

The analytical materials are the collection of summarized results of evaluation of conformity of the Tables of Concordance with the Birds and Habitats Directives, analysis of legislative and practical implementation gaps in respect to sites and species protection, development of plans of legislative amendments regarding sites and species protection, key points of proposed legislative changes regarding institutional changes in the system of environmental governance.

Table of Concordance of the **Directive 2009/147/ec of the european parliament and of the council of 30 november 2009 on the conservation of wild birds (codified version)**

Brief introduction:

The system of protection of wild birds in Ukraine exists within the framework of the legislation on the protection of fauna, in particular: the Law of Ukraine "On Fauna" dated December 13, 2001 No. 2894-14; Law of Ukraine "On the Red Book of Ukraine" dated February 7, 2002 No. 3055-14; Law of Ukraine " Law On Hunting Economy and Shooting" dated February 2, 2000 No. 1478-14-III, Law of Ukraine "On the Protection of Animals from Brutal Treatment" dated February 21, 2006 No. 3447-IV, Law of Ukraine "On Nature Reserve Fund of Ukraine" dated 16.06.1992 No. 2456-12 and relevant by-laws. Furthermore, Ukraine is a Party to the Convention on the Protection of Wild Flora and Fauna and Natural Habitats in Europe (the Convention was ratified by the Law of Ukraine dated October 29, 1996 No. 436/96-BP).

Legislation of Ukraine partially meets the requirements of the Directive, thus only certain amendments to the legislation of Ukraine are necessary to ensure full transposition of the Directive. In particular, it is important to introduce a provision to the Law of Ukraine "On Fauna" to reflect the principle of preservation of wild bird populations at a level which corresponds, in particular, to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or adaptation of the population of these species to that level (Article 2 of the Directive); as well as to supplement the measures for the protection, preservation and restoration of biotopes and habitats with provisions on the creation of biotopes and the re-establishment of destroyed biotopes.

Also, in order to fully transpose the provisions of the Directive, the requirements regarding the prohibition of the sale, transportation with further sale, keeping with further sale and offering for sale of live or dead birds and any easily recognizable parts or derivatives of such birds should be introduced for all species of wild birds specified in Art. 1 of the Directive, and accompanied by the relevant exemptions for certain species of birds.

Given that similar provisions regarding other animals are included in the Directive 92/43/EEC of May 21, 1992 on the conservation of natural habitats and species of wild flora and fauna (clause 2 of article 12), as well as in the Convention on the Protection of Wild Flora and Fauna and natural habitats in Europe, it is advisable to introduce these provisions applicable not only to birds, but to all animal species under protection. It is also advised to coordinate amendments to the legislation on the establishment of protected areas for wild birds (Article 4 of Directive 2009/147/EC) with the efforts of transposition of the Directive 92/43/EEC of May 21, 1992 on the conservation of natural habitats and species of natural fauna and flora.

Table of Concordance **Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora**

Brief introduction:

Currently, the basis of the legal framework for the preservation of natural habitats in Ukraine is the Law of Ukraine "On Environmental Protection", the Law of Ukraine "On the Nature Reserve Fund of Ukraine", the Law of Ukraine "On the Red Book of Ukraine", the Law of Ukraine "On the Ecological Network of Ukraine", Regulations on the Green Book of Ukraine, approved by CMU Resolution № 1286, Procedure for granting wetlands the status of wetlands of international importance, approved by the resolution of the Cabinet of Ministers of Ukraine № 1287, Procedure for creation of protection zones for the preservation of biodiversity in forests and procedure for the creation of protection zones for the preservation of objects of the Red Book of Ukraine, approved by the resolution of the Cabinet of Ministers of Ukraine № 499. In addition, separate provisions on the preservation of natural habitats, as well as provisions related to the preservation of species of flora and fauna are laid down in the Forest Code, the Law of Ukraine "On Fauna", the Law of Ukraine "On Flora", the Law of Ukraine "On Fishery, Industrial Fishing and Protection of Water Bioresources", the Law of Ukraine "On Hunting Economy and Shooting" and relevant by-laws.

Ukraine is also a Party to a number of international treaties, in particular:

- Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention);
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention);
- Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention).

The legislation only partially corresponds to the Directive. In relation to the preservation of habitats, the degree of correspondence is low, and in relation to the protection of species of flora and fauna, the degree of correspondence is medium. Most of the definitions of the Directive have not been transposed into the legislation of Ukraine. The definition of a natural habitat exists in the legislation, but in different laws this term has different wording. There are no definitions of the conservation status of a natural habitat and the conservation status of a species, accordingly, the approach that ensures a "favorable" status of conservation of natural habitats and species is not introduced. Assessment of the impact of projects on natural habitats and species is carried out within the framework of environmental impact assessment (EIA), but it is carried out only within the scope of the types of planned activities that are subject to EIA. Plans and programs that may have an impact on nature conservation areas undergo a strategic environmental assessment, but the consideration of the habitat approach in such an assessment is not clearly defined.

Regarding the transposition of the provisions on the preservation of natural habitats, it is advisable to develop new legislation on the conservation of habitats and/or make changes to the above-mentioned existing legislation. In terms of species conservation, it is advisable to supplement the current legislation in the field of animal and plant conservation, as well as on hunting and shooting. It is also necessary to agree (develop and approve new) and transpose the lists of species into legislation, taking into account the relevant annexes to the Directive.

Analysis of legal and practical implementation gaps in respect to sites protection

Summary

Currently, the basis of the legal framework for the preservation of natural habitats in Ukraine consists of the Law of Ukraine "On Environmental Protection", the Law of Ukraine "On the

Nature Reserve Fund of Ukraine", the Law of Ukraine "On the Red Book of Ukraine", the Law of Ukraine "On the Ecological Network of Ukraine", Regulations on the Green Book of Ukraine, approved by CMU Resolution № 1286, Procedure for granting wetlands the status of wetlands of international importance, approved by the resolution of the Cabinet of Ministers of Ukraine № 1287, Procedure for creation of protection zones for the preservation of biodiversity in forests and procedure for the creation of protection zones for the preservation of objects of the Red Book of Ukraine, approved by the resolution of the Cabinet of Ministers of Ukraine № 499. In addition, separate provisions on the preservation of natural habitats, as well as provisions related to the preservation of species of flora and fauna are laid down in the Forest Code, the Law of Ukraine "On Fauna", the Law of Ukraine "On Flora", the Law of Ukraine "On Fishery, Industrial Fishing and Protection of Water Bioresources", the Law of Ukraine "On Hunting Economy and Shooting" and relevant by-laws.

The legislation only partially corresponds to the Habitats and Bird directives in terms of the preservation of habitats. The degree of correspondence is low. Most of the definitions of the Habitat Directive have not been transposed into the legislation of Ukraine. The definition of a natural habitat exists in the legislation, but in different laws this term has different wording. There are no definitions of the conservation status of a natural habitat, accordingly, the approach that ensures a "favourable" status of conservation of natural habitats is not introduced. Assessment of the impact of projects on natural habitats and species is carried out within the framework of environmental impact assessment (EIA), but it is carried out only within the scope of the types of planned activities that are subject to EIA. Plans and programs that may have an impact on nature conservation areas undergo a strategic environmental assessment (SEA), but SEA in Ukraine does not clearly consider the habitat approach, although the data on the Emerald sites is included in the source data for the development of comprehensive spatial development plans subject to SEA.

For the purpose of full transposition of the EU acquis on the preservation of natural habitats, it is recommended to either develop new legislation on the conservation of habitats or make substantial amendments to the existing legislation in order to fill in the identified gaps.

Analysis of legal and practical implementation gaps in respect to species protection

Summary

Currently, the legal framework for the preservation of species of flora and fauna in Ukraine consists of the Law of Ukraine "On Environmental Protection", the Law of Ukraine "On the Red Book of Ukraine", the Forest Code, the Law of Ukraine "On Fauna", the Law of Ukraine "On Flora", the Law of Ukraine "On Fishery, Industrial Fishing and Protection of Water Bioresources", the Law of Ukraine "On Hunting Economy and Shooting", Law of Ukraine "On the Protection of Animals from Brutal Treatment" dated February 21, 2006 No. 3447-IV and relevant by-laws. The system of protection of wild birds in Ukraine exists only within the framework of the legislation on the protection of fauna.

In terms of species conservation, it is advisable to supplement the current legislation in the field of animal and plant conservation, as well as on hunting and shooting. It is also necessary to develop and approve new lists of species into legislation, taking into account the relevant annexes to the directives.

Legislation of Ukraine partially meets the requirements of the Habitats and Bird directives in terms of the preservation of species of flora and fauna, the degree of correspondence is medium. Thus, only certain amendments to the legislation of Ukraine are necessary to ensure full transposition of the EU acquis on the conservation of wild flora and fauna. In particular, it is important to introduce a provision to the Law of Ukraine "On Fauna" to reflect the principle of preservation of wild bird populations at a level which corresponds, in particular, to ecological, scientific and cultural requirements, while taking account of economic and recreational requirements, or adaptation of the population of these species to that level. National legal framework on the measures for the protection, preservation and restoration of biotopes and habitats must be supplemented with the provisions on the creation of biotopes and the re-establishment of destroyed biotopes.

A requirement regarding the prohibition of the sale, transportation with further sale, keeping with further sale and offering for sale of live or dead birds and any easily recognizable parts or derivatives of such birds should be introduced for all species of wild birds specified in Article 1 of the Bird Directive, and accompanied by the relevant exemptions for certain species of birds if necessary. Given that similar provisions regarding other animals are included in the Habitat Directive, as well as in the Convention on the Protection of Wild Flora and Fauna and natural habitats in Europe, it is advisable to introduce these provisions applicable not only to birds, but to all animal species under protection.

