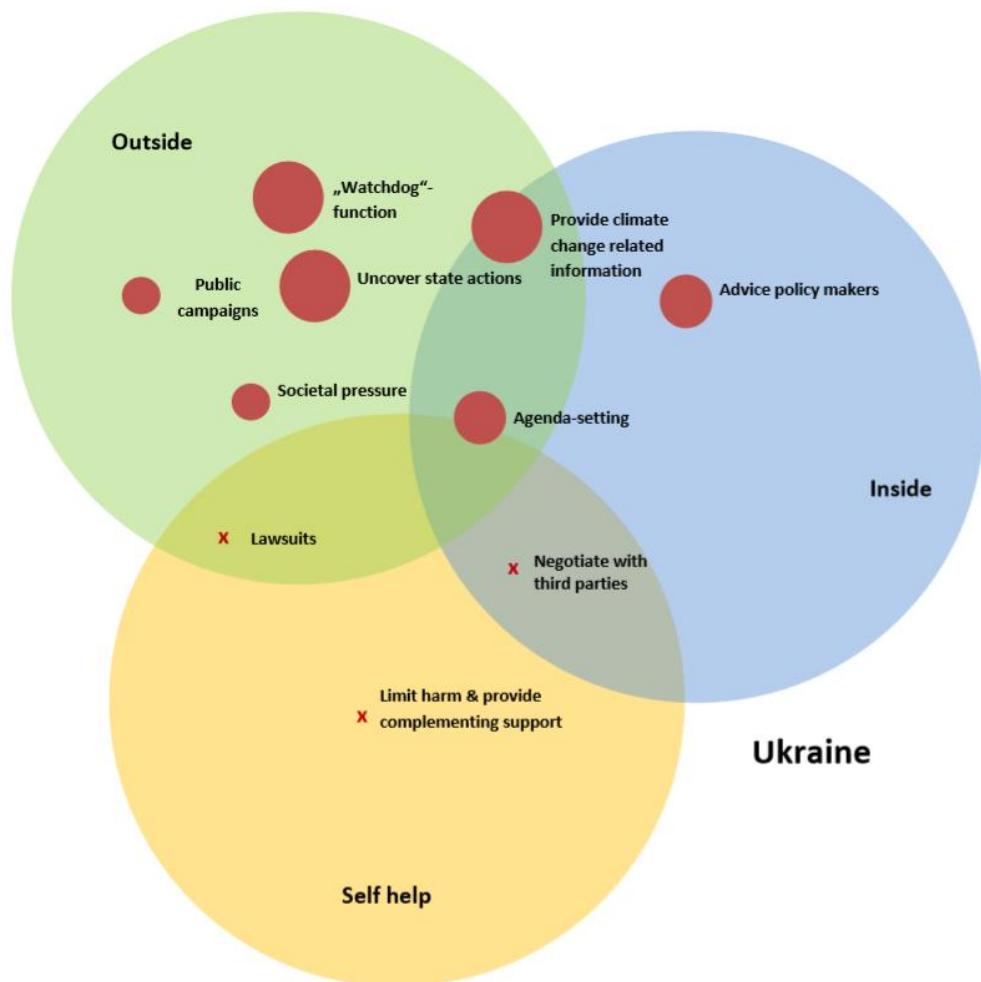


Figure 1: Activities of the climate-driven civil society in the Ukraine. The larger the dots the more important the respective activity. (own source)

The other end of the range of climate protection activities is the consultation of decision makers in authorities and governments. Since 18 years, there is a regular exchange between the civil society and government representatives as well as internationally active organizations.²² ²³ An example from the field of energy is the collaboration in the *EU-Energy Community* encompassing activities on energy efficiency or the collaboration with communal actors, e.g. communities engaged in the *Covenant of Mayors*.²⁴

²² E.g. publication for deputies: „What deputies ought to know about climate change and the Paris agreement. Source: Ecoaction (2018)

²³ Ecoaction (d)

²⁴ Interviews for the final report of the project *Strengthen Civil Society for the implementation of national climate policy*

Methodologies and definitions

In order to clarify the scope of this research, this chapter gives a definition of the key terms and the indicators used to analyse climate-driven civil society groups in different countries. The indicators were chosen based on a literature research. Also, it shortly introduces the central activities and capacities of civil society groups to advocate their interest, and the way they have been analysed in the examined country contexts.

Definition of terms

In contrast to the United Nations which define NGOs as all non-governmental actors,²⁵ this analysis mostly refers to NGOs as all (sub-)national organizations that are organizationally structured, refrain from violence, act in alignment with human rights, make moral claims and claim to represent universal societal interests. In doing so, these publicly acting non-profit-organizations and aim to influence political decisions on climate change and climate change adaptation²⁶ but have not been initiated by government initiatives. Consequently, trade associations, commercial associations and labour unions are excepted from this definition.^{27²⁸} The analysis thereby focuses on cross-organizational structures, whereby important groups and tendencies within the climate-driven societies – if existing – were considered as well.

