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Table of contents

1	Introduction.....	3
1.1	Nature Protection Mission	3
1.2	Description of Current Situation	3
1.3	Current distribution of responsibilities	4
1.4	Strengths of the current system in Ukraine	4
1.5	Recent assessments and recommendations.....	5
1.5.1	Brief overview on what has been done in the field of institutions recently (based on the RST document by Kateryna Maxim).....	5
1.5.2	Analysis of the nature conservation areas management system in Ukraine – the MEPR perspective	5
1.6	Legal justification of the institutional reform	8
2	Example of institutional setup in the partner country.....	10
2.1	Organisational structure of the Czech nature conservancy.....	10
2.2	Primary legislation of species/habitat protection and conservation and other relevant measures	12
2.3	Protected Areas (PAs) in the Czech Republic	12
2.4	Monitoring of conservation status of species and habitats	12
2.5	Data on species and habitats (data storage systems)	12
2.6	Environmental and Strategic Impact Assessments (EIA/SEA) and appropriate assessment	13
3	Methodology	13
3.1	Functional analysis table & discussions.....	13
3.2	Preliminary SWOT Analysis	13
3.3	Organograms	14
4	Results	14
4.1	Main tasks – performance assessment	14
4.2	Main tasks – distribution of responsibilities between the central and regional levels	15
5	Analysis Summary.....	15
5.1	Summary of results given by the functional analysis table	15
5.2	General and specific recommendations for future developments.....	16
6	Proposed solutions	16
6.1	Status quo.....	16
6.2	Strengthening the MEPR and establishment of its regional offices.....	16
6.3	New Agency with regional branches	16
6.4	New central Agency and strengthened regional state administrations.....	17
6.5	New central Agency.....	17
7	Organograms	17
7.1	Status quo.....	18
7.2	Ministry of Environmental Protection and Natural Resources with regional offices	18
7.3	State Nature Conservation Agency without regional branches & strengthening capacities of Regional State Administrations	18
7.4	State Nature Conservation Agency with regional branches	19

8	Conclusions.....	20
9	Executive summary	20
10	List of abbreviations	23
11	Annexes	23

1 Introduction

This report was elaborated within the EU LIFE project Conservation of Natural Heritage for Life in Ukraine, Work Package 3 Modern European Model of Governance and Management for Nature Protection in Ukraine. In this first step under the activity T3.1 Governance Structure and Professional Capacity Analysis, after collecting all relevant documents, this Assessment Report was developed in close cooperation with all project partners including representative of the Reform Support Team (RST).

The main goal of this report is to carry out the functional analysis of current institutional setup and propose a set of solutions (scenarios) to assure sufficient capacities for implementing tasks arising from national legislation, approximation process to the EU and international commitments.

In following phases, based on proposals arising from this report, the financial analysis, overall policy paper and eventually, the Draft Decisions on Increasing Institutional Capacity and Financial Stability will be delivered.

1.1 Nature Protection Mission

In this part a brief description on the role of nature protection institutions in protection of natural heritage is provided to highlight the importance of a good governance system for safeguarding the natural heritage.

Natural environment and protected areas encompassing the most representative and best preserved segments of nature are indispensable parts of each country's national heritage. Proper protection, conservation and management of protected areas indicates the cultural and economic level and maturity of the society and its awareness of a wider global context. Understanding the importance of vital ecosystems and services they provide for a healthy future and sustainable development of the country seems to be critical particularly for remote local communities as they can build their prosperity on a diverse healthy and functional natural environment.

The way the protected areas are managed and biological diversity conserved should reflect the latest knowledge in this field as well as global changes. The main mission of authorities responsible for protected areas and nature conservation in general is to be flexible and reflect permanently developing preferences of human community and changing global environment to preserve and hand over the natural heritage as a part of the national identity to the next generation in the best possible condition.

Only well designed institutional setup with clear distribution of tasks and responsibilities and fluent workflow can face all the upcoming challenges successfully. In addition, there is an extensive set of tasks related to the approximation process to the EU and to other international commitments such as the Kunming-Montreal Global Biodiversity Framework. Climate change and continuously developing ways of land use pose another threat to biological diversity and management of protected areas. Considering this, one of the key outcomes of the LIFE project is to prepare a proposal of the best possible as well as realistic solution for building a new institutional structure effectively managing the natural heritage of Ukraine.

1.2 Description of Current Situation

In this part, a brief history of recent institutional changes within the nature protection/conservation branch of Ukraine is summarised on the basis of the RST analytical document.

1995 - the Main Directorate of National Natural Parks and Nature Reserves was created, which functioned within the structure of The Ministry of Environmental Protection and Nuclear Safety of Ukraine (currently the Ministry of Environmental Protection and Natural Resources of Ukraine - MEPR) and ensured the implementation of the Program for the Prospective Development of Nature Reserves in Ukraine, carrying out state management of the territories and objects of the nature reserve fund.

2001 - the State Service for Nature Conservation was formed which became the legal successor of the Main Directorate of National Natural Parks and Nature Reserves and had the same functions, focusing on ensuring a unified policy in the field of protected areas. The number of employees was from 30 to 56 units in different years.

2011 – the State Service for Nature Conservation was dissolved with the establishment of the Department of Nature Conservation Fund within the structure of the MEPR. The number of employees was reduced to 28 units. This situation persists to this day.

Until 2011, territorial bodies of the MEPR functioned in all regions, and the cities of Kyiv and Sevastopol which included separate divisions of protected areas. The number of employees at the regional level who were engaged in nature conservation was about 80 people. As a result of cancellation of regional offices of the Ministry, the number of employees engaged in the management of protected areas decreased fourfold (Maxim 2021).

1.3 Current distribution of responsibilities

Responsibilities to carry out the nature protection tasks in protected areas are fragmented among more authorities. However, the MEPR bears the main responsibility of nature protection activities and manages the majority of protected areas of national importance (1 Biosphere reserve, 12 Nature reserves and 45 national nature parks). Besides the MEPR, the State Agency of Forest Resources of Ukraine is responsible for 7 national nature parks; National Academy of Sciences of Ukraine manages 2 biosphere reserves and 3 nature reserves; State Management of Affairs protects 1 nature reserve and 4 national nature parks; National Academy of Agrarian Sciences of Ukraine has 1 biosphere reserve and 1 nature reserve under its responsibility; Ministry of Education and Science of Ukraine is in charge of 2 nature reserves, and the State Agency of Ukraine on Exclusion Zone Management is responsible for 1 biosphere reserve in the Chernobyl area.

Thus, in total, 7 different central authorities carry out the nature protection tasks on the territory of nationally important protected areas. Nevertheless, the main responsibility for policy development and strategies on biodiversity conservation and protected areas development belongs to the MEPR.

In addition to this, regional state administrations in each of 27 regions are responsible for protection and management of protected areas of local importance (regional landscape parks, natural monuments, sanctuaries, etc.). In some cases, municipalities are also founders of legal entities for the management of regional landscape parks. Though envisaged by the law, only part of regional landscape parks have their own administrations. This fact indicates weak protection and underestimation of protected areas of IUCN category V which could serve as the best possible example of co-existence of local communities participating in sustainable landscape and biodiversity management with valuable nature.

1.4 Strengths of the current system in Ukraine

Despite fragmented governance and low personal capacities at the central and regional levels and other weaknesses of functioning of the nature conservation system in Ukraine (particularly visible in

comparison to many EU countries) identified within drafting this report, there is a really strong side of the system which should be highlighted and used as a solid basis for the future development: an extensive network of protected areas covering currently 41,831 km² (6.93 % of the country territory) underpinned by solid legislation. The system is based on the Law on Nature Protection Fund containing 7 categories of protected areas (excluding botanical gardens, ZOOs and dendroparks and parks – monuments of landscape arts also listed in the Law of Ukraine about the Nature Reserves Fund) with clear purposes and protection rules. It is important to mention that the Soviet nature conservation tradition built on strict protection within strict reserves and core zones of national parks has guaranteed preservation of the most valuable parts of forests and wetlands. On the contrary, in case of species-rich grasslands and other types of habitats developed hand in hand with long-term human interventions and traditional management patterns, the current system of protected areas has been insufficient, and the risk of species loss and overall degradation of target habitats would require a specific attention and new approaches.

There are also quite a lot of staff working for PAs administrations, mostly in the field, which provides a good resource for future improvements and possible reorganizations.

1.5 Recent assessments and recommendations

To provide a comprehensive overview of recent ideas on possible institutional changes, both RST and MEPR perspective to the needs for changes in the governance system is introduced in this chapter.

1.5.1 Brief overview on what has been done in the field of institutions recently (based on the RST document by Kateryna Maxim)

Recently, in 2021, the “Analytical note regarding creation of a central body of executive power for the implementation of state policy in the field of development and management of the territories and objects of the nature reserve fund, the territories of the Emerald Network and the preservation of biodiversity” was elaborated by the Reform Support Team at the MEPR (Maxim 2021). The document summarises the former situation, provides an overview of responsibilities distribution and staff numbers within particular authorities, compares the workload related to the management of protected areas and comes up with proposals for improvement of the governance system.

The main recommendation arising from this document is to establish the “State Agency for Nature Protection” with its headquarters and 12 regional offices, each of them operating on the territory of two or three neighbouring regions according to the proportion of protected areas located at their territory.

1.5.2 Analysis of the nature conservation areas management system in Ukraine – the MEPR perspective

1.5.2.1 Current situation

20 years ago, the management of protected areas at the national level was carried out by a separate state structure, the State Service of Nature Conservation Affairs, with the number of employees of 56 units. At the same time, the Ministry of Environmental Protection and Natural Resources had a separate division that dealt with issues of biodiversity, land, GMOs and eco-networks.

At the moment, all these functions are entrusted to the Department of Nature Reserve Fund (NRF) and Biodiversity of the MEPR which has 17 employees.

At the same time, the number of institutions of the NRF which belong to the sphere of the MEPR's management, increased from 15 to 63, and the area of the NRF increased from 2.7 million ha to 4.6 million ha, which is 7 % of the territory of Ukraine (603,628 km²).

At the regional level, in 2011, the territorial bodies of the Ministry of Natural Resources were abolished. Those territorial bodies had included separate units in charge of the Nature Reserve Fund (NRF) with about 80 people in total. In 2018, their functions were transferred to regional state administrations, and their number was gradually reduced by four. In some regions, only 0.5 of a staff position is assigned to managing regional protected areas.

At the level of territorial communities, separate staff units are not allocated for the management of nature conservation territories at all.

The existing number of employees does not provide an opportunity to fully fulfil the tasks assigned to them both at the national, regional and local levels.

In regard to the direct management of protected areas, national nature parks, natural and biosphere reserves have their individual administrations. The legislation stipulates the need to establish separate administrations for regional landscape parks, too, but in practice such administrations only exist in a few regional landscape parks.

The number of full-time employees of National Natural Parks, natural and biosphere reserves is more than 5 thousand units. However, the level of salaries is low, on average around UAH 9,000. (€ 195). At the same time, the average level of wages in Ukraine in 2024 is UAH 18.8 thousand (<https://www.pfu.gov.ua/2165179-pokaznyk-serednoyi-zarobitnoyi-platy-za-2024-rik/>). This leads to low staffing capacity. In addition, these institutions are subordinated to six different organisations, as was mentioned in the previous chapter.

A significant negative factor is the military aggression of the Russian Federation against Ukraine: 2 biosphere reserves, 8 nature reserves, and 10 national natural parks remain occupied today.

1.5.2.2 The most urgent needs for the protected areas management system development

Improvement of legislation in the field of nature protected areas, in particular, the adoption of a law and by-laws on the establishment and management of the sites of the Emerald Network.

Reforming the system of management of nature protected areas, including the sites of international importance and state protection services of the NRF, with the setting of clear work criteria and KPIs (Key Performance Indicators).

Introduction of a modern cadastre of areas and objects of the NRF.

Strengthening of personnel potential both at the central and regional levels and at the level of NRF managing institutions.

Strengthening the financial capacity of NRF managing institutions.

1.5.2.3 Plans for future changes and reforms

The main principles (strategy) of the state environmental policy of Ukraine for the period until 2030 (<https://zakon.rada.gov.ua/laws/show/2697-19#Text>) from 2019 provide for the increase and expansion of the sites of the nature reserve fund (in particular, large-scale protected areas - national natural parks and regional landscape parks), establishment of sites and objects of the nature reserve

fund on land and in the waters of the Black and Azov Seas and ensuring the preservation and functioning of a representative and effectively managed system on these areas, including those of trans-border, European and international significance. The terrestrial area of the nature reserve fund should increase to 9,095,100 hectares, or 15 % of the country territory.

