

5 November 2020

TO:
Janez Koprar,
Director of Energy Community Secretariat

Dirk Bushle,
Legal Counsel of Energy Community Secretariat

CC:
Matti Maasikas,
Head of the European Union Delegation to Ukraine

Directorate-General Energy (DG-ENER)

OPEN APPEAL

Working Group 3 "Environment, Climate Change and Energy Security" of the Ukrainian National Platform of the Eastern Partnership Civil Society Forum and Working Group 5 "Energy, Transport, Environment and Climate Change" of the Ukrainian side of the EU-Ukraine Civil Society Platform Regarding changes to the National Emission Reduction Plan for large combustion plants

Ukrainian civil society welcomes the European Green Deal objectives adopted in December 2019 by the European Commission. We highly support and appreciate the European Commission and the Energy Community Secretariat efforts to support Ukrainian reforms in energy and environment.

We are concerned with reported intentions of Ministry of Energy of Ukraine to postpone implementation of Industrial Emissions Directive and shift the cutoff date of National Emission Reduction Plan (NERP) from 2033 to 2043, claiming that timely decommissioning of coal-fired units will undermine security of supply in Ukraine. We understand that in practice this means granting another 10 years of operation for large combustion plants listed in NERP.

Секретаріат
Української національної платформи
Форуму громадянського суспільства Східного партнерства
Контактна особа: Марина Гутгарц, Секретар Платформи
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Ministry of energy as justification to such claims is referring to Ukrenergo's 2019 Generation Adequacy Assessment Report (2019 GAAR), which was approved by NEURC on 13 March 2020. To date this is the only legally valid generation adequacy assessment for Ukraine, as draft 2018 GAAR was declined by NEURC. The document approved in March 2020 is not available in English and does not comply with ENTSO-e generation assessment methodology. We would also like to bring your attention to number of problematic issues with this document:

- 2019 GAAR failed to provide realistic outlook of possible changes in the structure of power generation capacities, while assumed scenarios do not provide for optimization of capacity utilization under merit order (which is fundamental for reduction of electricity cost), power system flexibility and RES integration.
- 2019 GAAR in its capacity outlook prioritizes interests of coal industry and private power generating companies (no CO2 tax and environmental restrictions for coal-fired TPPs envisioned, obligations for IED and LCPD compliance neglected, continued low capacity utilization rates for nuclear power plants).
- It does not provide sufficient coverage of technical measures necessary to ensure safe and reliable operation of the Ukrainian power system in isolated mode (for expected 2 week testing period) and enable further synchronization with the European energy system, which is envisioned in the 2017 agreement between "Ukrenergo" and ENTSO-E.

Lack of a well-prepared and ENTSO-e compliant Generation Adequacy Assessment Report poses a grave threat for energy security of Ukraine and creates obstacles for further progress electricity market liberalization reform.

In this context we ask Energy Community Secretariat and European Commission to consider the following recommendations:

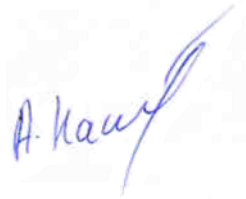
- demand from NPC Ukrenergo commissioning of 2020 Generation Adequacy Assessment Report in accordance to [ENTSO-e Adequacy methodology](#) with consecutive ENTSO-e expert review and verification of document's integrity and compliance.
- initiate transparent revision of National Emission Reduction Plan and establish final date for coal phase-out in Ukraine in the context of integrated climate and energy policy and existing multi-stakeholder national just transition dialogue.
- facilitate reflection in the National climate and energy plan and 2030 climate targets the expected CO2 emission reductions associated with decommissioning of coal units listed in opt-out derogation.
- facilitate transparent and inclusive public consultations for 2030 climate and energy targets and draft National Energy and Climate Plan.
- establish data verification mechanism for emission registries of dust, SO2 and NOx for combustion plants listed as falling under National Emission Reduction Plan.
- establish mechanisms to enforce timely decommissioning of thermal power plants, that fall into op-out lists under limited lifetime derogation established under Ministerial Council [decision 2016/19/MC-EnC](#).

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We ask to take decisive actions to deter any further derogations of LCPD and IED compliance in Ukraine, which would critically distort competition, undermine prospects for power sector decarbonization, disable vital reforms and hinder electricity market integration in the Energy Community.

Yours Sincerely,

On behalf of WG5 UA CSP
WG5 Coordinator
Andrusevych Natalia



On behalf of WG3 UNP EaP CSF
WG3 Coordinator
Gavrilyuk Ruslan



The Ukrainian side of the EU-Ukraine Civil Society Platform (<https://eu-ua-csp.org.ua/>) is the national part of the Ukraine-EU Civil Society Platform, one of the official bilateral bodies of the EU-Ukraine Association Agreement. In accordance with Articles 469-470 of the Association Agreement, the Platform officially represents the interests of civil society of Ukraine and the EU in the process of implementation of the Agreement, monitors and publicly controls its implementation. From the Ukrainian side, the Platform includes 15 members - representatives of public associations, trade unions and employers' organizations. Under their auspices, the CSS unites 282 organizations.

The Ukrainian National Platform of the Eastern Partnership Civil Society Forum (<http://eap-csf.org.ua/>) is a network of more than 140 non-governmental organizations in Ukraine that advocates Ukrainian interests within the framework of the Eastern Partnership. The platform is part of the Eastern Partnership Civil Society Forum (EaP CSF). The Eastern Partnership Civil Society Forum is unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms. The EaP CSF is a non-partisan bona fide non-governmental organisation.

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