The term **climate-driven civil society (groups)** comprises all environmental organizations that deal with climate change. This includes NGOs primarily dealing with climate change related issues as well as environmental organizations covering climate change as a cross-cutting issue or as one independent issue among others.

Civic space refers to the conditions enabling civil societies to act. To assess the civic space, the preservation of civil rights, such as freedom of expression and freedom of assembly, and the facilitation of their exercise are taken into account as well as the restriction of bureaucracy, excessive regulation and state control of foreign funding. Also, regarding civil society engagement on climate change related topics, the existence and promotion of, as well as access to (official) participatory processes dealing with climate policies is relevant for the assessment.²⁹ This includes climate policy committees as well as possibilities to participate in planning committees for climate relevant policies of other line ministries.

For the comparability of civil society activities in different countries, several indices have been used. The respective scores can be found in the country fact sheets at the end of this report.

The *Climate Change Performance Index (CCPI)* was used for an assessment

²⁵ See Brunnengräber, Achim (2011)

²⁶ See Brunnengräber et al. (2005)

²⁷ Roth, Roland (2005)

²⁸ See Brunnengräber, Achim (2011)

²⁹ Heinrich-Böll-Stiftung et al. (2016)

of the current climate policies of each country. This index assesses the NDC's ambition levels in addition to climate policy developments on a national scale.³⁰

The *CIVICUS Index*³¹ as well as the *Bertelsmann Transformation Index (BTI)*³² categories "Freedom of expression", "Civil society traditions", "Civil society participation" and "Association/ assembly rights" were drawn on to assess the civic space of each country examined. Countries not included in any of these indices were marked accordingly. Significant discrepancies between the indices' ratings and the authors' evaluation based on interviews or personal experience were explained in more detail in the texts.

Some sources used in this paper refer to the final report of the project *Strengthening civil society in the implementation of national climate policy* as well as to interviews conducted as part of it with experts in the field of climate policy and civil society and with representatives of the climate-driven civil society.

Activities of climate-driven civil society groups

Civil society organizations engage in different ways to make their voices heard by decision makers. Their climate policy related work includes the following

- Observation and definition of climate change related problems
- Provide civic education on climate polities
- Provide public information on and transparency in climate change related topics
- Control state compliance with its commitment on climate action

³⁰ The Climate Change Performance Index (CCPI) assesses and compares the climate protection performance of 56 countries as well as member states of the EU. Based on the analysis of 14 indices evaluating greenhouse gas emissions, renewable energies, energy use and climate policies the climate protection performance is categorized as very high, high, medium, low and very low and ranked accordingly. Here it is important to note that no country's climate protection performance was ranked very high and the top three ranks were left vacant in order to raise awareness for the generally low performance. The subcategory national climate policy comprises the latest political climate protection activities and was scored between 0 (no climate protection activities) to 100 (maximum performance) by experts of local NGOs. For further information see: <https://www.climate-change-performance-index.org/>

³¹ The CIVICUS Index evaluates the scope of action for civil societies in different countries and categorizes these in descending order as open, narrow, obstructed, repressed or closed. Thereby, CIVICUS mainly analyses to what extent the government and government institutions attend to their duty to guarantee assembly rights, association rights and freedom of expression. The index is mainly based on expert evaluations and the latest data from the respective countries. For further information see: <https://monitor.civicus.org/methodology/>

³² The Bertelsmann Transformation Index (BTI) assesses the status of the political transformation towards democracy and the transformation management of different states according to 10 categories and 38 subcategories. A score from 1 to 10 differentiates between total Autocracies (1) and Democracies in consolidation (10) in the category Democracy Status, and between failed, weak, moderate, good and very good in the Governance Index. The subcategories used in this study are those connected to civil society work. These are also scored from 1 to 10. 1 indicating a lack of tradition of civil society organizations, no assembly or association rights and no possibilities for civil society participation. Whereas 10 indicates diverse, longstanding civil society traditions as well as extensive possibilities for civil society participation and guaranteed assembly and association rights. For further information see: <https://www.bti-project.org/>

- Campaign work
- Exert societal pressure by demonstrations and the unification of individuals and groups with the same interests
- Limit harm in case of state failure
- Lawsuits
- Provide expertise and advocacy by directly cooperating with decision makers