The key problems that were identified in the legal and regulatory realm regarding biodiversity conservation are summarized below:

Lack of systematic transposition of the Birds and Habitats Directives

Regarding the implementation of the Bern Convention in Ukraine. Ukraine is a party to the Bern Convention, which provides for the conservation of natural habitats, species of wild fauna and flora, which are identified as important for the parties to the Convention. The authorities have formed a significant array of national environmental legislation. At the same time, the existing legal acts are not fully capable of ensuring the fulfilment of obligations under the Bern Convention.

Approximation of national legislation to the EU legislation. Accession to the EU requires harmonization of national legislation with the *acquis communautaire*. This involves harmonizing laws, rules and procedures with relevant EU acts. The first step in this process is transposition - the incorporation of EU norms into national law. Transposition consists of adopting or amending national laws, regulations and procedures so that EU requirements are fully incorporated into national law.

Despite its European integration commitments, Ukraine has only partially implemented the Birds and Habitats Directives. As of 2025, they are still not fully transposed. This is due to the resistance of large companies in the sectors of mining, construction, energy, forestry and agriculture, as well as lobbyists of their interests. The main reason for the slow progress of the reform is the fear that these business groups have regarding the introduction of restrictions provided for by the reform, possible economic losses (reduced profit level, investments in measures provided for by the reform, loss of competitive advantages in the market). In addition, biodiversity conservation issues are often not prioritized and remain poorly understood by civil servants. This is due to a conflict of interests: on the one hand, government agencies must ensure compliance with conservation objectives, and on the other hand, they must take into account economic interests, where certain “rules of the game” have already been adopted.

Fragmentation of the legislative framework.

Ukrainian legislation on nature protection consists of many laws and by-laws. They concern, among other things, the regulation of the conservation of wild flora and fauna species, but do not form a single, coherent system. Current legislation includes laws on the ecological network, the Red Data Book of Ukraine, the nature reserve fund of Ukraine, forest resources and others. Normative acts regulate the status of wetlands, protection zones and objects of the Red Data Book of Ukraine. In addition, the legislation determines the rules of fishing, hunting, and treatment of animals. At the national level, the data about sites of the Emerald Network are referred to as the source data for the development of comprehensive plans for spatial development of territories of territorial communities, and to the sets (types) of

geospatial data. The legislation of Ukraine provides for the definition of the Emerald Network sites and integrated requirements for taking into account such sites in the preparation of river basin management plans.

However, these acts do not provide such protection for wild flora and fauna species that would fully comply with the EU legislation. There are no adequate provisions on the definition and establishment of Emerald sites (in the future, of Natura 2000 sites), on mechanisms for their management, conservation and monitoring, or on the implementation of appropriate assessment. Ukrainian legislation does not prohibit sale, transportation, keeping or offering of wild birds and their parts for sale, as required by the Birds Directive. Due to the lack of a general prohibition, the legislation does not take into account derogations from it, although they exist at the EU level.

As for now, the Ukrainian legislative base in the context of wild flora and fauna species only partially corresponds to the EU legislation. In the field of conservation of natural habitats the situation is even worse. As a consequence, there are almost no effective ways to protect natural habitats and species of wild flora and fauna.

Absence of the main concepts of EU legislation in the field of conservation of natural habitats, wild fauna and flora and unified approaches to their understanding in Ukrainian legislation.

Inconsistency of Terminology

Ukrainian legislation lacks many definitions provided for in the Birds and Habitats Directives. For example, these directives use the terms "natural habitat" and "habitat of a species." Ukrainian legislation employs similar terms across various legal acts, but they differ in wording and definitions. For instance, terms close in meaning to "habitat of a species" include: "habitat" as used in the Law of Ukraine "On Fauna," "habitat area" in the Law of Ukraine "On Hunting Economy and Shooting," "site of growth and settlement" in the Forest Code of Ukraine, "sites of greening and growth" in the Law of Ukraine "On the Ecological Network of Ukraine," and "natural habitats (biotopes)" in the Law of Ukraine "On the National Infrastructure of Geospatial Data."

At the same time, Ukrainian legislation lacks specific requirements for the protection of natural habitats and a detailed list of their types. The absence of a unified terminological approach complicates law enforcement and the implementation of European legislation.

It should also be noted that Ukrainian national legislation does not provide definitions for the following key concepts: "conservation status of a natural habitat," "conservation status of a

species," and "favourable conservation status." Without these definitions, it is impossible to effectively plan conservation measures or monitor their implementation in accordance with EU requirements. Moreover, it is difficult to accurately assess the conservation status of natural habitats and wild flora and fauna species, as there are insufficient legislative requirements to determine whether a particular species or habitat is in a favourable conservation status or requires conservation measures.

Plan of legislative changes in terms of transposition of the EU requirements regarding conservation of natural habitats and habitats of species of wild flora and fauna

Council Directive 92/43/EEC of May 21, 1992 on the conservation of natural habitats and wild fauna and flora (Habitats Directive)

Directive 2009/147/EU of the European Parliament and of the Council of November 30, 2009 on the conservation of wild birds (Birds Directive)

I. General

1. Current status of transposition of the EU legislative acts in Ukraine

The legislation of Ukraine is only partially aligned with the provisions of the Habitats and Birds Directives on conservation of natural habitats and habitats of species of wild flora and fauna (level of alignment – low).

The basis for defining areas that are prospective for inclusion into the Nature 2000 network, according to the Habitats and Birds Directives, is in defining natural habitats with relevant components (both biotic and abiotic) that are peculiar for them, determining their special role in conservation of conditions for survival and development of populations of endangered species. This approach has not been implemented into the legal framework of Ukraine.

The State Programme for the Establishment of the National Ecological Network of Ukraine for 2000-2015 was aimed at increase of scope of lands of the country with natural landscapes up to the level sufficient for conservation of their diversity close to the natural status attributive to them, and establishment of a single territorial system built upon the principle of ensuring a possibility for natural routes of migration and dissemination of species of plants and animals that would ensure conservation of natural ecosystems, species of flora and fauna and their populations. The National Ecological Network according to its concept should have complied with the requirements as for its functioning within the Pan-European

Ecological Network and performed leading functions as for conservation of biological diversity.

At that, the Law of Ukraine of 24 June 2004 No. 1864-IV "On Ecological Network of Ukraine" introduced different criteria to the establishment of the ecological network than those provided for by the EU legislation. In particular, the Ukrainian approach is based not on a criterion of defining habitats as a basis for selection of the econetwork components, but the econetwork is being established on the basis of the areas and objects of the nature reserve fund as a core of the econetwork with further joining of nature protection areas with a different status (water protection, recreational areas, etc.). Therefore, the econetwork of Ukraine at present remains mainly being a tool of territorial planning and depends on nature protection modes of areas it consists of.

Since 2008, to meet its international obligations under the Bern Convention, Ukraine has been establishing the Emerald Network sites. At that, at present only scarce provisions regarding such objects are embedded in the Ukrainian legislation and there is practically no legal framework for determining and establishing special areas in order to conserve natural habitats, so even the process of establishing the Emerald Network sites at the national level is not properly regulated. The legal framework also lacks the mechanisms of conservation, management, and monitoring of such areas, as provided for by the Habitats and Birds Directives. In practice, this creates numerous problems when determining the Emerald Network sites, managing them and ensuring their conservation. As a rule, conservation of these sites is provided for only within the existing areas and objects of the nature reserve fund or other nature protected areas.

Nevertheless, as back as in 2002, to meet obligations under the Convention on Wetlands of International Importance, specially as Waterfowl Habitat, the Government has established the procedure for providing such areas with a relevant status based on criteria as provided for by the Convention.

To some extent, at present the procedures for environmental impact assessment (EIA) and strategic environmental assessment (SEA) facilitate conservation of the Emerald Network in Ukraine. At that, assessment of projects impact on natural habitats and protected species using EIA mechanisms is carried out only in the framework of assessment of impact of planned activities that may have significant impact on the environment, that making a limited list of activities. Plans and programmes that may have impact on the areas with nature protected status undergo SEA, though the habitat approach being taken into account during such assessment is not clearly defined.

Relevant provisions of the Directive 2024/1203 of April 11, 2024 on the protection of the environment through criminal law have not been transposed in Ukraine yet, which at the EU level is aimed at ensuring of enforcement of the Habitats and Birds Directives, among other things. So, there is no criminal liability in Ukraine for actions leading to deterioration of the conservation status of natural habitats and habitats of protected species within special areas of conservation.

2. Strategy for transposition of the EU legislative acts in Ukraine

For proper transposition of the requirements of the Habitats and Birds Directives into the Ukrainian legislation in terms of conservation of natural habitats and habitats of species it is necessary to develop and adopt new legislation that would provide for implementation of the habitat approach as required by the EU acts. A separate special legislative act should regulate the matters of establishment and functioning of special areas of conservation, that would integrate criteria for determining natural habitats and habitats of species, mechanisms of conservation and management of such areas. As proposed, such a law should transpose:

- terminology used in the Habitats and Birds Directives;
- procedures for proposing, approval and assigning special areas for conservation of natural habitats and habitats of species of wild fauna and flora (Natura 2000 sites);
- provisions regarding management tools for such special areas (including on management plans, other measures of conservation);
- provisions regarding appropriate assessment;
- provisions regarding monitoring of the conservation status of natural habitats and habitats of species of flora and fauna, both within and outside relevant special areas of conservation;
- provisions on violations in the sphere of conservation of natural habitats and habitats of species of wild flora and fauna within special areas of conservation.

In order to meet obligations under the Bern Convention for the Ukraine's accession to the EU, norms of the law related to the management and conservation of the special areas of conservation will be applied to the Emerald Network sites that later on should be "converted" into the Natura 2000 network. At the same time, adoption of such a law would ensure transposition of the provisions of the Habitats and Birds Directives in terms of protection of natural habitats and habitats of species of wild fauna and flora.