Point 54 of the National Action Plan for the Protection of the Natural Environment for the Period Until 2025 (hereinafter referred to as the Plan), approved by the Decree of the Cabinet of Ministers of Ukraine No. 443 dated April 21, 2021, provides for strengthening of the system of state management of sites and objects of the nature reserve fund within the structure of the Ministry of Environment or by establishing a central body of executive power (the State Agency for Preservation of Natural Heritage).

Other points of the Plan provide for:

- Ensuring the establishment of new or expansion of existing sites and objects of the NRF.
- Preparation of a nomination for the establishment of a new biosphere reserve within the framework of the UNESCO “Man and the Biosphere” program in Ukraine. Inclusion of the network of gypsum karst caves in Western Ukraine in the UNESCO Tentative List of World Heritage Sites and preparation of the corresponding nomination.
- Preparation of a nomination for the establishment of a new biosphere reserve within the framework of the UNESCO “Man and the Biosphere” program in Ukraine.
- Inclusion of the network of gypsum karst caves in Western Ukraine in the UNESCO Tentative List of World Heritage Sites and preparation of the corresponding nomination.
- Preparation of new offers (updating of the EEA database) of the Emerald Network.
- Creation and implementation of a system for evaluating the effectiveness of the organisation, protection and use of the nature reserve fund.
- Reforming the activity of the state protection service of the nature reserve fund according to the European model, in particular regarding the prevention of violations of nature protection legislation.
- Development of a mechanism for managing the sites of the Emerald Network at the state level (support in the Verkhovna Rada of Ukraine of the draft Law of Ukraine "On the sites of the Emerald Network" (registration number 4461 dated 04.12.2020); ensuring the conduct of scientific research within the sites and objects of the nature reserve fund under the Nature Chronicle Program and taking into account the need to determine the conservation status of species of wild flora and fauna and natural habitats, the ecological character of wetlands and other requirements of Ukraine's international environmental agreements.
- Ensuring the attraction of alternative, including international, sources for financing of the conservation and sustainable use of the sites and objects of the NRF, the development of public-private partnerships.
- Development of projects for the organization of territories within nature reserve institutions.
- Development and implementation of action plans for the conservation and reproduction of certain species of flora and fauna and their natural habitats on the territories and objects of the NRF.

- Strengthening the material and technical base of NRF institutions, providing them with firefighting machinery, fire fighting equipment and fire extinguishing means.
- Ensuring the establishment and maintenance of environmental education centers, nature museums, and visitor centers within nature reserve institutions.
- Expanding the network of routes and trails in national parks and biosphere reserves, including the use of interactive methods and infrastructure accessible to people with disabilities.
- Introducing a unified approach to the visual presentation and branding of Ukraine's nature reserve territories and objects.
- Implementing modern methods for systematic public awareness campaigns, especially targeting local communities, about the value of nature reserve territories and objects, as well as the ecosystem services they provide.
- Developing educational materials to promote the importance of creating and preserving protected areas in Ukraine.

Currently, the MEPR has prepared a draft law "On Amendments to the Law of Ukraine" On the Nature Reserve Fund of Ukraine" on improving the efficiency of the establishment and management of sites and objects of the Nature Reserve Fund", which has been submitted to the Cabinet of Ministers of Ukraine for consideration and which was returned to the Ministry without any comments.

This draft law divides the powers of the central executive body, which ensures the formation of state policy in the field of environmental protection, and the central executive body, which implements state policy in the field of environmental protection. Its adoption will create a legislative basis for the Government to make a decision on the establishment of a central body of executive power that is to implement state policy in the field of NRF.

The state regional development strategy for the period 2021-2027 (<https://zakon.rada.gov.ua/laws/show/695-2020-%D0%BF#n11>) provides for stimulating the development of the economic environment around nature-protected sites and forests, in particular determination of the economic mechanism of their sustainable use, as well as the sphere of employment of the population in these sites. An increase in the area of the nature reserve fund was listed among the indicators of monitoring of the implementation of that strategy.

1.6 Legal justification of the institutional reform

1. *Implementation of public administration reform.* According to [the Law of Ukraine "On Central Bodies of Executive Power"](#) (Articles 16, 17), such central government bodies as services, agencies, inspections, and commissions must perform the functions of implementing state policy. These functions should be removed from the Ministry of Environment, in order to avoid a potential conflict of interests and the proper performance of policy-making functions by it.

2. *Ensuring the implementation of the National Action Plan for the Protection of the Natural Environment.* Article 54 of the Government's National Action Plan provides for "Strengthening of the system of state management of territories and objects of the nature reserve fund within the structure of the Ministry of Environment or through the creation of a central body of executive power (State Agency for the Preservation of Natural Heritage)"

3. *Enforcement of EU Directives* No. 2009/147/EC on the protection of wild birds (Birds Directive) and No. 92/43/EEC on the conservation of natural habitats, wild flora and fauna (Habitats Directive).

4. *The increase in the number of sites and objects of the nature reserve fund*, further plans for the growth by an additional 3 % (by 5 million hectares) of the total territory of Ukraine () and almost double increase of nature protected area to 30% of the territory of the country, according to the commitments undertaken by Ukraine under the Convention on the Biological Diversity require quality assurance of policy implementation, coordination of site management, communication with stakeholders and local communities and informing through the involvement of citizens. For this, it is necessary to provide: personnel both on the state and on the regional level.

5. *Additional functions* in the Ministry (regarding biodiversity) that have arisen during the last years, are planned to grow in terms of policy implementation:

- In accordance with the Agreement with the EU, a *system of managing the sites of the Emerald Network is being created*, which currently includes about 9 million hectares in Ukraine. The number of employees dealing with this issue at the Ministry is 1 full-time unit (relatively), which is insufficient to properly ensure the development of the network and its functioning.
- 24 special administrations for national natural parks, nature reserves and botanical gardens were formed, which doubled their number under the Ministry.
- Measures are being taken to *transfer nature reserves and National Natural Parks* under the management of the State Forestry Agency, the Ministry of Education, Science and Technology of Ukraine, National Academy of Sciences of Ukraine, National Academy of Agrarian Sciences of Ukraine.
- The volume of other tasks has increased significantly, too, and they are related to *the development of open databases, delineation of boundaries of sites and objects of the nature reserve fund* in the field, development of projects for the organisation of the territory of institutions of the nature reserve fund, building of modern infrastructure, solution of socio-economic issues, etc.

Some of these policy-making functions will remain with the Ministry. Policy implementation functions are planned to be transferred to the new agency which is expected to increase the quality and efficiency of nature conservation efforts.

6. *International experience*. In many countries of the world where it is the state that manages nature protected areas, special bodies, most often agencies, have been established to deal with conservation issues (e.g. Albania, Great Britain, Georgia, Estonia, Canada, Latvia, Lithuania, Romania, the USA, Finland, France, the Czech Republic, Sweden). In several Western European countries not only the implementation but also part of the formation of environmental protection policy and budgeting relies on regional authorities (Italy, France, Germany, Spain), which is possible due to the extensive experience of decentralised management. Russia, Belarus, and some other countries of the former socialist bloc still have fully centralised management by their ministries. However, most Central and Eastern European countries, leaving policy formation with the ministry, have already transferred policy implementation to agencies or strong regional authorities (Poland).

Countries in which state management of nature conservation is carried out solely at the level of ministries without the establishment of self-standing expert agencies/services are, in most cases, countries of the former socialist bloc (Belarus, Bulgaria, Poland, Russia, Romania, Hungary), but these countries also have powerful regional offices or the powers have been transferred to the regions (Maxim 2021.).

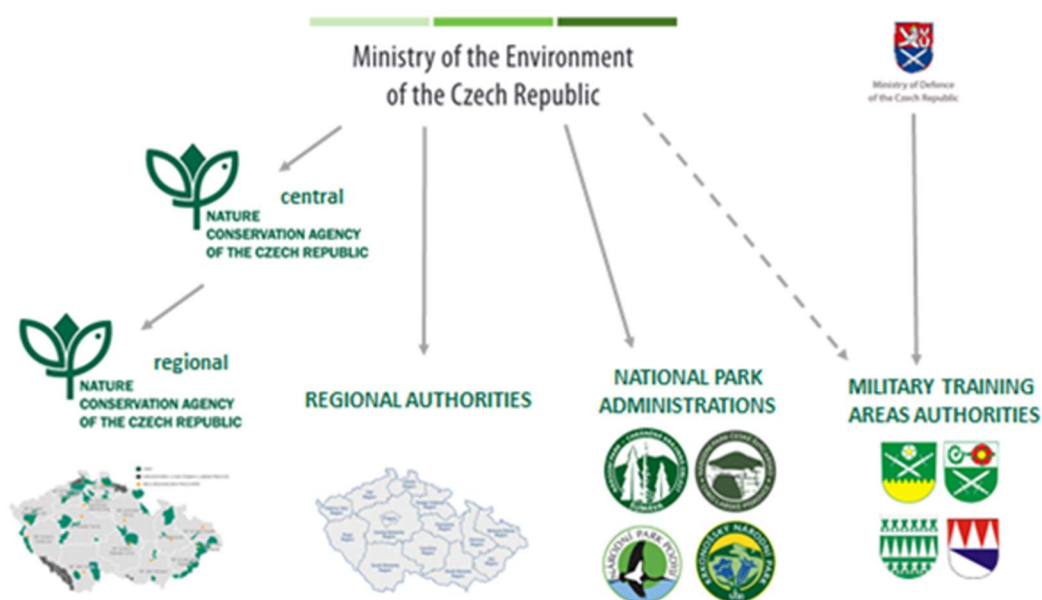
2 Example of institutional setup in the partner country

Comparison of the Czech system with Finnish and Polish systems representing similar types of administrative and regional state governance, despite many differences, clearly confirms the fact that certain type of intermediate organisation (Nature Conservation Agency of the Czech Republic, Metsähallitus in Finland, and Directorate of Environmental Protection in Poland), connecting the central ministerial level with regional administrations responsible for management of protected areas, is a common model. Such a body supports both the Ministry (in many tasks providing outputs of data analyses and technical methodologies) and local administrations (coordinating their activities, sharing the best practice and promoting the horizontal exchange of knowledge and experience among PAs administrations).

Situation in some other countries has been briefly described in an analysis of the Reform Support Team (Maxim 2021).

When assessing the possible needs for changes in the institutional setup within a particular administration, it is useful to have information on what these structures, tasks, and responsibilities are in other countries. In this case, the partner country of the LIFE project, the Czech Republic, provides a general introduction into their respective structures. Despite certain weaknesses of the Czech approach (such as the fact national parks administrations act independently on the Nature Conservation Agency, which causes a huge difference between national parks and protected landscapes administrations in terms of personal capacities and funding), introducing a similar system based on the central Agency, adapted to Ukraine's conditions and traditions, appears to be applicable.

2.1 Organisational structure of the Czech nature conservancy



The institutional structure of nature protection administration in the Czech Republic.

- **Ministry of Environment (MoE):** creates and coordinates policies related to nature conservation.
 - Section of Nature and Landscape Protection: general policy and strategies in the field of nature protection, international commitments, and EU directives implementation.
 - Department of Special Territorial Nature and Landscape Protection (PAs): Adoption of management plans, designation of new protected areas, coordination of Nature Conservation Agency of Czech Republic (NCA CR) and National Parks administrations
 - Unit of Small Protected Areas
 - Unit of Protected Landscapes
 - Unit of National Parks
 - Department of species protection and implementation of international commitments: Adoption of action plans for critically threatened species, coordination of NCA CR activities in the field of species protection and Natura 2000 implementation
 - Unit of International Conventions
 - Unit of Species Protection
 - Unit of Natura 2000
- **National Parks Administration (state contributory organization)**
 - Accountable to: MoE
 - Tasks: Management, monitoring and public relations on the territory of national parks. Czech Republic has one independent administration for each national park.
- **Nature Conservation Agency of the Czech Republic**
 - Accountable to: MoE
 - Tasks: Management, monitoring and public relations on the territory of Protected Landscape Areas (PLAs) and small-scale protected areas outside PLAs of national significance (national nature reserves, national nature monuments).
 - Special responsibility for monitoring habitats and species on the entire territory of the Czech Republic. Methodological leadership and coordination of its 13 regional branches.
- **Regional Authorities**
 - Accountable to: MoE
 - Tasks: Protection outside the areas of National Parks Administrations and Nature Conservation Agency of the Czech Republic. 14 authorities in Regions – “kraj”.
- **Military Training Areas Authorities**
 - Accountable to: Ministry of Defence, MoE
 - Four individual administrations within the current military training areas.
- **Czech Environmental Inspectorate** (department of nature protection)
 - Tasks: Responsible for environmental legislation enforcement: Surveillance on keeping and penalty imposition for breaking rules and restrictions given by the law on nature protection. 13 regional branches.