Roth et al. (2005) differentiate these activities between (1) partly institutionalized, legal ways of participation in cooperation with decision makers or legal forms of criticism such as demonstrations ("Inside" according to Roth et al. (2015), also Inside-Strategies) and (2) spaces for political discourse and critical reflection on climate policies or civic education on climate policies ("Outside", also Outside-Strategies). Another compilation of political activities "Self help" (3) was introduced by Müller et al. (2014). Self help comprises measures to improve the situation of those affected by climate change or reduce negative effects on them. In

For the analysis of the activities of climate-driven civil society, we have focused on the activities listed above, while we categorized them in consideration of the work of the authors listed above. The figure resulting from this categorization was used to summarize and to display the climate policy related activities in the surveyed countries. In the country factsheets, the activities related to each category are represented by a red dot. The size of the red dots indicates the amount of work taking place in that specific field. The results are based on scientific publications as well as interviews with experts and representatives of the climate-driven civil society of the respective countries. Thus, the score is to a certain degree subjective and can only serve as orientation.

Some sources used in this paper refer to the final report of the project *Strengthen Civil Society for the implementation of national climate policy* as well as to interviews conducted as part of it with experts in the field of climate policy and civil society or with representatives of the climate-driven civil society.

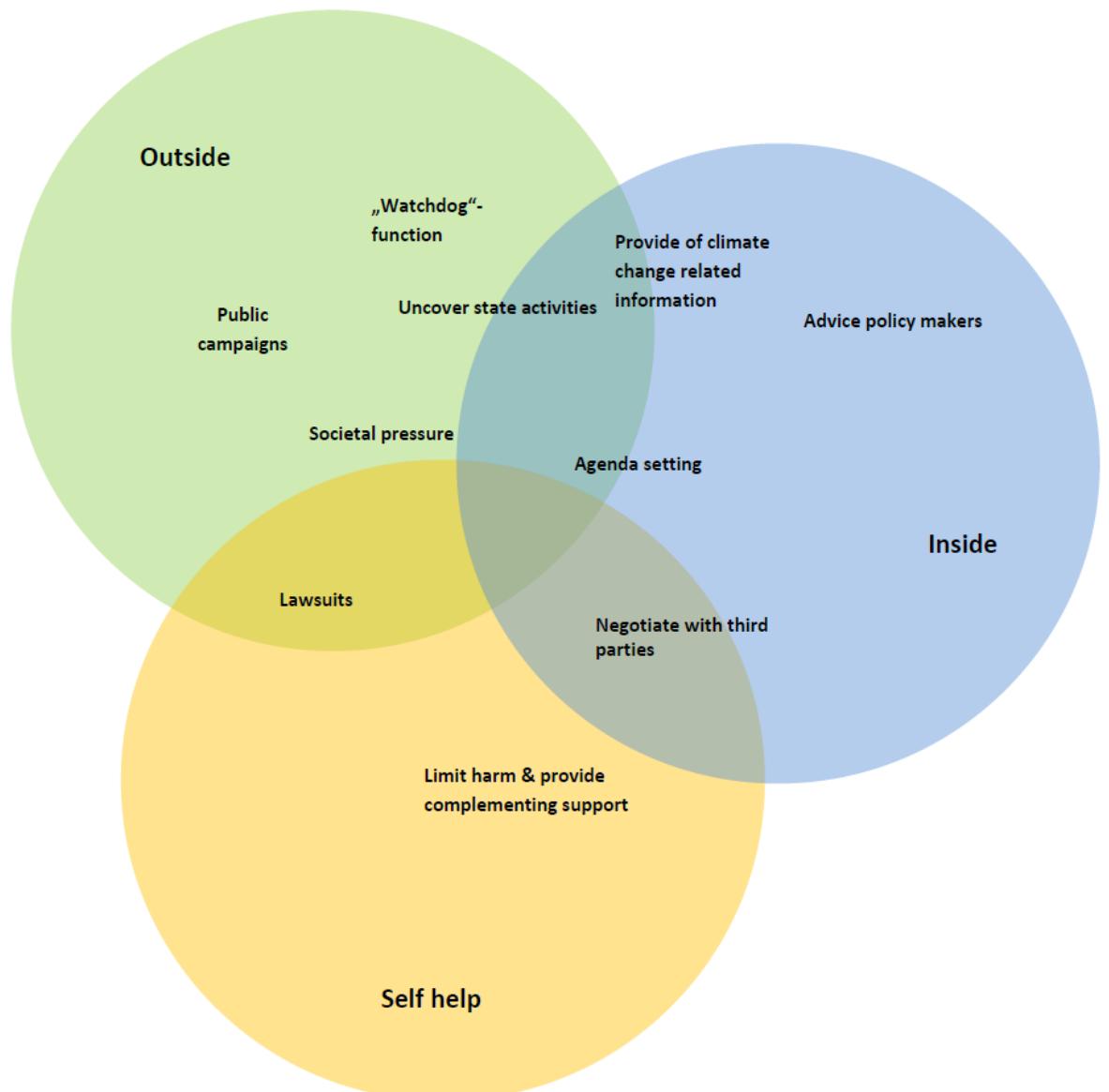


Figure 2: Climate policy related activities of the climate-driven civil society categorized according to the sections Inside, Outside and Self help (own figure).