At the same time, it is proposed to embed in the governmental act a list of assigned Emerald Network sites. This act could also establish separate provisions regarding potential sites of the Emerald Network.

In parallel with the development and adoption of the law on special areas of conservation, as a principal normative legal act providing for the transposition of the provisions of the Directives in terms of conservation of habitats, it is also planned to make amendments to current laws in order to insure alignment with the principal normative legal act in the sphere of conservation of natural habitats and habitats of species.

As a separate legislative initiative, it is planned to propose a draft law to amend the Code of Ukraine of Administrative Offenses (in terms of expanding list of offences and strengthening sanctions) and Criminal Code of Ukraine to strengthen administrative liability and introduce criminal liability for violations of legislation in the sphere of conservation of natural habitats and habitats of species.

3. Key executives and sub-executives

- MEPR

II. Actions of the plan of regulatory activities

Action	Responsible bodies, by when	Performance indicators
1. Draft law on special areas of conservation that would provide for amendments to <ul style="list-style-type: none"> - The Law of Ukraine "On Ecological Network of Ukraine" of 24.06.2004 No. 1864-IV, - The Law of Ukraine "On Nature Reserve Fund of Ukraine" of 16.06.1992 No. 2456-12, - the Law of Ukraine "On Environmental Protection" of 25.06.1991 No. 1264-12, - The Law of Ukraine "On Fauna" of 13.12.2001 No. 2894-14, 	MEPR, 2026	Adoption of the law

<ul style="list-style-type: none"> - The Law of Ukraine “On Fish Farming, Industrial Fishing and Protection of Aquatic Bioresources” of 08.07.2011 No. 3677-VI, - The Law of Ukraine “On Flora” of 9.04.1999 N 591-XIV, - The Law of Ukraine “On the Red Data Book of Ukraine” of 07.02.2002 No. 3055-14, - the Land Code of Ukraine - The Law of Ukraine “On Environmental Impact Assessment”, - The Law of Ukraine “On Strategic Environmental Assessment”, etc. <ul style="list-style-type: none"> - with annexes transposing the list of types of natural habitats (according to Annex I of the Habitats Directive) and lists of species of wild fauna and flora (according to Annexes II and IV of the Habitats Directive and Annex I to the Birds Directive) 		
<p>2. Draft law on amending the Code of Ukraine of Administrative Offenses (expanding list offences and strengthening sanctions)</p>	<p>MEPR, 2026</p>	<p>Adoption of the law</p>
<p>3. Draft law on amending the Criminal Code of Ukraine (introducing of criminal liability for violations of legislation in the sphere of conservation of natural habitats and habitats of species)</p>	<p>MIA, MEPR, 2026</p>	<p>Adoption of the law</p>

4.	Draft resolution of the CMU/order of the MEPR on approval of the lists of types of natural habitats (according to Annex I of the Habitats Directive) and protected species of fauna and flora (according to Annexes II, IV of the Habitats Directive and Annex I to the Birds Directive), if these have not been transposed by the above law	MEPR, 2026	Adoption of the resolution of the CMU or the order of the MEPR
5.	Draft resolution of the CMU on approval of the List of the Emerald Network Sites	MEPR, 2025	Adoption of the resolution of the CMU
6.	Draft bylaws arising from the requirements of the new law, in particular on <ul style="list-style-type: none"> - the register of areas, - management plans, - monitoring plans, - the procedure for determining of and refunding for losses to land owners and land users 	MEPR, 2026-27	Adoption of the resolution of the CMU or the order of the MEPR
7.	Draft resolution on making amendments to the Regulation of the Ministry of Environmental Protection and Natural Resources of Ukraine	MEPR, 2026	Adoption of the resolution of the CMU
8.	Draft regulation on the Agency on Biodiversity and Nature Protected Areas Management (if a decision is taken to establish a separate agency)	MEPR, 2026	Adoption of the resolution of the CMU

Plan of legislative changes in terms of transposition of the EU requirements regarding protection of species of wild flora and fauna

Council Directive 92/43/EEC of May 21, 1992 on the conservation of natural habitats and wild fauna and flora (Habitats Directive)

Directive 2009/147/EU of the European Parliament and of the Council of November 30, 2009 on the conservation of wild birds (Birds Directive)

I. General

1. Current status of transposition of the EU legislative acts in Ukraine

The legislation of Ukraine is partially aligned with the provisions of the Habitats and Birds Directives in terms of protection of species (the level of alignment – high).

The regime of special protection of animal and plant species included into the Red Data Book of Ukraine and regional lists at the legislative level mostly corresponds to the regime of species protection as required under the Habitats and Birds Directives. Annex VI to the Habitats Directive and Annex IV to the Bird Directive, listing prohibited methods and means of capture and killing and modes of transport, are transposed in Ukraine fully.

A considerable gap, however, is lack in the Ukrainian legislation of prohibition of sale, transportation, keeping for sale and offering for sale of live or dead animals (including birds) and of any readily recognizable parts and derivatives of animals subject to special protection (apart from international trade regulated by the Convention on International Trade in Endangered Species of Wild Fauna and Flora, which Ukraine is a party to). Due to lack of general prohibition, relevant provisions on derogations regarding certain species, trade in which is allowed by the EU law, have not been transposed either.

Furthermore, analysis of annexes to the Directives related to wild flora and fauna in terms of species found in Ukraine shows that not all such species are subject to strict protection in Ukraine (included into the Red Data Book of Ukraine or regional lists). About a quarter of species subject to protection under the EU law are not subject to special protection in Ukraine. Species protected under the Bern Convention – they enjoy a certain level of protection in Ukraine – do not fully coincide with species protected under the Habitats and Birds Directives either.

Ukraine does not clearly specify game species, whereas the legislation on prohibition of capture of wild animals with the purpose of keeping and breeding in semi-free conditions or in captivity refers to lists of species protected under the Bern Convention and included into the Red Data Book of Ukraine. Therefore, relevant Annexes to the Habitats (Annex V)

and Birds (Annex III) Directives listing species whose taking in the wild and exploitation may be subject to management measures require transposition into the legislation of Ukraine.

Administrative liability is provided for in Ukraine for violations in the sphere of protection of species, though a list of offences and the amount of fines require considerable revision. Relevant provisions of the Directive 2024/1203 of April 11, 2024 on the protection of the environment through criminal law which at the EU level is aimed at ensuring of execution of the Habitats and Birds Directives, among other things, have not been transposed in Ukraine yet. Criminal liability in this sphere in Ukraine is limited to a single crime “Illegal hunting”.

2. Strategy for transposition of the EU legislative acts in Ukraine

Taking into account the fact that the sphere of protection of flora and fauna species at present has a high level of alignment with the relevant EU acts, for full transposition of the requirements of the Habitats and Birds Directives in terms of protection of species, it would be sufficient to make specific amendments and supplements to current laws of Ukraine and bylaws. It is necessary to introduce into the national legal framework, including the Laws of Ukraine “On Fauna”, “On Hunting Economy and Hunting”, “On Flora”, “On Fish Farming, Industrial Fishing and Protection of Aquatic Bioresources”, the definition of “conservation status of a species” and to implement approaches determining and providing for “favourable” conservation status of species.

In the sectoral legislation, it will be necessary to embed the prohibition of sale, transportation, keeping for sale and offering for sale of live or dead animals (including birds) and of any readily recognizable parts and derivatives of animals subject to protection under the Habitats and Birds Directives and international obligations of Ukraine. What is also important is to consider the necessity and to introduce into the legislation, if needed, separate exceptions from the rule of prohibition of sale of separate species of wild fauna subject to protection.

In the context of protection of species, along with providing for legal framework for their protection at the level of European standards it is planned to approve the lists of protected species as specified in Annexes to the Birds and Habitats Directives in the legislation of Ukraine. In this aspect it is also planned to regulate correlation of the legal status of such lists and relevant lists of the Red Data Book of Ukraine and regional lists. Revision of the list of game species is also planned, as well as transposition of Annexes to the Habitats (Annex V) and Birds (Annex III) Directives specifying species, whose taking in the wild and exploitation may be subject to management measures.

As a separate legislative initiative, it is planned to propose a draft law to amend the Code of Ukraine of Administrative Offenses (in terms of expanding list of offences and

strengthening sanctions) and Criminal Code of Ukraine to strengthen administrative liability and introduce criminal liability for violations of legislation in the sphere of protected species.