2.2 Primary legislation of species/habitat protection and conservation and other relevant measures

- Species protection and conservation: primary and secondary legislation, general sources
 - Law on Nature and Landscape Protection
 - Law on compensation for damage caused by selected specially protected animal species
 - Governmental decree listing the threatened species
 - Species conservation plans
 - Hunting regulations

2.3 Protected Areas (PAs) in the Czech Republic

National PAs (16.8 % of the Czech Republic's territory) and the Natura 2000 network (14.1% of the Czech Republic's territory) are based on the primary legislation. National PAs and Natura 2000 sites are territorially complementary or directly overlapping. The overlap of PAs and the Natura 2000 network is more than 75 %. Legal acts establishing PAs as well as management plans of the PAs largely recognize the objects of conservation of the Natura 2000 system and the necessary protective measures are determined through the PAs protection regime (different for different PA categories) or so-called „general protection“ in Natura 2000 sites not overlapped by any national PA. Natura 2000 and the PAs thus form one comprehensive system of protected areas in the Czech Republic, covering 22.1 % of the country's territory.

Each PA has its management plan adopted usually for a 10-year period describing the area, precisely outlining the objects of conservation and defining the management actions and indicators of a satisfactory status of the objects of conservation. Similar management plans (albeit bearing different name) exist for all Natura 2000 sites (over 1,150 sites).

2.4 Monitoring of conservation status of species and habitats

Monitoring of conservation status of species and habitats (an obligation pursuant to the EU Birds and Habitats Directive) is coordinated by the Nature Conservation Agency of the Czech Republic. Each year, selected species are monitored according to the national plan of monitoring. In regard to habitat types (Annex I of the Habitats Directive present in CZ), 1/12 of the territory of the Czech Republic is being re-mapped in a scale of 1:10,000 each year and a set of permanent plots is surveyed /(1/12 of forest plots, 1/3 of plots in non-forest habitats).

2.5 Data on species and habitats (data storage systems)

Data on species (<https://portal.nature.cz/nd/>) and habitats (<https://portal.nature.cz/biotopy>) are available and widely accessible in the National Database of Nature Conservation. Currently, there are over 30 mil. records available in the database.

2.6 Environmental and Strategic Impact Assessments (EIA/SEA) and appropriate assessment

Environmental impact assessment process (as well as strategic impact assessment) is ruled by the Law of Ukraine on Environmental Impact Assessment. Specific authority in each region is responsible for managing the process; in case of large-scale projects and all-country strategies and programmes, the Ministry of Environment is responsible for leading and supervising the EIA/SEA processes.

Appropriate assessment according to the Article 6 (3) and (4) of the Habitats Directive is enshrined in the Article 45 of the Law on Nature and Landscape Protection. If a significant impact on the target features of a Natura 2000 site cannot be excluded, an independent assessment must be carried out according to the Habitats Directive, as outlined in the Law on Nature and Landscape Protection. This assessment is integrated into the EIA or SEA procedures.

3 Methodology

3.1 Functional analysis table & discussions

For clear overview of the situation, a table identifying the distribution of responsibilities for the main tasks such as strategies and policies development, establishment of new protected areas, management planning, biodiversity conservation, issuing of various permissions, etc. on the central, regional and local levels, was designed and filled out jointly by the EPL, UNCG and the MEPR. At the same time, performance assessment for each task on the scale 0 (not implemented at all, totally insufficient) to 5 (fully implemented, 90-100 % sufficiency) was carried out by the EPL and UNCG. The values received were averaged and based on this, all the tasks were differentiated into three groups according to the level of their performance – poor, medium, and good. The final table was composed of tables filled independently by the MEPR, UNCG and EPL and subsequently discussed and finalised with help of the RST. For comparison, the same table (without performance assessment that would require involvement of an independent body) was filled out for the Czech Republic, too.

Detailed presentations of the system of nature protection in Finland, Czech Republic and former Yugoslavia countries (including description of the approximation process) was provided by relevant experts (Petri Ahlroth, Ministry of Environment, Finland, and Petr Roth, Nature Conservation Agency of the Czech Republic, LIFE project team member having extensive experience from various projects in Western Balkan) with subsequent discussion. These presentations were meant as an inspiration for the project partners when assessing the pros and cons of the proposed scenarios.

For exchange of experience and information about details and background of institutional setup in partner countries, to discuss the methodology and fine tune the proposals, a series of regular weekly on-line meetings of the team members took place from June to November.

3.2 Preliminary SWOT Analysis

About eight options including the scenario of gradual development of institutional capacities or reform of the State Agency of the Exclusion Zone Management were discussed before the SWOT analysis was launched. In the end, five the most realistic and possibly most efficient options of future development were identified to be subject of the analysis including the status quo scenario. For each roughly drafted option, strengths, weaknesses, opportunities and threats were listed by representatives of each project partner stressing the objective and impartial approach.

3.3 Organograms

Based on discussions within the SWOT analysis process, four organograms including the number of staff needed for the most likely options were outlined, discussed within the project team and tailored with respect to the nature conservation needs and specific conditions in Ukraine.

4 Results

4.1 Main tasks – performance assessment

The main outcome resulting from the table indicates that the current level of nature protection activities performance is underestimated in many critical tasks and not carried out in a sufficient way.

In general, it became obvious that some key tasks usually and regularly carried out in the EU countries are still being implemented poorly or even not implemented at all in Ukraine. Ministry capacities are severely limited, and there is no other institution that would deal with such crucial tasks as biodiversity monitoring, management planning or the law enforcement in a coordinated way as required according to the EU standards. Examples of the really critical tasks related to the approximation process classified as poorly performed are as follows: Preparation of nature conservation programmes, Steering and monitoring of nature protection activities, Species action plans, Developments of methods for restoration, remediation and management of habitats and species, Emerald sites protection and management in line with the Habitats and Birds Directives, incl. reporting, Natura 2000 related tasks, Collection and evaluation of species and habitats data.

On the other hand, activities such as “Approval of management “(once they are developed), “Setting limits for use of natural resources on the territory of PAs” and “EIA/SEA supervision” were evaluated as sufficient.

In total, out of 58 tasks, performance of 21 (36 %) was identified as poor, 32 (55 %) was classified at a medium level and only 5 (9 %) of them as being implemented at a good level. One task (PR activities, stakeholder’s involvement and Eco-education) was not evaluated since the level of its performance varies a lot and it is dependent on particular PA administrations.

The Functional analysis table identifies following activities as being performed insufficiently:

- Law enforcement and surveillance
- Preparation of nature conservation programmes
- Steering and monitoring of nature protection activities
- IT support (SW, HW, trainings)
- Species action plans
- Development of methods for restoration, remediation and management of natural habitats and species
- Management of protected areas - sanctuaries, natural monuments, protected sites
- Management planning - sanctuaries, natural monuments, protected sites
- Habitats restoration outside protected areas
- Species protection - active support/management
- Species protection - enforcing the protection rules
- Ecological network, connectivity
- Training of PAs staff
- Ecotourism activities/visitors management

- Collection and evaluation of species data
- Collection and evaluation of habitat data
- Assessment and monitoring of the conservation status and need for protection of species and habitats; prioritisation
- Coordination of scientific research, identification of priorities
- Development and maintenance of national database for species and habitats monitoring
- Natura 2000 related tasks
- Emerald sites protection and management in line with the Habitats and Birds Directives, incl. reporting.

For a list of tasks in other categories (medium and good performance) see the table in Annex 1.

4.2 Main tasks – distribution of responsibilities between the central and regional levels

Compared to the situation in the Czech Republic (Annex 2), the amount of responsibilities for which the Ukrainian MEPR (with heavily underestimated capacities) is in charge is enormous. Whilst the Czech MoE (21 employees) has been dealing with 13 tasks as the main actor, the respective department of the Ukrainian MEPR should carry out 40 tasks with a lower number of employees than the Czech MoE possesses for approximately 7 times smaller country's territory. Bearing in mind the Czech MoE is supported by the Nature Conservations Agency having more than 150 employees just at its headquarters (as well as 450 in the regions), the huge imbalance and lack of capacities for appropriate nature conservation in Ukraine is obvious.

At the national level, the Nature Conservation Agency of the Czech Republic (NCA CR) as the main body is responsible for 26 tasks such as management planning (except for the 4 NPs), maintenance of the biodiversity database, species protection and training of protected areas staff. NCA CR supports other institutions, mostly the Ministry, in another 25 tasks such as PR activities, developing strategies and action plans, preparation of nature conservation programmes, coordination of scientific research or implementing commitments arising from international conventions. All this shows the indispensable role of a central expert nature conservation institution, and may serve as a confirmation of the endeavour of Ukraine to establish a similar institution without which implementation of nature conservation tasks will be unfeasible.

5 Analysis Summary

5.1 Summary of results given by the functional analysis table

Based on the analysis, the reform of the Ukrainian nature conservation system is urgently needed. Implementation of 36 % of tasks (both stemming from Ukrainian law and the EU accession process) was assessed as poor, 55 % as of medium performance, and only 9 % as sufficient. Currently, the absolute majority of tasks (69 %) are to be implemented by the central body – MEPR – employing just about 20 officials. Considering new obligations stemming from the EU approximation process, establishment of a new intermediate/expert body seems to be inevitable. It is obvious that without an extensive reform, even with a possibility of outsourcing a large portion of tasks related to implementation of both national legislation and the EU obligations (species and habitats inventories, establishment of new PAs, management planning, management actions, conservation status monitoring) based on international funding to both national and international organisations, Ukraine is not capable to properly protect its natural heritage or to implement the mandatory EU requirements.

5.2 General and specific recommendations for future developments

Such a reform should focus on both national as well as regional levels. The best option would be to establish a new central authority responsible for nature conservation with relatively small regional units that would coordinate activities in the field and provide expert support to protected areas administrations and environmental departments of regional governments.

6 Proposed solutions

As the result of discussions within the LIFE project working group (UNCG, EPL, MEPR, RST), five most realistic and plausible scenarios were identified, roughly outlined and tentatively assessed with help of the SWOT analysis. Each other theoretical option (transformation of existing agencies, scenario of gradual development with clearly defined roadmap) possessed certain possible risks and therefore they were not subject to the further analysis.

6.1 Status quo

This option which is usually used in the SWOT analyses as a baseline with which the other scenarios are compared was seen as the solution with the lowest chance of introducing a modern nature protection scheme capable of facing the changing world and highest risks for biodiversity conservation as such. The main reason is the enormous lack of capacities for implementing both the current tasks according to Ukrainian legislation as well as those related to the approximation process, and other international commitments. The only strength of this option is no need for additional funding. The fact that in this option a constant decrease of possibility of forming and implementing nature protection policy was identified, makes this scenario unsustainable.

6.2 Strengthening the MEPR and establishment of its regional offices

Employing a higher number of experts, establishment of a new department responsible for international commitments and approximation process and possible introduction of regional offices could be a short-term solution before the new intermediate body is designated. However, also in this variant, the risks and weaknesses prevail. The fact that it would be just repeating the same setup, already found as poorly functioning and, thus, having very low support and credibility is the most significant obstacle for such a scenario. Another weakness is that it contradicts the general trend in the governmental setup requiring separation of structures responsible for policy development from those which put the policy into practice. However, strengthening the already overloaded MEPR capacities is inevitable and it should be the very first step in any governance reform towards fluently functioning institutional arrangement.

6.3 New Agency with regional branches

Regardless of the way of establishing the regional branches (from scratch, on the basis of PAs administrations, or on the basis of respective departments of regional state administrations) and working teams, this option seems to have a very good chance to make a real difference in the Ukrainian nature protection sector. With relatively small headquarters and some 12 regional offices, this solution poses a modern institutional setup with a solid basis in regions and good connection to the central authorities through the headquarters. Such an agency would require approx. 360 employees within the most effective option. Of course, that means a certain demand for a state budget. Short-term experts dealing with highly specific tasks could be contracted on the basis of various projects, but mandatory financing from the state budget is a precondition of meaningful functioning. Lack of

political will and thus financial support as well as missing experts to be newly employed in the regions seem to be the most critical weakness of this scenario. Additionally, when further developing this scenario, it is essential to clearly define the responsibilities and duties between regional offices and regional state administrations, ensuring balance, transparency, and efficiency in decision-making.

6.4 New central Agency and strengthened regional state administrations

In terms of funding, this is the most effective way to establish a functioning governance system based on 27 current regional state administrations with units responsible for Emerald network and related tasks. This approach would demand a clear distribution of responsibilities and competences and strong central leadership. Uncertain independence on regional political representations promoting regional development interests is the key weakness of this scenario. Lack of capacities for other specific tasks such as biodiversity monitoring and management planning possess another unavoidable weakness.