Sources

Bertelsmann Transformation Index (2018): Ukraine Country Report. Online available at: <https://www.bti-project.org/en/reports/country-reports/detail/itc/ukr/> (last access on 18.12.2018).

Brunnengräber, Achim (2011): Das Klimaregime: Globales Dorf oder sozial umkämpftes, transnationales Terrain? In: Achim Brunnengräber et al. (Hg, 2005.): Zivilisierung des Klimaregimes. NGOs und soziale Bewegungen in der nationalen, europäischen und internationalen Klimapolitik: Heidelberg: Springer Verlag VS Research, S. 17–43.

Brunnengräber, Achim; Klein, Ansgar; Walk, Heike (Hg, 2005.): NGOs im Prozess der Globalisierung. Mächtige Zwerge - umstrittene Riesen. Berlin: Bundeszentrale für politische Bildung.

Climate Action Tracker (2016): Ukraine. Online available at: <http://climateaction-tracker.org/countries/ukraine.html> (last access on 12.12.2018).

Ecoaction (2018): Що депутати повинні знати про зміну клімату та Паризьку угоду? (What deputies ought to know about climate change and the Paris agreement): Kiew: Ecoaction.

Ecoaction (a): Ви ще енергозалежні? Тоді ми ідемо до вас! (Are you still energy dependent? Then we come to you!) Online available at: <http://ecoaction.org.ua/vy-sche-enerhoza-lezhni-todi-my-yidemo-do-vas.html> (last access on 11.08.2017).

Ecoaction (b): Чи зробить Україна свій внесок для обмеження глобального потепління? (Semerak: 'We have begun an examination of our climate goals'. Is the Ukraine going to contribute its share to limit climate change?). Online available at: <http://ecoaction.org.ua/semerak-my-rozpochaly-perehliad-nashoi-klimatychnoi-mety.html> (last access on 18.12.2018).

Ecoaction (c): Звернення. (Statement). Online available at: http://climate-group.org.ua/?page_id=41#1 (last access on 20.12.2018).

Ecoaction (d): Історія діяльності. (History of activities). Online available at: http://climate-group.org.ua/?page_id=38 (last access on 20.12.2018).

Ecoaction (e): NGO Working Group on climate change. Online available at: http://climate-group.org.ua/?page_id=73 (last access on 20.12.2018).

Freedomhouse (2018): Freedom in the World 2018: Ukraine. Online available at: <https://freedomhouse.org/report/freedom-world/2018/ukraine> (last access on 18.12.2018).

Government of the Ukraine (2015): Intended Nationally-Determined Contribution (INDC) of Ukraine to a New Global Climate Agreement. Online available at: http://www4.unfccc.int/submissions/INDC/Published%20Documents/Ukraine/1/150930_Ukraine_INDC.pdf (last access on 06.06.2018).

Heinrich-Böll-Stiftung et al. (2016): Zivilgesellschaftliches Engagement weltweit in Gefahr. Online available at: https://www.boell.de/sites/default/files/uploads/2016/12/zivilgesellschaftliches_engagement_weltweit_in_gefahr-forderungspapier_final_digital.pdf?dimension1=ds_shrinking_de (last access on 08.11.2019).

Müller, Melanie; Walk, Heike (2014): Democratizing the climate negotiations system through improved opportunities for participation. In: Dietz, Matthias et.al: Handbook of the climate change movement. Routledge International Handbooks.

Nabiyeva, Komila (2016): Energy Reforms in Ukraine: On the Track to Climate Protection and Sustainability? Online available at: <https://www.boell.de/en/2016/07/19/energy-reforms-ukraine-track-climate-protection-and-sustainability> (last access on 06.06.2018).

Ökologie-Recht-Mensch (Екоюзне.Ідея 2014): *Реєстр рішень з питань екології та правозахисту*(register of court decisions on environmental issues). Online available at: <http://caselawepl.org.ua/> (last access on 19.12.2018)

Roth, Roland (2005): NGOs und transnationale soziale Bewegungen als Akteure für eine "Weltzivilgesellschaft" Online available at: <https://www.boell-hessen.de/ar-chiv-seite/pol/ngos.htm> Heinrich-Böll-Stiftung Hessen. (last access on 06.12.2018).

State Environmental Investment Agency (2014): Market Readiness Proposal under the Partnership for Market Readiness Programme.