3. Key executives and sub-executives

- MEPR

II. Actions of the plan of regulatory activities

Action	Responsible bodies, by when	Performance indicators
<p>1. Draft law on amending separate laws of Ukraine regarding protection of species (introducing terminology, approaches and mechanisms of the Directives), including</p> <ul style="list-style-type: none"> - the Law of Ukraine “On Environmental Protection” of 25.06.1991 No. 1264-12, - The Law of Ukraine “On the Red Data Book of Ukraine” of 07.02.2002 No. 3055-14, - The Law of Ukraine “On Fauna” of 13.12.2001 No. 2894-14; - The Law of Ukraine “On Fish Farming, Industrial Fishing and Protection of Aquatic Bioresources” of 08.07.2011 No. 3677-VI, - The Law of Ukraine “On Flora” of 9.04.1999 N 591-XIV; - The Law of Ukraine “On Hunting Economy and Hunting” of 02.02.2000 No. 1478-14-III - The Law of Ukraine “On the protection of animals from cruelty” of 21 February 2006 No. 3447-IV and others <ul style="list-style-type: none"> ○ with annexes transposing the lists of protected species of fauna and flora (according to Annexes II and IV to the Habitats Directive and Annexes I and II to the Birds Directive). 	MEPR, 2026	Adoption of the law

<p>2. Draft law on amending separate laws of Ukraine regarding protection of species (introducing prohibition of sale), including</p> <ul style="list-style-type: none"> - The Law of Ukraine "On Fauna" of 13.12.2001 No. 2894-14; - The Law of Ukraine "On Fish Farming, Industrial Fishing and Protection of Aquatic Bioresources" of 08.07.2011 No. 3677-VI, - The Law of Ukraine "On Flora" of 9.04.1999 N 591-XIV; - The Law of Ukraine "On Hunting Economy and Hunting" of 02.02.2000 No. 1478-14-III <ul style="list-style-type: none"> - with annexes transposing the lists of species of fauna, whose taking in the wild and exploitation may be subject to management measures (according to Annex V to the Habitats Directive and Annex III to the Birds Directive). 	MEPR, 2025	Adoption of the law
<p>3. Draft law on amending the Code of Ukraine of Administrative Offenses (expanding list offences and strengthening sanctions)</p>	MEPR, 2026	Adoption of the law
<p>4. Draft law on amending the Criminal Code of Ukraine (introducing criminal liability for violations of legislation in the sphere of protected species in correspondence with the Habitats and Birds Directives and the Directive on the protection of the environment through criminal law)</p>	MIA, MEPR, 2025	Adoption of the law
<p>5. Draft resolution of the CMU/order of the MEPR on approval of lists of species (according to Annexes II, IV and V to the Habitats Directive and Annexes I, II та III to the Birds Directive), if these have not been transposed by the above amendments to the laws</p>	MEPR, 2026	Adoption of the resolution of the CMU or the order of the MEPR

6. Making amendments to legislative acts in the sphere of hunting, as well as fishing, taking into account requirements and lists of species of wild animals as stipulated by the EU law	Minagro, MEPR, other central executive authorities, 2026	Adoption of the resolutions of the CMU, orders of the central executive authorities
7. Draft order of the MEPR on the rules of state recording of a number of game animals and scopes of their capture (taking into account the list of wild animals protected by the EU law)	MEPR, 2025	Adoption of the order of the MEPR

The key result in the legislative realm should be development of the framework draft law “On the Conservation of Habitats

This Law is aimed at fulfilling Ukraine's obligations under international treaties, the binding nature of which has been consented to by the Verkhovna Rada of Ukraine, and establishes the legal and organizational foundations for designating Emerald Network areas, special conservation areas, and special protection areas for the conservation of natural habitat types and habitats of species of wild fauna and flora that are subject to special protection in Europe, their management, including impact assessment on conservation areas in the process of decision-making on activities that may have an impact on conservation areas, taking into account economic, social, and cultural needs, as well as regional and local characteristics.

As part of the process of amending the legislation on species protection, **the draft Law of Ukraine “On Amendments to the Criminal Code of Ukraine Regarding the Prohibition of Sale of Flora and Fauna Objects Protected in Europe”** has been developed. Key points of the explanatory note to the draft law are presented below:

1. Rationale for adopting the draft law

The draft Law of Ukraine “On Amendments to Certain Laws Regarding the Prohibition of Sale of Flora and Fauna Objects Removed from the Natural Environment” proposes to transpose into Ukrainian legislation the requirements of the Bern Convention, the Habitats Directive and the Birds Directive concerning a strict protection regime for wild fauna and flora species, insofar as they establish a prohibition on the sale of flora and fauna objects removed from the natural environment, the species of which are specified in the appendices to the Bern Convention and in the list of wild flora and fauna species subject to special protection in Europe approved by the Cabinet of Ministers of Ukraine.

Article 3 of Directive (EU) 2024/1203 of the European Parliament and of the Council of 11 April 2024 on the protection of the environment through criminal law and replacing Directives 2008/99/EC and 2009/123/EC obliges Member States to establish criminal liability for selling or offering for sale a specimen or specimens of wild fauna or flora species protected under the Birds Directive and the Habitats Directive. However, the Criminal Code of Ukraine does not contain such an offence.

Part 8 of Article 3 of that Directive also sets out criteria that Member States must use when assessing what quantity of fauna or flora objects may be considered “insignificant” for the purpose of determining the threshold for criminal liability for the relevant act. These criteria will be applied by the central executive authority responsible for forming state policy in the field of environmental protection when developing an act that will determine what quantity of fauna or flora objects is considered “insignificant” within the meaning of the relevant article of the Criminal Code of Ukraine.

2. Goals and objectives of the act

To establish criminal liability for the sale of flora and fauna objects prohibited from sale.

3. General description and key provisions of the act

The draft Law provides for supplementing the Criminal Code of Ukraine with a new Article 249-1 (“Sale of Flora and Fauna Objects Prohibited from Sale”), in particular by establishing criminal liability for the sale or exchange, transportation or keeping for sale, as well as making an unlawful offer for sale or exchange, of flora or fauna objects removed from the natural environment, from among wild flora and fauna species subject to protection in Europe.

As a qualified offence under part two of the proposed new Article 249-1, the draft provides for increased sanctions for the same acts where they are committed by an official through abuse of official position, or by a group of persons upon prior conspiracy, or by a person previously convicted of a criminal offence provided for in this Article.

The draft also provides for a Note to the Article, under which the central executive authority responsible for forming state policy in the field of environmental protection will determine what quantity of fauna or flora objects is considered “insignificant” within the meaning of this Article of the Criminal Code of Ukraine.

4. Status of the regulatory framework in this area

The principal legal acts regulating this area of legal relations are the Constitution of Ukraine and the Criminal Code of Ukraine.

5. Financial and economic justification

Implementation of the provisions of this draft law will not require additional expenditures from the State Budget.

6. Forecast of socio-economic and other consequences of adopting the regulatory act

Adoption of the draft Law will contribute to strengthening the protection of flora and fauna species protected in Europe, and will have a positive effect on ecosystem stabilisation, restoration of species populations, public health, and other areas of social relations.

Explanatory Note to the draft Law of Ukraine “On Amendments to Certain Laws Regarding the Prohibition of Sale of Flora and Fauna Objects Removed from the Natural Environment”

1. Rationale for adopting the draft law

Annex XXX to the Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part (hereinafter referred to as the “Agreement”), in the “Nature Protection” sector, provides for measures to approximate national legislation to Directive 2009/147/EC on the

conservation of wild birds (the “Birds Directive”) and Directive 92/43/EC on the conservation of natural habitats and of wild fauna and flora (the “Habitats Directive”), in particular:

- adoption of national legislation and designation of the competent authority(ies) for transposition and implementation of the provisions of the Birds and Habitats Directives;
- introduction of protective conservation measures to protect migratory species (Article 4.2 of the Birds Directive);
- establishment of a general system of protection for all wild bird species, with a special subcategory of birds that may be hunted, and prohibition of certain methods of capture/killing of birds (Articles 5, 6, 7, 8, 9(1) and 9.2 of the Birds Directive);
- establishment of a strict protection regime for the species listed in Annex IV that concern Ukraine (Article 12 of the Habitats Directive).

Under part 1 of Article 6 of the Birds Directive, Member States shall prohibit, with respect to bird species covered by the Directive, the sale, transport for sale, keeping for sale, and offering for sale of live or dead birds and any readily recognizable parts or derivatives of such birds.

Under Part 2 of Article 12 of the Habitats Directive, Member States must prohibit the keeping, transport and sale or exchange, and offering for sale or exchange, of specimens of protected animal species taken from the wild, except for specimens that were lawfully taken prior to implementation of the Directive. Under Part 3 of Article 12 of the Habitats Directive, such prohibition must also apply to all life stages of the animals to which that Article applies.

Under item (b) of part 1 of Article 13 of the Habitats Directive, Member States must take the necessary measures to establish a system of strict protection for the plant species, including a prohibition on the keeping, transport and sale or exchange, and offering for sale or exchange, of specimens of such species taken from the wild, except for specimens that were lawfully collected prior to implementation of the Directive. Part 2 of the same Article provides that such prohibition must also apply to all stages of the biological cycle of the plants to which that Article applies.

Ukraine, as a Party to the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention), must also fulfil its obligations regarding strict protection of wild flora and fauna species protected under the Convention.

The strict protection regime under the Bern Convention and EU acts includes a prohibition on the sale of protected species taken from the natural environment; however, the national legislation of Ukraine does not contain such a prohibition.

2. Goals and objectives of the act

The purpose of the act is to transpose the requirements of the Bern Convention, the Habitats Directive and the Birds Directive on the strict protection regime for species, in the part concerning the establishment of a prohibition on the sale of flora and fauna objects removed from the natural environment, the species of which are specified in the appendices to the Bern Convention and in the list of wild flora and fauna species subject to special protection in Europe approved by the Cabinet of Ministers of Ukraine.

3. General description and key provisions of the act

The draft Law provides for amendments to:

- the Law of Ukraine “On the Plant World”;
- the Law of Ukraine “On the Animal World”;
- the Law of Ukraine “On the Protection of Animals from Cruelty”;
- the Law of Ukraine “On Fisheries, Industrial Fishing and Protection of Aquatic Bioresources”,

to introduce a statutory prohibition on sale and exchange (including via the Internet), transportation or keeping for sale, as well as offering for sale or exchange (including via the Internet) of flora and fauna objects removed from the natural environment, the species of which are specified in the appendices to the Bern Convention and in the list of wild flora and fauna species subject to special protection in Europe approved by the Cabinet of Ministers of Ukraine, except for those that were grown/bred under artificially created conditions or acquired in another manner not prohibited by law, as evidenced by the relevant documents.

4. Status of the regulatory framework in this area

At the legislative level, relations in the field of protection of flora and fauna are governed by the Laws of Ukraine “On the Animal World”, “On the Plant World”, “On the Protection of Animals from Cruelty”, “On Fisheries, Industrial Fishing and Protection of Aquatic Bioresources”, as well as other regulatory legal acts. At the same time, the national legislation of Ukraine does not prohibit the sale of protected species taken from the natural environment.