6.5 New central Agency

Establishment of a new intermediate level of governance is the only way for managing all existing and upcoming tasks in the situation of new challenges in the fast changing world. Such an agency would provide various services for the MEPR, supervise and coordinate activities of protected areas administrations and implement tasks arising from international commitments. However, this central body would not be capable of managing particular tasks which require regional or even local approaches based on the field experience and knowledge. Such a weakness could undermine credibility of such an organisation in the regions. Clear definition of cooperation and relations with protected areas administrations which, under certain circumstances, might play the role of Agency's regional branches with extended responsibilities seems to be of critical importance. This option might be considered seriously only in the case the gradual scenario will be preferred as the first step in the process of overall governance reform.

Moreover, this option is not corresponding to recent decentralisation efforts. On the other hand, the new institution would have a clear mission and goals and the fresh team could guarantee fast progress in the most urgent and so far not implemented tasks such as introduction of a unified system of biodiversity data collection, consolidation of management planning, or restoration of degraded habitats and endangered species populations. Nevertheless, this option rated as the least likely and possible was not further elaborated.

7 Organograms

Four organograms were outlined to showcase four out of the above-mentioned scenarios of the possible (and necessary) changes in the nature conservation governance system. Based on extensive discussion within the team, the more detailed structures were developed with estimations of approximate number of staff. In the following text, despite certain preferences stemming from the SWOT analysis, there is no ranking according to the expected efficiency and likelihood to perform all necessary tasks in an appropriate manner. Dendroparks, ZOOs, botanical gardens and parks – monuments of landscape art, listed in the Law about the Nature Reserve Fund of Ukraine as protected areas categories, are excluded from the considered nature protection system, as they do not correspond to the system of internationally recognized standard PAs categories defined by the IUCN. In the organograms, arrows of various colours depict mutual (bidirectional) communication, subordination and the flow of data on biodiversity and PAs to the central registers/databases.

The organogram for the Czech nature conservation governance system including the number of employees (Annex 8) was drawn in the same way as other schemes (Annexes 4-7) to provide comparison which seems to be of crucial importance for understanding the need for reform. Against this background, it turns out that the Czech Republic, which is seven times smaller than Ukraine, has roughly ten times more employees in the nature conservation sector on the central and regional levels.

7.1 Status quo

As the functional analysis table clearly shows, under current circumstances, Ukraine is not able to sufficiently fulfil even basic obligations prescribed by the national legislation in terms of proper management and management planning in PAs, biodiversity monitoring, habitats connectivity (ecological network) and species protection.

It is absolutely understandable that currently, in the face of Russian aggression, the priorities of Ukraine are not focused on nature conservation at all. However, it is also obvious that in the future, to approximate national legislation and norms to the EU standards as well as to improve efficiency of national conservation policies and their successful implementation, the Ukrainian nature conservation sector will need a deep reform. With such a low number of employees for a country of this size with really high richness of natural habitats and species and well preserved ecosystems in a relatively good and representative system of protected areas, it is not possible to face all the pressures currently affecting the natural environments without any significant losses. Moreover, new challenges and tasks will come soon as Ukraine will need to implement new requirements arising from the EU Biodiversity Strategy 2030, Birds and Habitats Directives and KunMing-Montreal Global Biodiversity Framework.

As for now, about 40 employees are involved in the nature conservation activities at the central and regional levels, which is absolutely insufficient (Annex 4).

7.2 Ministry of Environmental Protection and Natural Resources with regional offices

Based on the international experience, this option which reminds of the recently abolished structure appears to be the least meaningful and least likely to increase the quality of nature conservation efforts in Ukraine. Since there is a precondition to separate the policy making roles from their implementation, given by the public institutional reform, one organisation (MEPR) could not develop strategies and policies and at the same time be fully responsible for their implementation.

It is not common in the EU to have Ministry employees (even within regional offices) as field workers carrying out biodiversity monitoring, organising management activities and doing surveys for drafting management plans, and negotiating with local stakeholders nature conservation measures and actions.

Relatively small regional offices of the Ministry usually provide specific consultations and act as appellate and supervisory authority for the regional state administrations, regional branches of the Environment Inspectorate or Nature Conservation Agency.

A total of 659 staff units would be needed to put this alternative into practice (Annex 5).

7.3 State Nature Conservation Agency without regional branches & strengthening capacities of Regional State Administrations

Another possible option is to establish the State Nature Conservation Agency as a central expert and coordinating body ensuring implementation of legislation and strategies developed by the MEPR. At the same time, such a body would provide MEPR with necessary expertise and data and PAs

administrations with methodological guidance and expert support. One of the key responsibilities of the Agency would be coordination of biodiversity monitoring, maintenance of biodiversity database and PAs register.

To have enough capacities for implementing all the tasks set out both in the national legislation and international commitments (management planning, species protection and conservation, biodiversity monitoring, designation of PAs, appropriate assessment, ecological network, PAs management coordination, supervision, PR activities...), completely new units for nature conservation should be established under regional state administrations. Such units would have on average about 22 employees per region responsible for full range of tasks at the regional level including biodiversity monitoring, designation of new protected areas

This option requires hiring 705 employees at the level of the MEPR, central Agency, and strengthened Regional State Administrations. On the level of the central Agency, it is proposed to have more personnel (81) than in variant 4 (Agency with branches) since the capacity of regional state administrations might be somewhat weaker and not directly managed by the central Agency (Annex 6).

7.4 State Nature Conservation Agency with regional branches

Based on the discussion among the UNCG, EPL, RST, MEPR and NCA CR representatives, a detailed organogram for the most ambitious and efficient but still feasible option of the State Nature Conservation Agency with recommended staff numbers is proposed as the preferable solution of the governance reform.

The main principle is to establish a four-level scheme with the Ministry at the top as the policy making body setting priorities, drafting strategies, policies and laws, and defining the main directions and overall goals in the nature protection efforts. At the MEPR level, four units should be dealing with a) protected areas management (10 staff units), b) species protection (5), c) international commitments (8), and d) landscape ecology (5).

The next level is made up by the State Nature Conservation Agency (hereinafter the Agency) with quite efficient headquarters having 66 employees and regional branches in each region (27) with 20 staff units each representing the third level. The main responsibility of the Agency would be coordination of the management of PAs of national significance, establishment of the Emerald (Natura 2000) sites network and their management, other obligations stemming from the Bern convention and/or EU Birds and Habitats Directives biodiversity monitoring, species protection (critically endangered), species action plans, projects coordination and landscape connectivity.

Departments of environmental protection of Regional State Administrations are situated at the same level of the structure being responsible for protected areas of regional importance such as regional landscape parks, nature sanctuaries and natural monuments. As for the personnel, the respective departments of regional state administrations should be strengthened to improve the performance of nature conservation tasks to the minimum possible level. It is recommended to increase the number of staff to at least 5 per region. Species protection (vulnerable, endangered) outside nationally significant protected areas would be their another important obligation.

The fourth level is represented by the protected areas administrations supervised by the State Nature Conservation Agency in case of the areas of national significance, and by the Regional State

Administrations (together with municipalities in some regions based on regional customs) in case of regional landscape parks.

This structure featuring the lowest possible staff number seems to be the best option to meet all requirements for successful and sustainable nature conservation and capable and flexible enough to implement tasks related to the EU nature directives in the near future. In this scenario, 717 employees at the level of the MEPR, Agency, and Regional State Administrations would be needed (Annex 7).

8 Conclusions

Currently, the Ukrainian system of nature conservation is weak and not ready to sufficiently implement obligations arising from both the national legislation and international commitments. With regard to all the facts mentioned above, the governance of the nature conservation sector requires a deep reform based on experiences and good practice from abroad. Such a reform requires financial support and human resources in particular, both at the central and regional levels. The main question is how to secure implementation of national and international policies and methodologies in the field. At this step, the recommended option is to establish a completely new Agency which will fulfil the role of an expert organisation providing necessary support and expertise to the MEPR on the one hand, and regional state administrations as well as PAs administrations on the other. The Agency would be the coordinating and advisory body for the biodiversity monitoring including establishment and maintenance of the national biodiversity database, PAs management, habitats and species protection and conservation and ecological connectivity and the EU approximation process in particular.

The Agency (preferably with regional branches) should be designed to be ready and capable to effectively absorb and streamline international financial support to get the most out of the cooperation projects in order to protect Ukraine's natural heritage.

In the subsequent steps of the LIFE project, firstly, the financial analysis for each option will be elaborated. Then, in the framework of drafting the governance reform policy paper, proposed options will be tailored to available human resources and particular needs in the regions. At this project stage, both national and international tasks to be implemented in line with modern European nature conservation standards will be considered when assessing and comparing presented variants. At the same time, the distribution of responsibilities and rights set out in legislation (incl. the EU nature directives) among authorities at each level of governance will be proposed. The process will result in identifying the best possible Institutional setup which will be justified and discussed with relevant stakeholders.

9 Executive summary

The report, developed under the LIFE23-PRE-CZ-ConNaturLIFE Ukraine project, focuses on conducting a functional analysis of Ukraine's institutional setup for nature conservation. It proposes restructuring strategies to enhance capacity, meet national and international obligations, and ensure sustainable biodiversity management. The report includes several variants of recommendations for a new governance structure, illustrated by organograms.

Ukraine's nature conservation system is characterized by fragmented responsibilities among seven central authorities and regional administrations. Challenges include insufficient staffing, outdated structures, and limited financial resources, exacerbated by the ongoing geopolitical crisis. The Ministry of Environmental Protection and Natural Resources (MEPR) oversees the largest share of protected

areas but struggles to meet increasing demands stemming from EU directives, national legislation, international commitments, and changing environmental conditions.

Current Challenges

- **Fragmented Governance:** Seven central authorities and multiple regional administrations share responsibilities for managing protected areas (PAs). This fragmentation leads to inefficiencies and a lack of accountability.
- **Understaffing and Limited Resources:** With only 40 personnel managing conservation tasks nationwide, Ukraine lacks the capacity to fulfill its obligations under national legislation and international commitments.
- **Disruption from Conflict:** Russian aggression has directly impacted 20 protected areas, further straining an already overburdened system.
- **Financial Constraints:** Low salaries and limited budgets hinder recruitment and retention of qualified staff.

Strengths to Build Upon

- **Extensive Protected Area Network:** Covering 6.93% of Ukraine's territory, the system includes well-preserved ecosystems safeguarded by a solid legislative framework.
- **Dedicated Field Staff:** Many protected area administrations have committed personnel who can form the backbone of future improvements.

Proposed Governance Models

The report analyses five scenarios for reform, with the following key options:

1. **Status Quo:** Retaining the current setup is unsustainable due to inadequate capacity and inability to address growing obligations.
2. **Strengthening the MEPR:** Adding regional offices and staff provides a temporary solution but does not address systemic inefficiencies or the need to separate policymaking from implementation.
3. **New Agency with Regional Branches:** Establishing a centralized State Nature Conservation Agency with regional offices offers the most promising approach. This model provides clear coordination and localized implementation, with approximately 717 staff supporting conservation efforts nationwide.
4. **New Central Agency with Strengthened Regional Administrations:** Combining a central agency with enhanced regional capacity offers cost efficiency but risks insufficient oversight and uneven implementation.
5. **New Central Agency Only:** Establishing an agency without regional branches lacks sufficient local engagement and is not recommended.

Recommended Solution: A Centralized Agency with Regional Branches

The most viable approach involves creating a **State Nature Conservation Agency** with the following structure:

- **Central Headquarters:** Responsible for national coordination, biodiversity monitoring, and policy implementation. Staff: ~66 employees.
- **Regional Branches:** 27 branches to ensure local engagement and oversee the management of regional and national protected areas. Staff: ~20 employees per branch.
- **Protected Area Administrations:** On-the-ground management teams for specific protected areas.

Advantages

- Clearer distribution of responsibilities and accountability.
- Stronger coordination between national policies and local implementation.
- Enhanced capacity to meet EU obligations, such as the Birds and Habitats Directives.

Next Steps

1. **Immediate Capacity Building:** Strengthen MEPR staffing as a short-term measure.
2. **Detailed Financial Analysis:** Evaluate the costs and feasibility of the proposed structure.
3. **Stakeholder Engagement:** Involve regional administrations, protected area managers, and international partners in refining the reform model.
4. **Implementation Plan:** Develop a phased approach to establish the new agency and its regional branches.

In conclusion, the report advocates for a bold but necessary restructuring of Ukraine's nature conservation governance. By creating a centralized agency with regional branches, Ukraine can strengthen its capacity to protect biodiversity, fulfil international commitments, and ensure the long-term sustainability of its natural heritage. This reform represents a critical step towards building a resilient and effective conservation system that aligns with modern European standards.

10 List of abbreviations

1	CZ	Czech Republic
2	EIA	Environmental Impact Assessment
3	EPL	Environmental Law Alliance Worldwide (interpreted from context)
4	EU	European Union
5	GMOs	Genetically Modified Organisms
6	IUCN	International Union for Conservation of Nature
7	KPIs	Key Performance Indicators
8	LIFE	Life Programme (EU funding instrument for environment and climate action)
9	LIFE	The Financial Instrument for the Environment Programme
10	MEPR	Ministry of Environmental Protection and Natural Resources of Ukraine
11	MoE	Ministry of Environment
12	NCA CR	Nature Conservation Agency of the Czech Republic
13	NP	National Park
14	NRF	Nature Reserve Fund
15	PA	Protected Area
16	RST	Reform Support Team
17	SEA	Strategic Environmental Assessment
18	SWOT	Strengths, Weaknesses, Opportunities, and Threats (analysis framework)
19	UNCG	Ukrainian Nature Conservation Group
20	UNESCO	United Nations Educational, Scientific and Cultural Organization

11 Annexes

1. Functional Analysis Table – Ukraine (only in electronic version)
2. Functional Analysis Table – Czech Republic (only in electronic version)
3. Table of Preliminary SWOT Analysis
4. Organogram 1 – Status Quo
5. Organogram 2 – MEPR with regional offices
6. Organogram 3 – State Nature Conservation Agency without regional branches with strengthening the Regional State Administrations
7. Organogram 4 – State Nature Conservation Agency with regional branches
8. Organogram CZ - The Czech Nature Conservation Setup

Reference

Maxim K. (2021): Analytical note regarding creation of a central body of executive power for the implementation of state policy in the field of development and management of the territories and objects of the nature reserve fund, the territories of the Emerald Network and the preservation of biodiversity. Msc. RST.

Annex 3. Preliminary SWOT analysis

scenario	Strengths	Weaknesses	Opportunities	Threats	Implementation likelihood (1 – highest...5 lowest)
New Central Agency	<ul style="list-style-type: none"> - New employees, new team, clear mission, fresh momentum and energy ensuring coordination of the implementation of nature conservation legislation at the national level. - A clear separation between the formation and implementation of policy by government authorities will reduce corruption risks. - Increasing independence, flexibility and speed of decision-making. - Concentration of human and material resources to achieve nature conservation goals. 	<ul style="list-style-type: none"> - Probably not having enough capacities (human resources, funding, knowledge of the local context) to solve all the problems, without branches very weak. - Consolidation of powers in one agency on the national level without powers on the regional level, possible lack of transparency, non-compliance with the national decentralization and anti-corruption reform that are flagship of European integration reforms. - Not realistic at all – possible lack of connection to regions. 	<ul style="list-style-type: none"> - New ideas, improving quality of existing nature conservation effort and promoting the importance of healthy nature. - Highlighting nature conservation as a separate area of state activity. 	<ul style="list-style-type: none"> - Missing support from the Ministry of Finance. - Lack of cooperation with the regional administrations and local self-governance bodies. 	2

New Agency with regional branches	<ul style="list-style-type: none"> - New employees, new team, clear mission, fresh momentum and energy. - Ensuring coordination of the implementation of nature conservation legislation at the national and regional levels, - Creation of the ability to organize nature conservation measures and biodiversity monitoring in Protected Areas without administrations. - A clear separation between the formation and implementation of policy by government authorities will reduce corruption risks. - Increasing independence, flexibility and speed of decision-making. - Concentration of human and material resources to achieve nature conservation goals. 	<ul style="list-style-type: none"> - Demanding more funds and capacity-building efforts at the beginning. - Lack of experts to staff the new agency and all newly created branches. 	<ul style="list-style-type: none"> - Good chance to fulfil all the requirements for modern nature conservation incl. the EU directives obligations. - Highlighting nature conservation as a separate area of state activity. - Increasing the level of interaction and cooperation between the state and local authorities and self-government, other stakeholders at the regional and local levels. - Creating an opportunity to balance influences in the decision-making process regarding the development of regions, etc. - Increased opportunities for local sustainable development on the basis of nature-based solutions selecting best development scenarios), including increased possibilities for recreation, green tourism, preservation of traditional life-styles. - Corresponds to the practice of most EU countries 	<ul style="list-style-type: none"> - Missing support from the Ministry of Finance. - Lack of coordination between newly created regional branches and existing environmental departments at regional state administrations. 	<p>4</p>
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<p>New Agency – national level</p> <p>Expanded/restructured existing environmental departments at regional state administrations through creation of new units on Emerald network on the regional level</p>	<ul style="list-style-type: none"> - New employees, new team, clear mission, fresh momentum and energy. - Balanced distribution of powers between national and regional levels that complies with the national decentralization policy. - The powers distribution is less prone to corruption risks and means less concentration of decision-making authority in one agency. - Successfully working model that proved effective in other areas, such as EIA. - Much cheaper option for arranging working regional branches. Created units will significantly strengthen specific analytical capacity of other units in the regional departments, e.g. EIA unit. - The first vice-minister supports this option. 	<ul style="list-style-type: none"> - Funding for creation of new agency at the national level. - Costs of hiring new experts. - Challenges of finding professional experts with specific expertise at national and regional levels. - The issue of nature protection at the regional level will be lost among other questions of the region's development 	<ul style="list-style-type: none"> - Increased effectiveness of implementing the Bird and Habitat Directives of the national and regional levels. - Employment of local experts with deep local expertise and background knowledge, contacts with local communities and strong motivation to protect local nature, which facilitates smooth, conflict-free process of getting consents for creation and management of Emerald sites. - Increased quality of documents (SEA, EIA reports and conclusions, management plans, appropriate assessment) conclusions, monitoring reports etc.). - Decreased risks of conflicts with local communities and self-governance bodies. Increased opportunities for local sustainable development on the basis of nature-based solutions selecting best development scenarios), including increased possibilities for recreation, green tourism, preservation of traditional life-styles. 	<ul style="list-style-type: none"> - Missing support from the Ministry of Finance. - The distribution of powers between national and regional levels will create the risk of slow decision-making. - The risk of different priorities for the regional departments that may focus more on war-related issues, issues of regional and local development. - Regions could not respect central guidelines and recommendations. - Possible high influence of regional politics 	<p>1</p>
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<p>New Agency with PAs administrations as regional branches</p>	<ul style="list-style-type: none"> - New employees, new team, clear mission, fresh momentum and energy on the central level - New inspiration for PAs administrations. - Ensuring coordination of the implementation of nature conservation legislation at the national and regional levels - Creation of the ability to organize nature conservation measures and biodiversity monitoring in Protected Areas without administrations. - A clear separation between the formation and implementation of policy by government authorities will reduce corruption risks. - Increasing independence, flexibility and speed of decision-making. - Concentration of human and material resources to achieve nature conservation goals. 	<ul style="list-style-type: none"> - Requiring large-scale changes in legislation. - Possibly weakening PAs personal capacities. - Potentially creating conflicts on the local level. - Conflict of interests. Non-compliance with anti-corruption and decentralization reforms priorities. - Contradicts the practice of administrative functions distributions. 	<ul style="list-style-type: none"> - Increased effectiveness of implementing the Bird and Habitat Directives of the national and regional levels. - Employment of local experts with deep local expertise and background knowledge, contacts with local communities and strong motivation to protect local nature, which facilitates smooth, conflict-free process of getting consents for creation and management of Emerald sites. - Decreased risks of conflicts with local communities and self-governance bodies. Increased opportunities for local sustainable development on the basis of nature-based solutions selecting best development scenarios), including increased possibilities for recreation, green tourism, preservation of traditional life-styles. 	<ul style="list-style-type: none"> - Missing support from the Ministry of Finance. - Lack of coordination between newly created regional branches and existing environmental departments at regional state administrations. 	<p>3</p>
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Strengthening capacities of the Ministry (new dpt., regional offices)		<ul style="list-style-type: none"> - Recreating a structure that has already been dissolved undermines its credibility. - Lack of capacities for implementing new obligations related to the approximation process. - A constant decrease in the possibility of forming and implementing nature protection policy. - Due to excessive workload and lack of positive results, staff turnover and the destruction of institutional memory. - High corruption risks in connection with the concentration of powers regarding the formation and implementation of nature protection policy within one state organization. - It contradicts other areas of environmental policy. 		<ul style="list-style-type: none"> - Missing support from the Ministry of Finance. - Lack of coordination between newly created regional branches and existing environmental departments at regional state administrations. 	
Existing state – no change	- No additional financial and human resources are required	- Lack of capacities for implementing new obligations related to the approximation process.		<ul style="list-style-type: none"> - Continuation of biodiversity loss outside PAs and in regional PAs. - Inability to fulfil national and international obligations 	

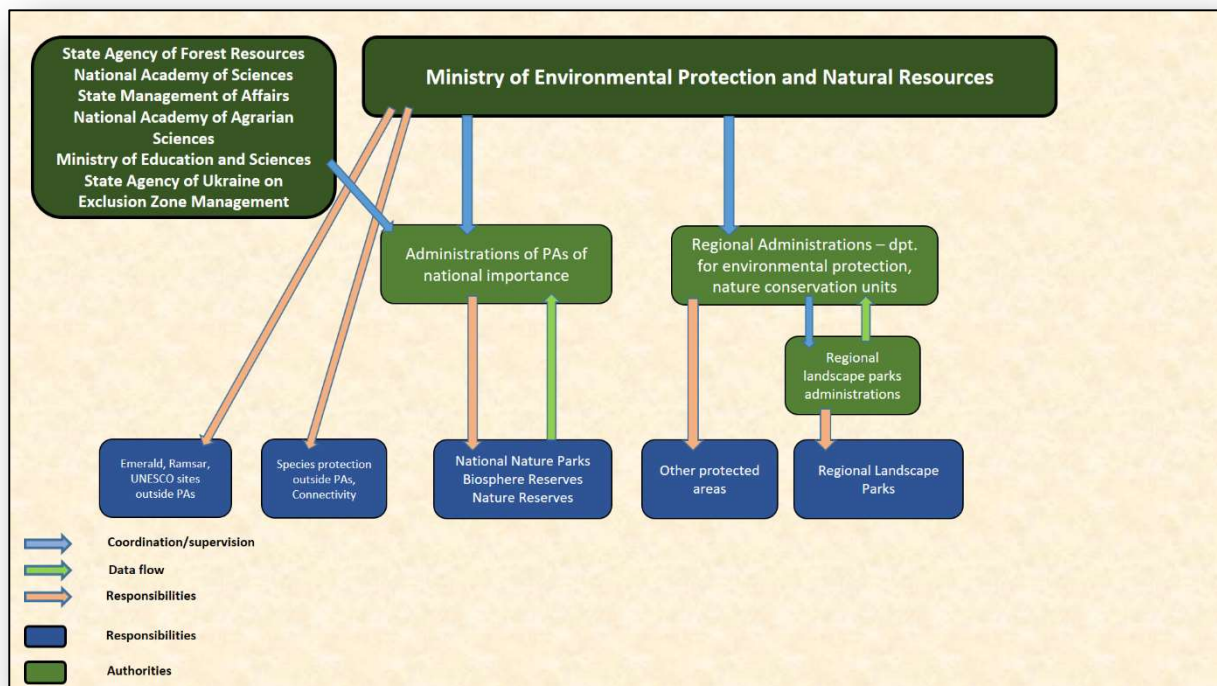
		<ul style="list-style-type: none"> - A constant decrease in the possibility of forming and implementing nature protection policy. - Due to excessive workload and lack of positive results, staff turnover and the destruction of institutional memory. - High corruption risks in connection with the concentration of powers regarding the formation and implementation of nature protection policy within one state organization. 		regarding nature protection, including those related to joining the EU	
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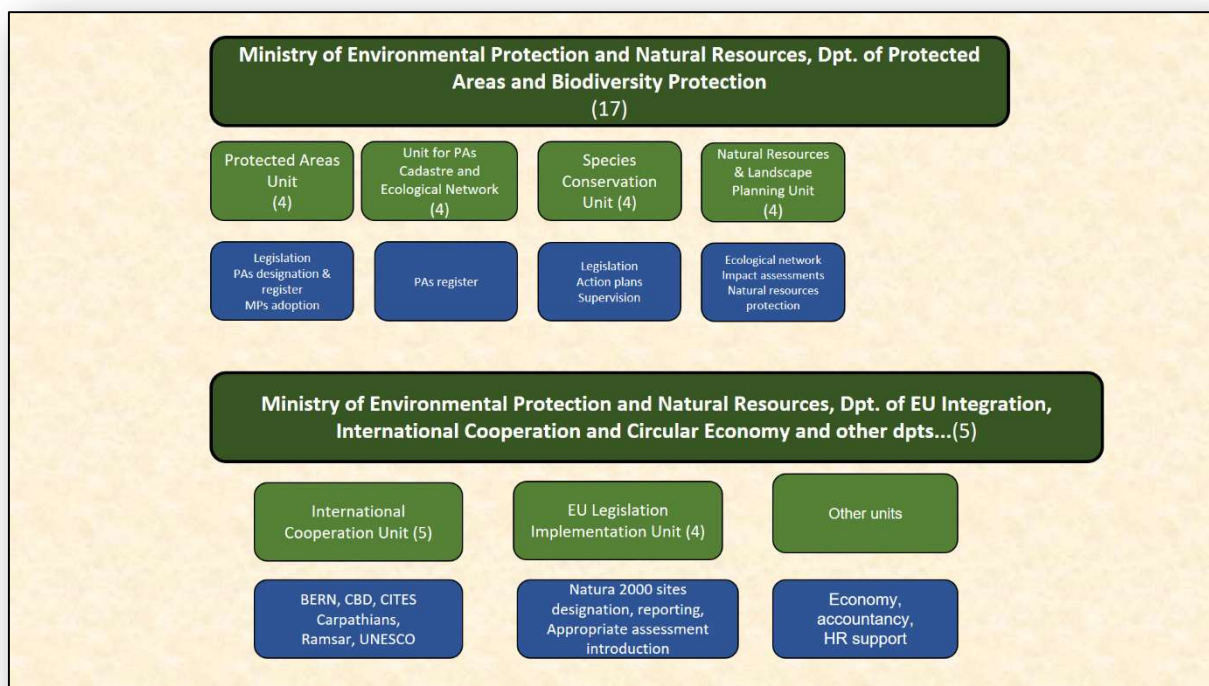
Annex 4. Organogram 1 – Status Quo