5. Financial and economic justification

Financing measures for implementation and ensuring compliance with the prohibition on sale of protected flora and fauna objects removed from the natural environment will not require additional expenditures from the State or local budgets.

6. Forecast of socio-economic and other consequences of adopting the regulatory act

Expected impact of implementation of the act on:

the market environment:

formation of a legal market for protected flora and fauna species bred (grown) under artificial conditions;

raising production standards, in particular by promoting transparency, certification and control of product origin;

safeguarding the rights and interests of businesses and citizens;

the state:

reduction of poaching;

conservation and restoration of species populations through introduction of an element of strict protection, in particular the prohibition on sale of protected flora and fauna objects removed from the natural environment;

stabilization of ecosystems and reduction of pressure on natural resources;

fulfilment by Ukraine of its international obligations under the Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part, and under the Convention on the Conservation of European Wildlife and Natural Habitats;

regional development:

increasing the capacity of territorial communities and creating conditions for attracting international investment due to Ukraine's compliance with European and international nature protection standards.

Implementation of the draft law is expected to have a positive effect on ecosystem stabilisation, restoration of species populations, public health, and other areas of social relations.

Explanatory Note to the Draft Resolution of the Cabinet of Minister of Ukraine

On Measures for Conservation of the Emerald Network Sites

1. Purpose of the regulation

The purpose of the regulation is to ensure conservation of natural habitats and habitats of species of wild flora and fauna by means of regulatory approval of the list of the Emerald Network sites as adopted by the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats of 19.09.1979 (hereinafter referred to as the Bern Convention), and to ensure inclusion of the information on such sites into the state official geoinformation registers and their boundaries and areas are taken into account in the state planning documents of the national, regional, and local level.

2. Justification of the regulation adoption

Approval of the Emerald Network sites, their official identification and setting the priorities for management of these sites is carried out with the purpose of conservation of natural habitats, species of wild flora and fauna and their habitats. The said commitment arises from Annex XXX to the Association Agreement between Ukraine, of the one part, and the European Union, European Atomic Energy Community and their Member States, of the other part, ratified with a declaration by the Law No. 1678-VII of 16.09.2014 (hereinafter referred to as the Association Agreement) providing for the implementation of the Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora of 21.05.2021 (hereinafter referred to as the Habitats Directive).

The list of the Emerald Network sites for Ukraine has already been adopted by the Standing Committee of the Bern Convention, which corresponds to the international procedure of approval of such sites. Information on these sites belongs to mandatory geospatial data sets according to the Law of Ukraine of 13 April 2020 No. 554-IX.

Due to the above, a need arises in approval of a single official list of the Emerald Network sites at the national level.

This will ensure:

- gradual fulfilment by Ukraine of the international obligations under the Association Agreement and the Bern Convention;
- properly taking into account these sites in the processes of spatial and urban planning;
- development and implementation of the measures for management and protection of natural habitats and species.

Adoption of the resolution will establish the regulatory basis for official application of the list of the Emerald Network sites agreed at the international level and facilitate integrated and efficient management of these sites.

3. Key Provisions of the Draft Resolution

The Draft Resolution provides for:

- approval of the list of the Emerald Network sites as adopted by the Standing Committee of the Bern Convention, to which Ukraine is a party.
- ensuring display of the information on such sites on the cartographic basis of the State Land Cadastre as a separate information layer according to the Procedure for Information Interaction between the State Land Cadastre, Other Cadastres and Information Systems;
- ensuring the boundaries and areas of the Emerald Network sites are taken into account by the state authorities, Oblast State (Military) Administrations and other responsible bodies in the regional and local schemes of the econetwork development and in relevant state planning documents.

4. Legal Aspects

The legal grounds for adopting the regulation are as follows:

- the Association Agreement between Ukraine and the European Union (Annex XXX, Nature Protection sector);
- the Convention on the Conservation of European Wildlife and Natural Habitats;
- the legislation in the area of: environmental protection, geodesy, cartography, and state cadastres maintenance.

Adoption of the Resolution does not require any amendments to be made to other regulations.

5. Financial and Economic Justification

Implementation of the regulation shall be carried out within the expenses stipulated in the state budget for maintenance of the relevant executive authorities and does not require any additional costs from the state budget.

6. Position of the Stakeholder Bodies

A draft regulation is to be approved by:

- the Ministry of Economy, Environment and Agriculture;
- the State Service of Ukraine for Geodesy, Cartography and Cadastre;
- other interested executive authorities.

Stakeholder bodies support the necessity of the official identification of the list of the Emerald Network sites and display of the information on them in the state official geoinformation registers.

7. Assessment of the Draft Regulation Compliance with Ukraine's International Obligations

The draft resolution complies with Ukraine's international obligations in the area of nature protection and ensures fulfilment of the requirements of the EU-Ukraine Association Agreement regarding implementation of the Directive of the European Parliament and of the Council 2009/147/EC of 30 November 2009 on the conservation of wild birds and the Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, and the Convention on the Conservation of European Wildlife and Natural Habitats of 19.09.1979.

8. Forecast of the Implementation Results

The implementation of the regulation will ensure:

- regulatory recognition of the list of the Emerald Network sites;
- inclusion of the information on these sites into the state geoinformation systems and cadastres;
- providing opportunity for the information on the Emerald Network sites being properly taken into account in the process of urban and spatial planning;
- increased level of conservation of natural habitats and habitats of species of wild flora and fauna; and

- harmonization of the state nature protection policy with the European requirements and Ukraine's international commitments.

EPL developed the following comments to ***the draft Order of the Ministry of Economy, Environment and Agriculture of Ukraine “On Approval of the Rules for the State Accounting of Game Animals and the Volume of Their Harvest”***:

- This Order will create unfounded grounds for counting Red Data Book species as game animals, will allow an increase in the harvest volumes of game animals, and will create legal conflicts with the Procedure for the State Accounting of Rare and Endangered Species of Animals and Plants Listed in the Red Data Book of Ukraine (Order of the Ministry of Ecology and Natural Resources No. 486 of 9 October 2012). The Order also unjustifiably classifies the marmot as a game species, although since 2021 it has been listed in the Red Data Book of Ukraine, as well as a number of other species that fall into categories (groups) that may include both game species and species for which hunting is prohibited.
- The draft Rules, contrary to their main purpose, provide, inter alia, for the accounting of animals listed in the Red Data Book of Ukraine and which cannot be considered game animals, since, pursuant to Article 1 of the Law of Ukraine “On Hunting Management and Hunting,” game animals are wild mammals and birds that may be objects of hunting. In particular, Annex 13 concerns the accounting of waterfowl game (Charadriiformes), a significant number of whose species are included in the Red Data Book of Ukraine (e.g., Eurasian oystercatcher, black-winged stilt, etc.).
- Clause 4 of the Rules refers to accounting for the population size and harvest of game animals defined in Article 19 of the Law of Ukraine “On Hunting Management and Hunting.” However, Article 19 contains a list that includes the **marmot**, which is listed in the Red Data Book of Ukraine. Therefore, hunting the marmot is illegal, and this species cannot be considered a game species. Accordingly, the marmot and other species listed in the Red Data Book of Ukraine should be accounted for in accordance with the Procedure for the State Accounting of Rare and Endangered Species of Animals and Plants Listed in the Red Data Book of Ukraine (Order of the Ministry of Ecology and Natural Resources No. 486 of 9 October 2012).
- Species listed in the Red Data Book of Ukraine, and keeping records not of individual game species but at the level of “species groups” that include both game and non-

game species, will lead to distortions in the recorded population size of game animal populations and may serve as a basis for unjustified inflation of limits for the use of game animals.

Institutional changes that are to be performed in the system of environmental governance in Ukraine are related to financial issues that are to be taken into consideration. Thus, below there are summarized results analysis of economic aspects of transposition and implementation of the Habitats and Birds Directives in Ukraine:

Key take-aways

- Severe underfunding persists for the management of Emerald Network sites across Ukraine, with most regions investing less than €2 per hectare annually, and some even less than €1 per hectare.
- Funding disparities across regions present a major challenge to ensuring consistent biodiversity protection nationwide, threatening Ukraine's ability to meet European conservation standards.
- There is a critical gap between current and optimal financing, especially for strategic investment areas such as land acquisition, habitat restoration, species management, and community engagement.
- Structural reforms are urgently needed to better align funding with conservation priorities, ensure equitable distribution across regions, and create long-term financial mechanisms.
- Baseline management costs for Ukraine's Emerald Network sites are estimated at €66 per hectare per year (slightly higher than some EU countries due to current network structure in Ukraine and historic underestimations in the EU).
- Expanding the protected area network offers major efficiency gains: scaling up Emerald Network coverage from 13% to 35% of Ukraine's territory could reduce average management costs by nearly 40%.
- The Emerald Network is estimated to generate substantial economic benefits, valued at around €1.9 billion (equivalent of €238 per hectare) annually, driven by timber, tourism, freshwater services, climate regulation, and other ecosystem services.
- Overall, the estimated economic benefits of the Emerald Network outweigh the projected costs of investing in the sites and managing them.

Current state of financing for environmental protection activities

An analysis of regional funding for nature conservation and sustainable resource use within Ukraine's Emerald Network sites between 2018 and 2024 reveals strong territorial disparities. The highest average annual funding per hectare was recorded in the Zaporizhzhia region (€32.93/ha/year), significantly outperforming other regions. In contrast, the majority of Ukrainian regions allocate less than 2 €/ha/year to these activities, and some regions - particularly in the south and north - invest less than 1 €/ha/year.

This uneven distribution of financial support at the local level points to systemic challenges in ensuring consistent biodiversity protection across Ukraine. Given that the Emerald Network is an essential part of the pan-European ecological network, such fragmentation threatens Ukraine's ability to meet its conservation obligations under European standards. The findings highlight the urgent need for more strategic financial planning and harmonisation across all regions to ensure a baseline standard of conservation management.