Option 1 Status Quo

Staff units number

MEPR	17 + 3 (incl. the EU Integration, Int. Cooperation Dpt. & other)
Regional Administrations	20 (0.5-2 staff units x 24 regions, AR Crimea, Kyiv & Sevastopol cities)
Total	40





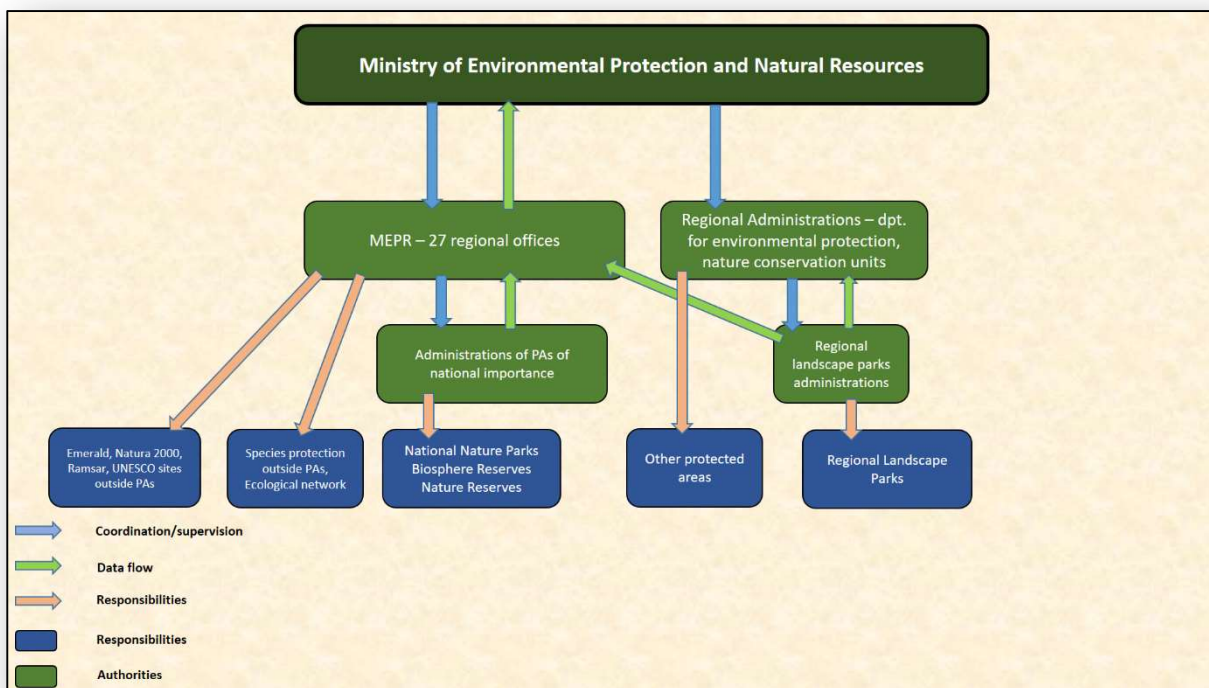
Annex 5. Organogram 2 – MEPR with regional offices

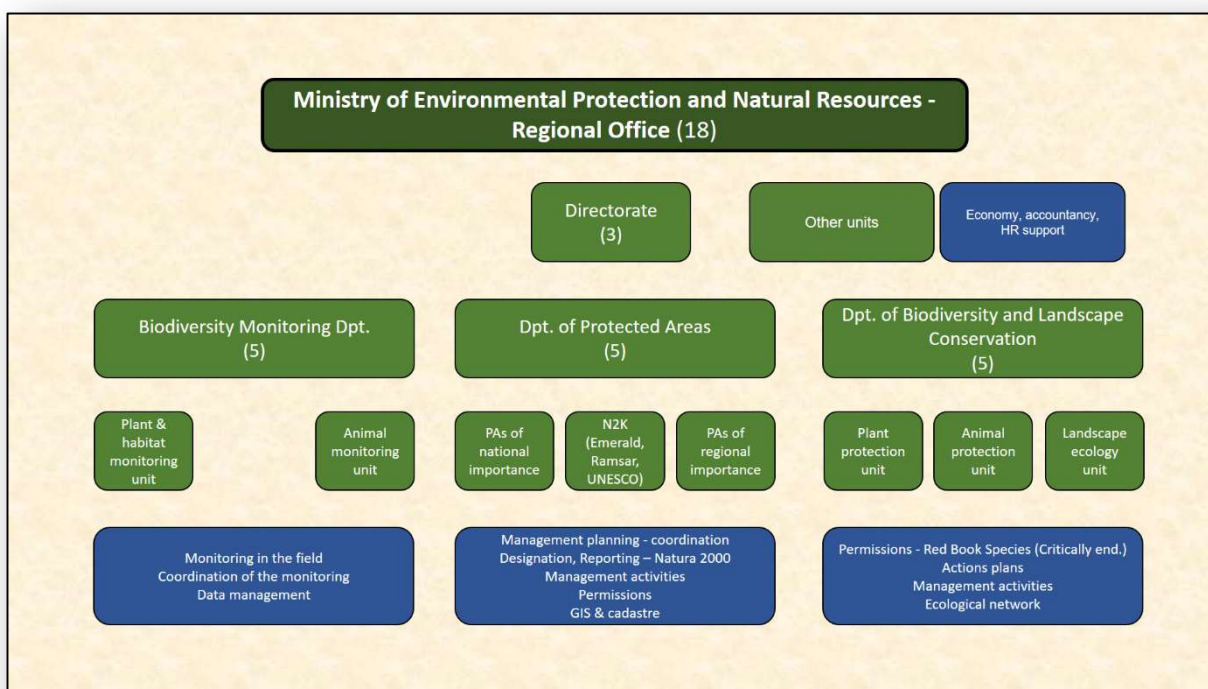
Option 2

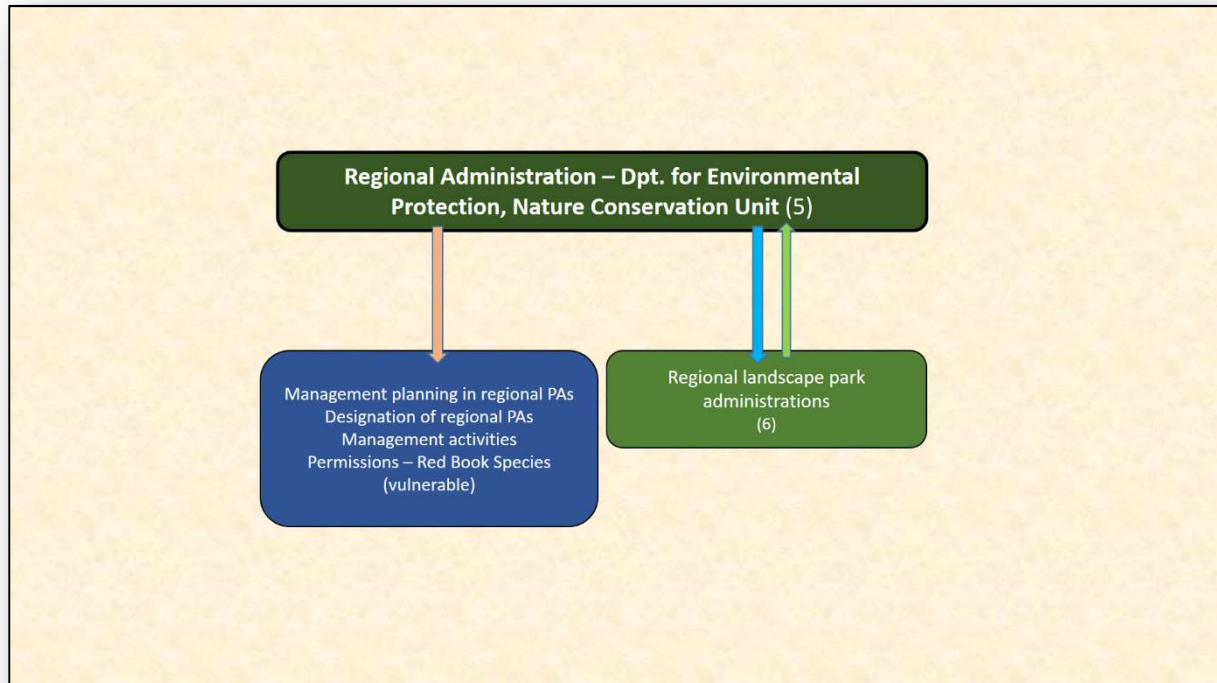
Ministry of Environmental Protection and Natural Resources with regional offices

Staff unit requirements

MEPR	38
MEPR – 27 regional offices	486
Regional Administrations	135 (5 staff units x 24 regions, AR Crimea, Kyiv & Sevastopol cities)
Total	659







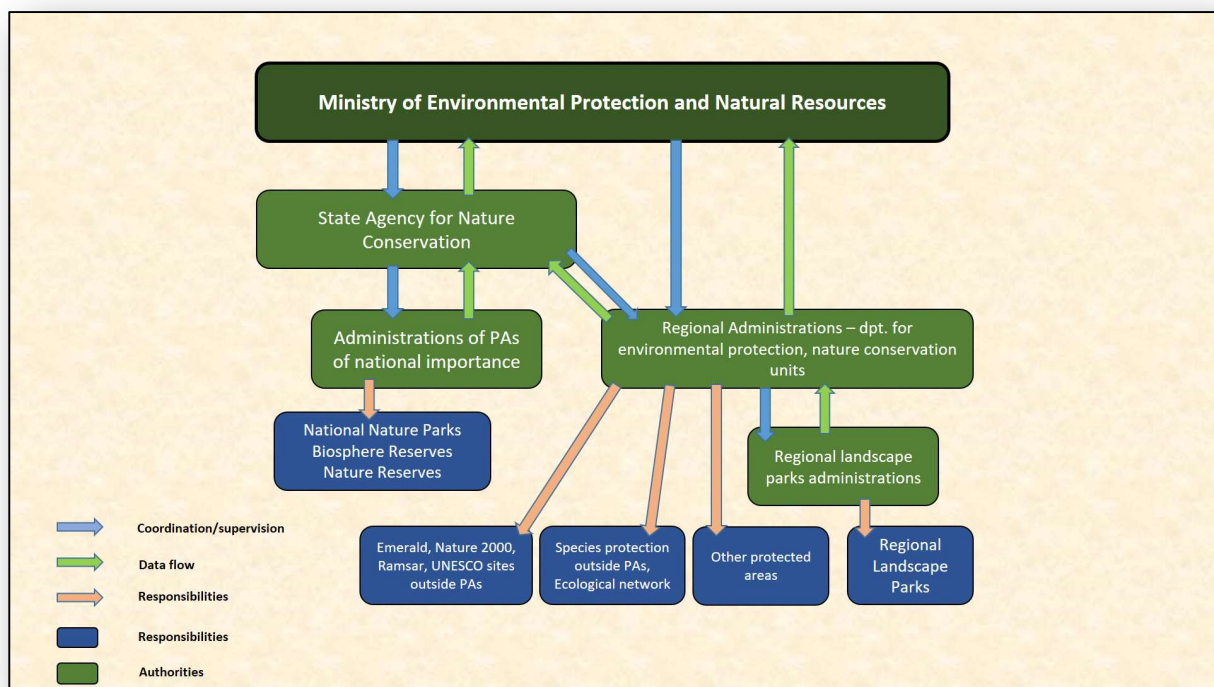
Annex 6. Organogram 3 – State Nature Conservation Agency without regional branches with strengthening the Regional State Administrations