These concerns are compounded by the significant gap between current and optimal levels of funding for the development and maintenance of protected areas. As shown in Figure 2, a survey of managers responsible for these protected areas shows that current funding does not meet needs in almost all cost categories.

The largest gaps were identified in one-off investment needs, such as land acquisition and compensation payments related to development restrictions. Respondents pointed out that Ukrainian legislation often does not provide for such expenditure, despite the recognised need for such investment. In these categories, the funding gap is effectively total - recorded as 100%, meaning that no funding is currently available.

A similar situation exists for specific recurrent costs, such as the implementation of measures to maintain the favourable conservation status of species and ecosystems, or the establishment of cooperative management schemes with landowners and users. In these areas, the lack of dedicated financial support reflects a wider neglect of long-term biodiversity management at government level.

Even in categories where the funding gap is somewhat smaller - such as site monitoring (75.2% gap) or community engagement and compensation payments (81.1% gap) - the level of unmet need remains alarmingly high.

Across all funding groups - both one-off and recurring - the results indicate a severe underfunding of the core strategic areas essential for the long-term sustainability of the Emerald Network. Activities such as strategic ecosystem restoration, landowner engagement and effective conservation planning are among the least supported, despite being critical to building a resilient conservation framework.

The findings highlight that addressing the crisis requires more than simply increasing overall funding. Structural reforms are needed to better align funding allocations with actual conservation priorities. This includes:

- Targeting resources towards strategic planning, restoration efforts and stakeholder engagement.
- Integrating the valuation of ecosystem services into budget planning.
- Ensuring an equitable distribution of funding across all regions.
- Establishing mechanisms for consistent, long-term funding to secure the ecological integrity and socio-economic benefits of the Emerald Network.

Projected Funding Needs for the Management of Emerald Network Sites in Ukraine

The financial needs for managing the Emerald Network sites in Ukraine were estimated using a predictive model based on the experience of 25 European countries. The analysis applied a weighted quantile regression forest approach, which accounts for non-linear relationships and better reflects the realities of countries with socio-economic conditions similar to Ukraine.

The modeling results show that the baseline cost of managing the Emerald Network sites in Ukraine is approximately €66 per hectare per year. After adjusting the model to narrow the prediction range, the estimated costs fall between €57 and €74 per hectare annually. These figures offer a reliable foundation for financial planning and highlight that Ukraine's expected costs are slightly higher compared to some EU member states. This difference is largely attributed to the current spatial structure of Ukraine's Emerald Network, which does not yet benefit from economies of scale, and to historical underestimations of costs in EU countries. Further analysis explored the effect of expanding the Emerald Network's coverage. Results clearly demonstrate that as the protected area increases, unit management costs decrease significantly. For example, increasing the coverage from the current 13% to 20% of the national territory would reduce costs to €56 per hectare per year. A more ambitious expansion to 35% would lower them even further to approximately €40 per hectare annually. This trend supports the economic rationale for expanding protected areas: larger networks allow administrative and operational costs to be spread over a greater area, improving cost-efficiency.

The findings emphasize that strategic expansion of the Emerald Network is not only beneficial from a biodiversity conservation perspective but also from a budgetary standpoint. Scaling up the network could substantially lower the average cost per hectare while improving the effectiveness and resilience of conservation efforts. In addition, a broader

network would bring Ukraine closer to the targets set by the EU Biodiversity Strategy for 2030, fostering better integration into European environmental frameworks.

Based on the results, it is recommended that Ukraine pursue a gradual and structured expansion of the Emerald Network, aiming to reach at least 30% national coverage in the medium term. Financial planning should incorporate the predicted cost decreases associated with larger network sizes. Furthermore, optimizing the spatial structure of protected areas could yield additional savings. Strengthening the network now would create long-term economic and ecological benefits, aligning Ukraine's conservation efforts with European standards while ensuring more sustainable and cost-effective management of its natural heritage.

Economic benefits arising from the Emerald Network Sites in Ukraine

The economic benefits of the Emerald Network in Ukraine are substantial, demonstrating its critical role in both biodiversity conservation and sustainable economic development. Using adapted European approaches, the annual economic value of the network has been estimated at around €1.9 billion, or about €238 per hectare.

The valuation covers a wide range of ecosystem services. Direct benefits include timber production, tourism and freshwater supply. In the Carpathian region alone, the value of harvested timber was estimated at €106 million per year and water supply services at over €1.27 billion per year. These figures underline the importance of mountain ecosystems not only for local communities, but also for national water security and economic stability.

Indirect benefits such as flood prevention and climate regulation were found to add significant value. Services such as carbon sequestration by old-growth forests in the Carpathians contribute to Ukraine's efforts to mitigate climate change and provide additional economic benefits. The overall contribution of regulating ecosystem services strengthens the resilience of agricultural production, urban water supplies and infrastructure.

Non-use values - reflecting public willingness to support conservation for its own sake - were also significant. After adjusting for local economic conditions, willingness-to-pay estimates suggest that the Ukrainian public values the existence of healthy ecosystems and biodiversity at an additional €320 million per year.

The analysis confirms that the expansion and proper management of the Emerald Network is not only an environmental necessity, but also a sound economic strategy. It supports rural development through ecotourism and sustainable resource use, reduces disaster risks and strengthens Ukraine's position in meeting European Union biodiversity standards.

Investing in the Emerald Network would thus yield multiple returns: protecting natural capital, promoting socio-economic growth, and helping to meet international commitments under the

EU integration process and the post-2020 Global Biodiversity Framework. Strengthening financial mechanisms and integrating nature-based solutions into national and regional development plans should therefore become a strategic priority for Ukraine.

The project experts consider establishment of the Agency for Nature Conservation to be the key element of the institutional changes in the system of environmental governance. Therefore, draft Provision of the Agency for Nature Conservation was developed to present key tasks and functions of the Agency.

REGULATION

on the Agency for Biodiversity (Nature) Conservation of Ukraine

1. The Agency for Biodiversity (Nature) Conservation of Ukraine (hereinafter referred to as the Agency) is a central executive body with a special status, whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the central executive body authorized to formulate state policy in the field of biodiversity conservation, plant protection, animal welfare, forestry and hunting management (hereinafter referred to as the line ministry).
2. The Agency is established and operates for the purpose of implementing state policy in the field of biodiversity conservation, management of the Emerald Network (Natura 2000) sites, ensuring effective management of the objects of the nature reserve fund (hereinafter referred to as the NRF), conservation and use of the ecological network of Ukraine, and fulfilment of Ukraine's international and European integration obligations in the field of biodiversity conservation.
3. In its activities, the Agency is guided by the Constitution and laws of Ukraine, acts of the President of Ukraine, the Cabinet of Ministers of Ukraine, other regulatory legal acts, as well as this Regulation.
4. Within the scope of powers provided for by law, on the basis of and in implementation of the Constitution and laws of Ukraine, acts of the President of Ukraine and resolutions of the Verkhovna Rada of Ukraine adopted in accordance with the Constitution and laws of

Ukraine, acts of the Cabinet of Ministers of Ukraine, and orders of the line ministry, the Agency issues organizational and administrative orders, organizes and controls their implementation.

5. The Agency is a legal entity of public law, has an independent balance sheet, accounts in the Treasury bodies, and a seal bearing the image of the State Emblem of Ukraine and its name.

6. The main tasks of the Agency are:

1) implementation of state policy in the field of biodiversity conservation, conservation and restoration of natural ecosystems, conservation and use of the ecological network of Ukraine, management of the Emerald Network, ensuring the implementation in Ukraine of the Natura 2000 network with further management of this network, in particular by means of coordination and cooperation with state authorities, local self-government bodies and other authorized entities responsible for the management of nature protection territories;

2) fulfilment of Ukraine's European integration obligations in the field of conservation of types of natural habitats and species of wild flora and fauna, in particular implementation of the provisions of Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, Regulation (EU) 2024/1991 on nature restoration;

3) organization of protection and use of the nature reserve fund;

4) coordination of the activities of the administrations of NRF objects in the part of biodiversity conservation, development of unified standards for the management of nature protection territories;

5) organization and implementation of monitoring of the state of biodiversity conservation, types of natural habitats, species of wild flora and fauna, ecosystems, and maintenance of the National Biodiversity Cadastre;

- 6) development and approval of management plans for the Emerald Network (Natura 2000) sites;
- 7) ensuring cooperation with international organizations, participation in the implementation of EU programs (in particular LIFE, Horizon Europe), as well as attraction of international technical assistance;
- 8) organization of scientific and methodological support of measures on biodiversity conservation, popularization of knowledge about nature and environmental education.

7. In accordance with the tasks assigned, the Agency:

1) implements measures of state policy in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna, conservation and use of the ecological network, management of the Emerald Network (Natura 2000) sites, ensuring effective management of objects of the nature reserve fund;

2) summarizes the practice of application of legislation on issues in its areas of competence, develops proposals for improving legislative acts, acts of the President of Ukraine and the Cabinet of Ministers of Ukraine, regulatory legal acts of ministries and, in due course, submits them to the line minister in regards of:

- conservation, use and reproduction of species of wild flora and fauna;
- maintenance of state records and cadastre of the plant world, animal world and biodiversity;
- maintenance of state records of the number of objects of the animal world and records of the volumes of their taking;
- establishment of ecological standards, limits, norms of use of objects of the animal world;
- special use of objects of the animal world;
- registration and keeping of wild animals removed from the natural environment for the purpose of providing them assistance;
- sale of objects of the animal world confiscated or gratuitously withdrawn as a result of violation of the requirements of legislation on import into Ukraine and export outside its borders of wild animals and other objects of the animal world;

- establishment of rules for taking wild animals, as well as their keeping and breeding in semi-free conditions or in captivity;
- establishment of rules for taking rare and endangered species of animals for breeding in specially created conditions, as well as for scientific research and other purposes;
- regulation of measures necessary to reduce the number of animals in case of occurrence or threat of occurrence of epizootics and in case of occurrence of other dangerous situations;
- use of wild animals for the purpose of obtaining products of their vital activity;
- creation of regional centres for rescue and rehabilitation of wild animals, placement of wild animals in them and their keeping;
- establishment of limits of special use of natural plant resources of national significance;
- use of natural plant resources for scientific research purposes;
- approval of lists of wild-growing plant species, the distribution and number of which are subject to regulation, as well as the procedure for carrying out measures for regulating their distribution and number;
- collection of technical, medicinal, spice-aromatic and food raw materials from wild-growing plants;
- general use and reproduction of natural plant resources;
- introduction and acclimatization of plants;
- import into Ukraine and export outside its borders of species of wild flora and fauna;
- approval of standards of special use of natural plant resources;
- identification of natural plant communities subject to inclusion in the Green Data Book of Ukraine, approval of lists of rare and endangered and typical natural plant communities that are subject to protection and are included in the Green Data Book of Ukraine;
- maintenance of the Red and Green Data Books of Ukraine;
- creation, replenishment, storage, use, alienation and maintenance of state records of zoological and botanical collections, trade in them, as well as their import into Ukraine, forwarding and export outside its borders;
- approval of lists of species of animals, plants and fungi that are included in the Red Data Book of Ukraine, and species that are excluded from it;
- maintenance of state records of rare and endangered species of wild flora and fauna included in the Red Data Book of Ukraine;
- special use (taking, collection) of objects of the Red Data Book of Ukraine;

- compensation for illegal taking, destruction or damage of species of wild flora and fauna included in the Red Data Book of Ukraine, as well as for destruction or deterioration of their natural habitats and the methodology for its calculation;
- conducting risk assessment of potential impact of genetically modified organisms on the environment;
- establishment of the list of lands on which a restriction regarding cultivation of genetically modified varieties of plants is applied;
- identification and inclusion of animal species not included in the Red Data Book of Ukraine, but those having special scientific, nature protection or other value, into the lists of animal species that are subject to special protection, establishment of the procedure for their protection, use and reproduction;
- approval of standard designs of means for transportation of wild animals;
- determination of belonging of forest territories to virgin forests, quasi-virgin forests, natural forests;
- ensuring conservation of biological and landscape diversity, territories and objects of the nature reserve fund of Ukraine, formation of the national ecological network;

3) develops and participates in implementation of state target programs in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna, conservation and use of the ecological network, management of the Emerald Network (Natura 2000) sites;

4) develops proposals regarding determination of priorities for development of state policy in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna, management of the Emerald Network (Natura 2000) sites, ensuring effective management of objects of the nature reserve fund;

5) plans resources and measures necessary for implementation of state policy on issues falling within the competence of the Agency;

6) ensures, within the limits of powers, observance and organization of fulfilment of obligations assumed by Ukraine under international treaties in relevant spheres, participates in preparation of international treaties of Ukraine, ensures implementation of international cooperation, studying, generalization and dissemination of international experience in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna;

- 7) participates in implementation of measures on adaptation of legislation of Ukraine in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna to the legislation of the European Union;
- 8) ensures creation, maintenance, functioning and public access to the National Biodiversity Cadastre;
- 9) organizes and carries out monitoring of the state of biodiversity, types of natural habitats, species of wild flora and fauna;
- 10) ensures planning, creation, identification, change of boundaries, expansion and cancellation of the Emerald Network (Natura 2000) sites in Ukraine, including preparation of scientific substantiations, standard data forms, drafts of decisions on granting the relevant status to territories, their approval with the line ministry and submission in due course to the relevant international institutions;
- 11) develops and approves management plans for the Emerald Network (Natura 2000) sites;
- 12) ensures practical implementation of the protection and management regime of the Emerald Network (Natura 2000) sites, including determines conservation objectives for each site of the Emerald Network;
- 13) develops and approves standard management plans for objects of the nature reserve fund that have administrations, as well as management plans for objects of the nature reserve fund that do not have administrations;
- 14) approves land management projects regarding organization and establishment of boundaries of the territories of the nature reserve fund and other nature protection purpose (in case of presence of territories or objects of the nature reserve fund of national significance);
- 15) provides, within the limits of powers provided by law, to the composition of land management documentation information on restrictions in land use, observance of the

protection and use regime of the relevant territory and requirements of nature protection legislation;

16) approves decisions on establishing maximum norms of free collection of wild-growing herbaceous plants, flowers, berries, nuts, mushrooms;

17) issues, cancels and reissues, in due course, documents of a permit nature for:
special use of objects of the animal world;

special use of natural plant resources;

resettlement of species of wild fauna to new places of stay, acclimatization of new for the fauna of Ukraine species of wild animals, carrying out measures regarding crossbreeding of wild animals;

keeping of wild animals in captivity;

import and export of specimens of species of wild fauna and flora, certificates for travelling exhibitions, re-export and introduction-from-the-sea of such specimens (except sturgeon fish and products made from them), which are objects of regulation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora;

special use (taking, collection) of objects included in the Red Data Book of Ukraine;

the right to carry out breeding in semi-free conditions or in captivity of animal species included in the Red Data Book of Ukraine;

conducting state approbations (trials) of genetically modified organisms in an open system;

release of genetically modified organisms in an open system;

transit movement of genetically modified organisms not registered in Ukraine;

18) provides prior informed consent regarding the possibility of transboundary movement of genetically modified organisms intended for intentional introduction into the environment, in accordance with the Cartagena Protocol on Biosafety and the Convention on Biological Diversity;

- 19) coordinates the activities of the administrations of objects of the nature reserve fund, approves, upon submission of such administrations, management plans of objects of the nature reserve fund and exercises control over their implementation;
- 20) approves standards of special use of natural plant resources;
- 21) carries out monitoring of the state of biodiversity, maintains state records and cadastre of the plant and animal world;
- 22) maintains the Red and Green Data Books of Ukraine;
- 23) carries out management of the formation, conservation and use of the national ecological network;
- 24) ensures, in the sphere of organization of conservation and use of the nature reserve fund, regulatory legal regulation, namely develops drafts of regulatory legal acts with subsequent sending of them to the line ministry on the issues of:
 - special use of natural resources within the territories and objects of the nature reserve fund;
 - maintenance of the state cadastre of territories and objects of the nature reserve fund;
 - activities of the state protection service of the nature reserve fund;
 - research, recreational, environmental-educational activities of nature and biosphere reserves and national nature parks;
 - economic substantiation of development of the nature reserve fund, as well as economic assessment of natural complexes and objects that are part of it;
 - maintenance of the passport of a wetland of international importance;
 - determination of belonging of territories to primeval-forest monuments of nature;
- 25) approves limits for use of natural resources within the territories and objects of the nature reserve fund of national significance;
- 26) maintains the state cadastre of territories and objects of the nature reserve fund;

27) ensures, in accordance with competence, display on the Internet of geospatial data and metadata and unimpeded users' access to the State Cadastre of territories and objects of the nature reserve fund, including, namely, the following:

ensures ordering, creation, use, updating, publication and performance of other actions with geospatial data and metadata regarding territories and objects of the nature reserve fund, their functional and protection zones, territories reserved for the purpose of subsequent reservation, the Emerald Network (Natura 2000) sites, wetlands of international importance, biosphere reserves of the UNESCO "Man and the Biosphere" programme, UNESCO world heritage sites;

ensures relevance, reliability, substantiation, completeness, accuracy, openness, interoperability of geospatial data and metadata regarding the specified territories and objects;

ensures access to its geospatial data and metadata, information interaction with other data holders, including with the help of geoportal services;

28) participates in formation of scientific and technical policy and coordinates its implementation in the sphere of organization of protection and use of the nature reserve fund, in particular regarding generalization of results of scientific research on the territories of nature and biosphere reserves, national nature parks, approval of the procedure for preparation and programmes of the Chronicle of Nature, approval of programs and plans of scientific research works on the territories and objects of the nature reserve fund, development of scientific basis for protection, reproduction and use of natural resources and especially valuable natural objects;

29) determines the composition, tasks and procedure of activity of scientific and scientific-technical councils of natural reserves, biosphere reserves, national nature parks and botanical gardens belonging to the sphere of management of the Agency;

30) carries out management of protection and use of territories and objects of the nature reserve fund, activities of the state protection service of the nature reserve fund, prepares and submits proposals regarding creation, declaration of new territories and objects of the nature reserve fund, change of their boundaries, category and cancellation of status of

existing territories and objects, ensures organization of creation of nature protection territories of international significance;

31) approves projects of organization of the territory of nature and biosphere reserves, national nature parks, botanical gardens of national significance, projects of maintenance and reconstruction of parks-monuments of landscape gardening art of national significance; approves technical assignments for development of projects of organization of the territory of nature and biosphere reserves, national nature parks belonging to the sphere of management of the Agency, and approves technical assignments for development of such projects for objects belonging to the sphere of management of other institutions and organizations;

32) approves projects of organization of territories of dendrological, zoological parks and botanical gardens of national significance, projects of maintenance and reconstruction of parks-monuments of landscape gardening art of national significance that do not belong to the sphere of management of the Agency;

33) approves, with subsequent referral to the line ministry, regulations on ecological funds of natural, biosphere reserves, national nature parks, botanical gardens, dendrological parks and zoological parks;

34) approves appointment of heads of special administrations of nature and biosphere reserves, national nature parks, botanical gardens, dendrological and zoological parks of national significance, as well as regional landscape parks;