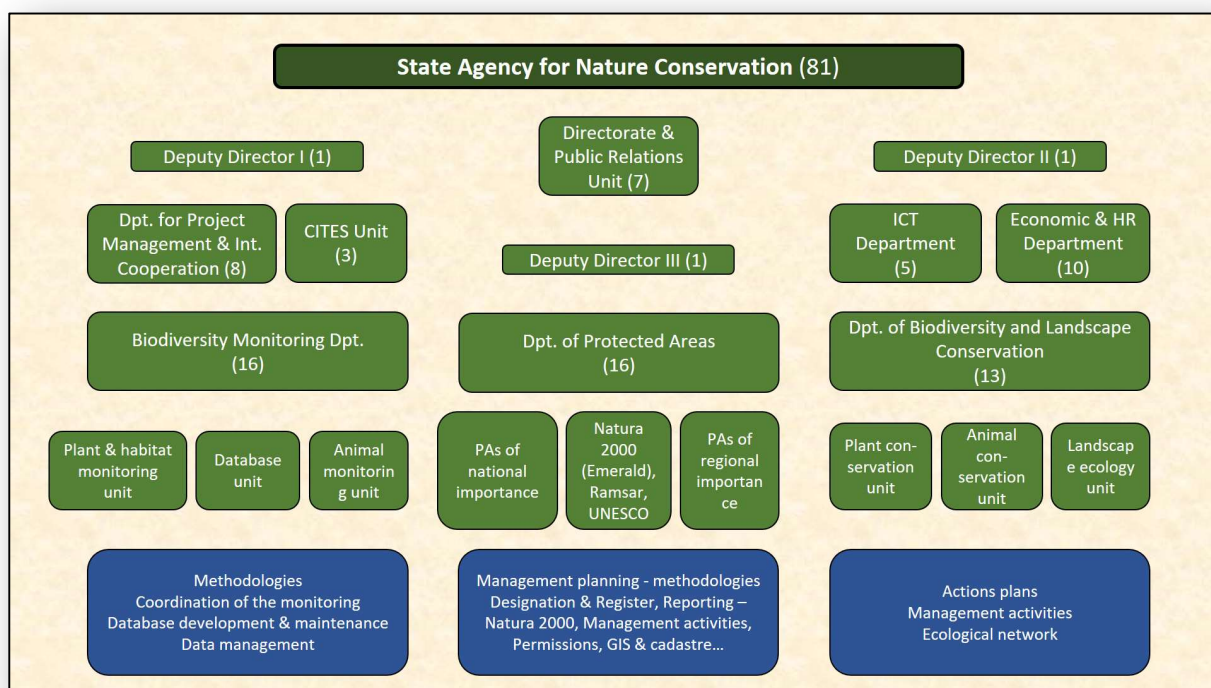
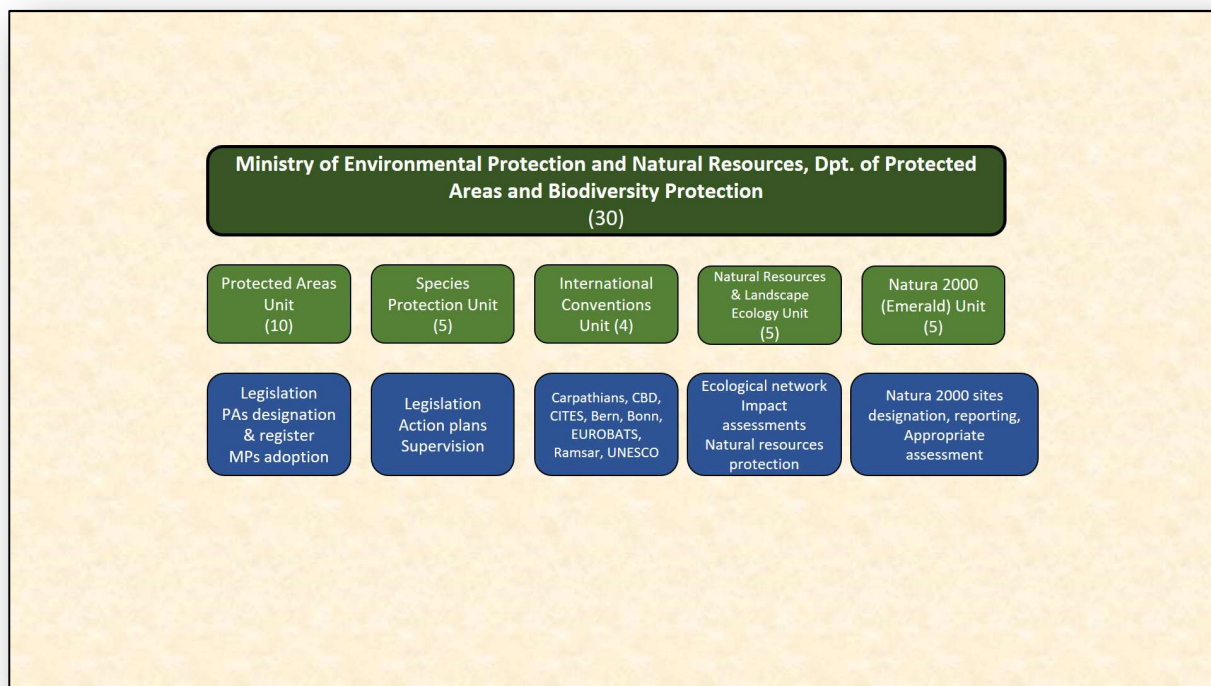
Option 3

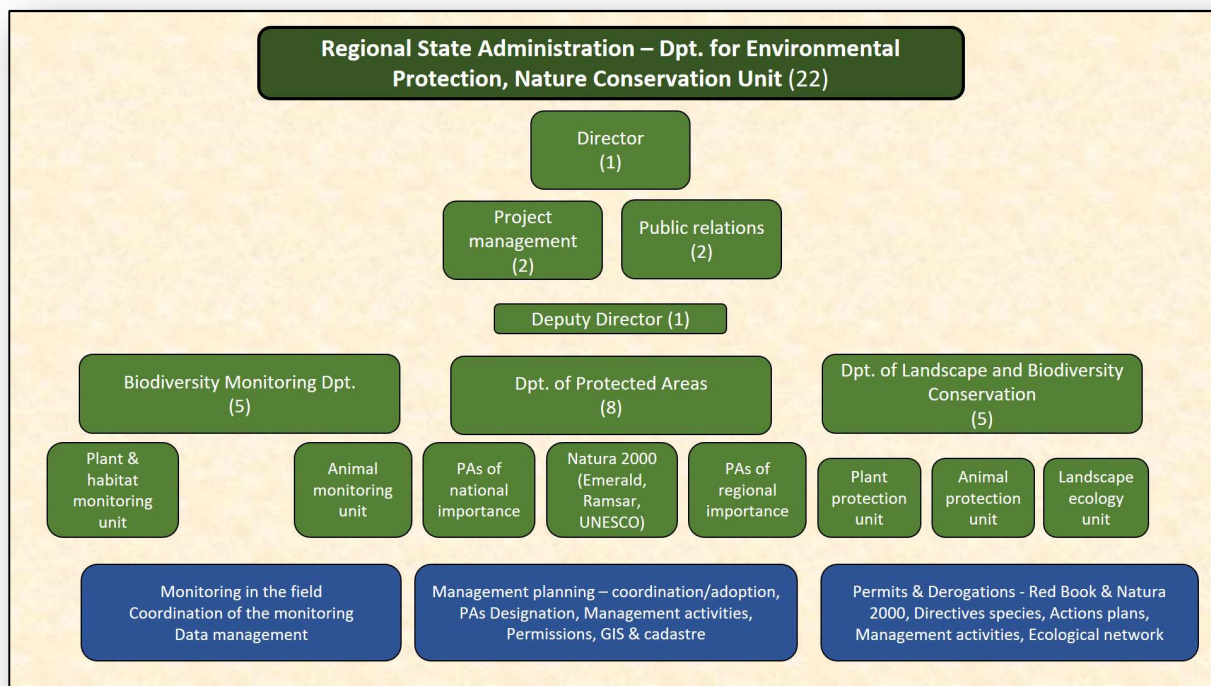
State Agency for Nature Conservation without regional branches & Strengthening capacities of Regional State Administrations

Staff unit requirements

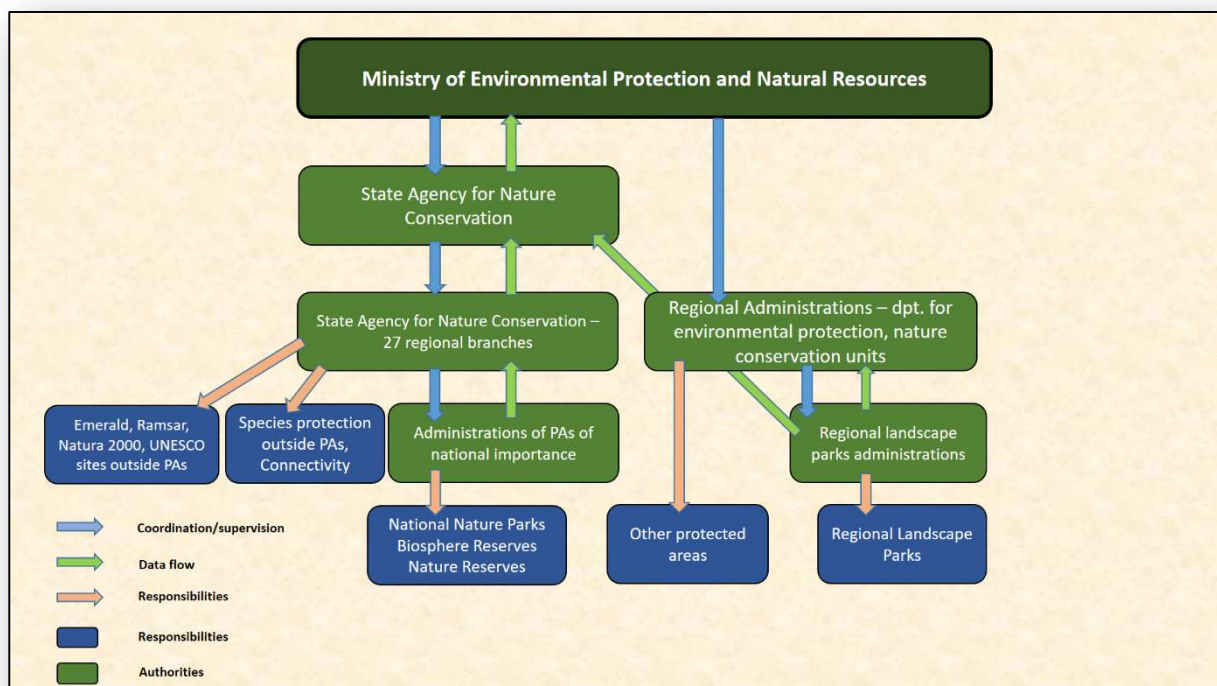
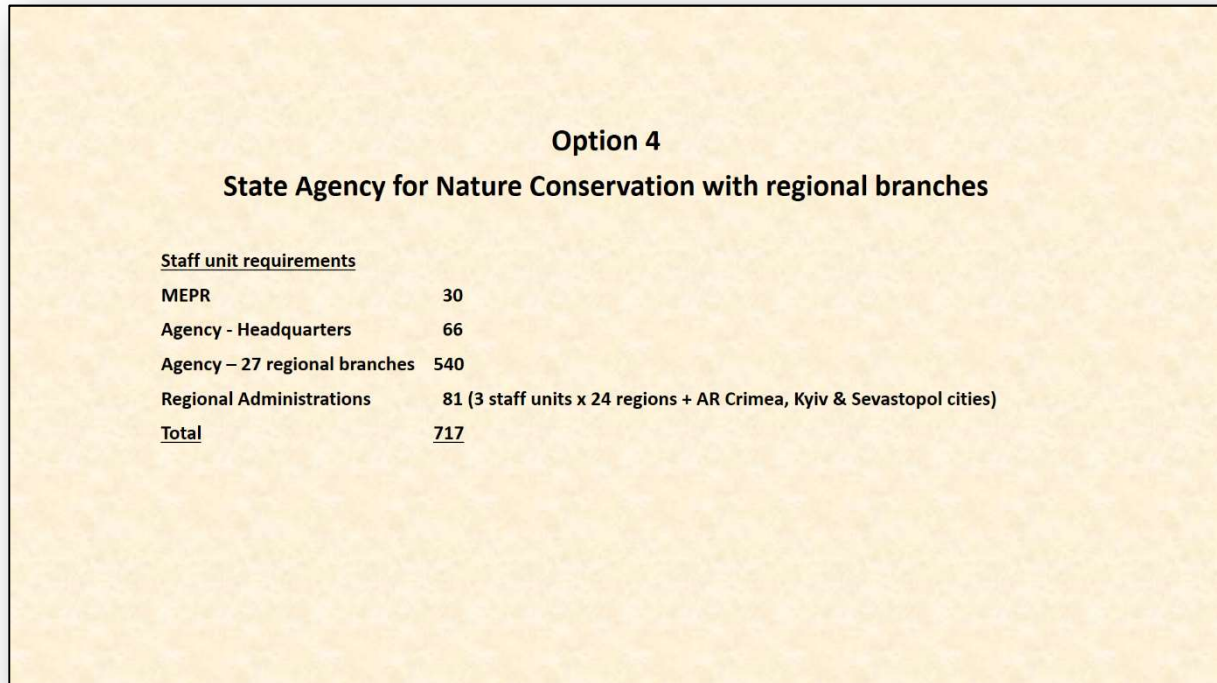
MEPR	30
Agency	81
Regional State Administrations	594 (22 staff units x 24 regions + AR Crimea, Kyiv & Sevastopol cities)
Total	705