35) organizes on-site establishment (on the terrain) of boundaries of territories and objects of the nature reserve fund;

36) approves the establishment of a fee for visiting territories and objects of the nature reserve fund for institutions of the nature reserve fund of national significance and for institutions of the nature reserve fund established in the exclusion zone and the zone of unconditional (mandatory) resettlement;

37) ensures the development of projects for creation, declaration, change of boundaries, category and cancellation of the status of territories and objects of the nature reserve fund of national significance, projects for reservation of natural territories and objects valuable for

reservation, reviews and approves petitions on the necessity of creation or declaration of such territories and objects, approves change of boundaries, category and cancellation of the status of territories and objects of the nature reserve fund;

38) approves regulations on territories and objects of the nature reserve fund of national significance, as well as regulations on territories and objects that have special ecological value;

39) determines authorized land users or bodies responsible for protection of objects of the nature reserve fund that do not have administrations, concludes relevant agreements or memoranda with them;

40) exercises control over fulfilment by authorized land users or bodies responsible for protection of objects of the nature reserve fund that do not have administrations, of the terms of relevant agreements, memoranda and management plans;

41) within the competence of the Agency, prepares national reports for the European Commission and the Secretariat of the Convention on the Conservation of European Wildlife and Natural Habitats and other international bodies within its competence;

42) organizes research activity in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna, conservation and use of the ecological network, coordinates cooperation with research institutions, non-governmental organizations and territorial communities;

43) participates in development of communication policy in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna, conservation and use of the ecological network;

44) informs and provides explanations regarding implementation of state policy on issues falling within the competence of the Agency, promotes development of environmental education and environmental upbringing of the population in the field of biodiversity conservation, conservation of types of natural habitats, species of wild flora and fauna, management of the Emerald Network (Natura 2000);

- 45) carries out consideration of citizens' appeals on issues related to the activities of the Agency;
- 46) organizes work on attraction of international financial and technical assistance, grants and other international programs in the defined areas;
- 47) every three years prepares and publicly presents a report on implementation of measures on biodiversity conservation in Ukraine;
- 48) carries out other functions determined by the legislation of Ukraine.

8. The Agency has the right:

- 1) to require provision, in due course, from executive authorities, local self-government bodies, enterprises, institutions and organizations regardless of the form of ownership, of information, documents, materials, geospatial data and other information necessary for performance of the tasks and functions entrusted to the Agency;
- 2) to involve, in due course, research institutions, expert institutions, non-governmental organizations, specialists and consultants in performance of individual tasks, conducting research, assessments, expert examinations and development of drafts of regulatory legal acts;
- 3) to establish advisory, consultative, scientific-technical and expert bodies, commissions and working groups to resolve issues falling within the competence of the Agency;
- 4) to represent the interests of Ukraine in international nature protection organizations, working groups, committees, including of the European Union, the Council of Europe, the United Nations Environment Programme (UNEP), UNESCO, as well as to participate in international programs, projects and cooperation mechanisms;
- 5) to initiate development of drafts of regulatory legal acts in the field of biodiversity conservation, natural habitats, species of wild flora and fauna, creation and management of territories of the nature reserve fund and the Emerald Network sites, fulfilment of Ukraine's international and European integration obligations;

- 6) to obtain, in due course, access to state registers, cadastres, data banks, geoportals, information systems and bases of ecological information for the purpose of implementation of the powers entrusted to the Agency;
- 7) to adopt decisions on creation, change of boundaries, status and categories of nature protection territories, including sites of the Emerald Network (Natura 2000), as well as to participate in procedures of environmental impact assessment, strategic environmental assessment;
- 8) to require from business entities, authorities and institutions conducting measures on elimination of violations of legislation in the field of biodiversity conservation, natural habitats, species of wild flora and fauna, maintenance of cadastres and ensuring of protection regimes of the nature reserve fund;
- 9) within the competence to initiate conducting by authorized state control bodies of service inspections, audits, inspection surveys related to violation of protection regimes of NRF objects, natural habitats, species of wild flora and fauna;
- 10) to obtain information from authorities of foreign states, international organizations and the European Commission within the framework of international treaties of Ukraine and cooperation programmes;
- 11) to submit, in due course, proposals to drafts of state and regional programmes, strategies, nature restoration plans, conservation of natural habitats, species of wild flora and fauna, formation and development of the national ecological network;
- 12) to carry out information and educational activity, organize communication campaigns, training programs, public consultations, discussions of draft decisions and regulatory legal acts falling within the competence of the Agency;
- 13) to initiate creation, maintenance and filling of sectoral information systems, databases, geospatial layers and registers related to biodiversity, natural habitats, territories of the nature reserve fund and the Emerald Network (Natura 2000) sites;
- 14) within the limits of powers, to submit proposals mandatory for consideration to executive authorities, local self-government bodies, enterprises, institutions and

organizations regarding measures on preventing degradation of natural habitats, conservation of species of wild flora and fauna, ensuring protection regimes of nature protection territories;

15) to initiate, in due course, conducting scientific research, mapping, inventory, records, monitoring of natural habitats and species necessary for fulfilment of Ukraine's national and international obligations;

16) to exercise other rights provided by law necessary for proper performance of the tasks and functions of the Agency.

9. The Agency is headed by the Head, who is appointed to the position and dismissed from the position by the Cabinet of Ministers of Ukraine upon submission of the Prime Minister of Ukraine.

10. The Head of the Agency:

1) carries out management of the activities of the Agency, bears personal responsibility for performance of the tasks entrusted to it;

2) distributes duties among his/her deputies, determines the degree of their responsibility and ensures coordination of their activities;

3) approves the structure of the central apparatus of the Agency upon approval with the Cabinet of Ministers of Ukraine;

4) appoints to positions and dismisses employees of the Agency in the manner established by legislation;

5) approves regulations on structural subdivisions of the Agency, determines their tasks and functions;

6) represents the Agency in relations with other authorities, institutions, organizations and international partners;

- 7) ensures interaction of the Agency with the line ministry, submits for approval drafts of regulatory legal acts prepared by the Agency, other documents and proposals within the competence of the Agency;
 - 8) ensures effective planning of the activities of the Agency, approves work plans of the Agency and reports on their implementation;
 - 9) organizes preparation of international and European reporting, interaction with institutions of the European Union, the Council of Europe and other international organizations;
 - 10) bears personal responsibility for carrying out annual public reporting on implementation of measures on biodiversity conservation in Ukraine.
11. The Head of the Agency has four deputies, including one first deputy, who are appointed to positions and dismissed from positions in accordance with legislation on the civil service.
12. For agreed collective resolution of issues, a collegium is established in the Agency, the composition of which is approved by the Head of the Agency.

Decisions of the collegium may be implemented by issuance of the relevant order of the collegium.

13. For consideration of scientific recommendations and conducting professional consultations on the main issues of activity, other permanent or temporary consultative, advisory and other auxiliary bodies may be established in the Agency.

The decision on establishment or liquidation of the collegium, other permanent or temporary consultative, advisory and other auxiliary bodies, their quantitative and personal composition, regulations on them are approved by the Head of the Agency.

14. The Agency exercises its powers directly and through regional offices established in due course.

15. The structure of the Agency consists of the central apparatus and regional offices, which are established in the oblasts of Ukraine to ensure implementation of state policy on the ground.

16. Regional offices of the Agency are territorial bodies of the Agency, act on the basis of regulations approved by the Head of the Agency, and are subordinated directly to the Head of the Agency or the deputy determined by him/her.

17. Regional offices, within the scope of their powers, ensure implementation of the tasks and functions of the Agency in the relevant territories, in particular, participate in maintaining state cadastres, monitoring of the state of biodiversity, organization of management of territories of the nature reserve fund and the Emerald Network sites, implementation of nature protection measures and interaction with local self-government bodies.

18. Heads of regional offices are appointed to positions and dismissed by the Head of the Agency in the manner established by legislation; they bear personal responsibility for performance of the tasks entrusted to the regional office.

19. Regional offices of the Agency, within the competence, carry out information interaction with local executive authorities and local self-government bodies, enterprises, institutions and organizations, facilitate implementation of state programs, decisions and instructions of the Agency.

20. The maximum number of civil servants and employees of the Agency, its regional offices, is approved by the Cabinet of Ministers of Ukraine.

The structure of the apparatus of the Agency is approved by its Head upon approval with the line minister.

The staffing schedule and the cost estimate of the apparatus of the Agency are approved by its Head upon approval with the Ministry of Finance of Ukraine.

21. Financing of the activities of the Agency is carried out at the expense of state budget funds, international technical assistance, grants, as well as other sources not prohibited by legislation. Financing of the activities of the regional offices of the Agency is carried out at the expense of state budget funds provided for the Agency, as well as other sources not prohibited by legislation.

22. In the process of performing the tasks entrusted to it, the Agency interacts with other state bodies, auxiliary bodies and services established by the President of Ukraine, and temporary consultative, advisory and other auxiliary bodies established by the Cabinet of Ministers of Ukraine, local self-government bodies, associations of citizens, public unions, trade unions and employers' organizations, relevant bodies of foreign states and international organizations, as well as enterprises, institutions, organizations.

23. Liquidation or reorganization of the Agency is carried out by decision of the Cabinet of Ministers of Ukraine.

24. The Regulation on the Agency is approved by the Cabinet of Ministers of Ukraine.

25. Until implementation of the Natura2000 network in Ukraine, the Agency ensures facilitation of its establishment, including by carrying out measures regarding scientific substantiation, identification and preparation of sites, and in parallel continues performance of tasks on organization, management and development of the Emerald Network sites. After introduction of the Natura2000 network in Ukraine, the Agency takes all measures provided by legislation to ensure its proper functioning, management, monitoring and protection, and also ensures fulfilment of the relevant international and European integration obligations of Ukraine.