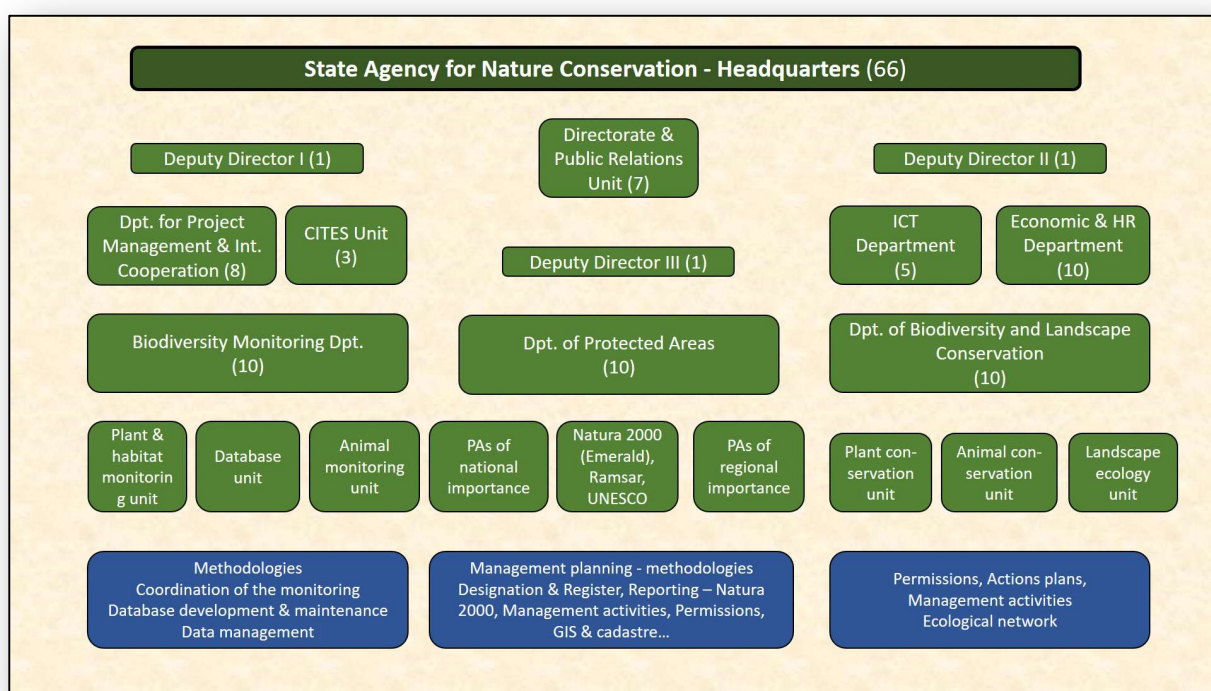
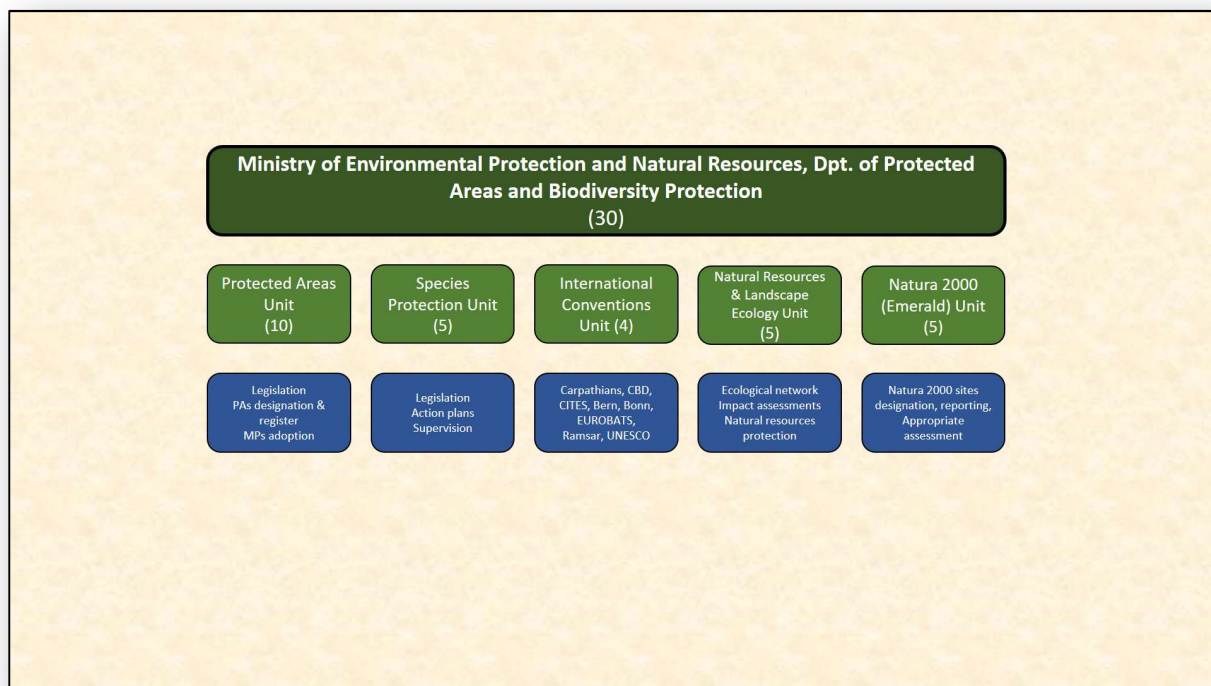


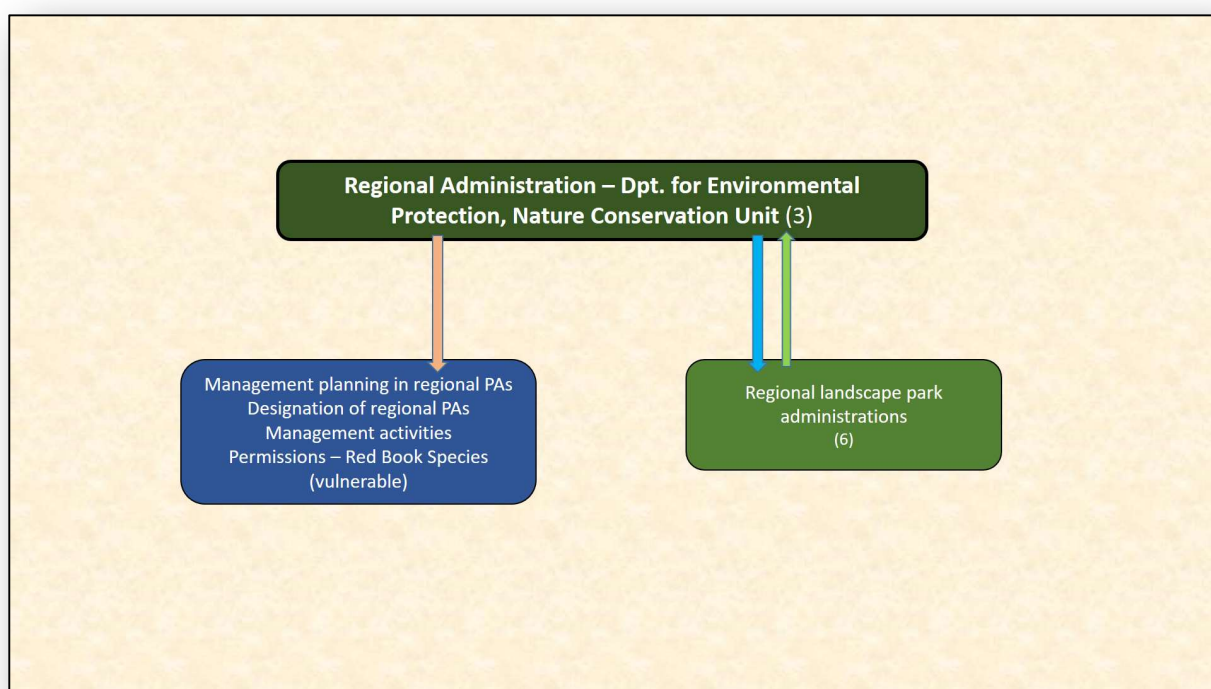
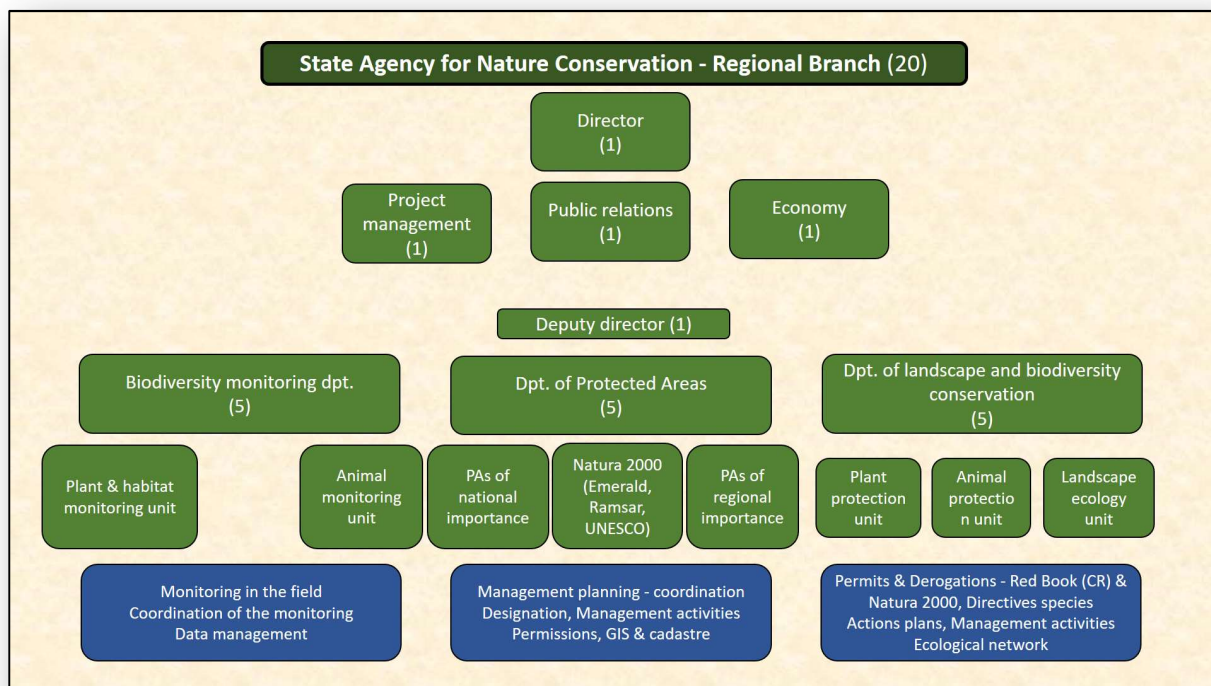




Annex 7. Organogram 4 – State Nature Conservation Agency with regional branches







Annex 8. Organogram CZ - The Czech Nature Conservation Setup

Nature Conservation System in the Czech Republic

Staff unit numbers

MoE	26
MoE - 5 regional branches	25
Agency - Headquarters	140
Agency – 13 regional branches	130 (excluding PLA administrations)
Regional Authorities	104 (8 staff units x 13 regions)
Total	425

(PAs administrations staff - app. 850 employees - not included)

