

Framework Document:

High-Level Working Group on the Environmental Consequences of the War in Ukraine

September 15, 2023

Ukraine has suffered catastrophic damage since Russia's full-scale military attack on the country in February 2022. The number of people killed, injured, or pushed from their homes; the children kidnapped and forcibly taken from Ukraine; the infrastructure destroyed: the loss and the suffering is almost incalculable.

The natural environment has also been a casualty of this war, with devastating effect. The consequences of this environmental damage – on mental and physical health, on the economy and livelihoods – are deep and wide-ranging, and extend well beyond the borders of Ukraine. The protection and sustainability of the environment, in its many forms, is directly linked to human security and well-being, national resilience, and humanitarian safety and welfare. There can be no prioritization between ensuring national security, a safe and prosperous Ukraine, and the protection and safety of the natural environment: they each affect and are dependent on the other.

The environmental impact of war is often underappreciated – sometimes called a “silent victim” – but in Ukraine the consequences are so grave that it has become a central point of international concern. Many of Ukraine's natural forest reserves, its animal and sea life, water, and impressive biodiversity have been terribly damaged or polluted. Global food security is under stress. The possibility of nuclear radiation leaking from an occupied nuclear power plant presents a threat to the whole region. Landmines are strewn in such great number that it will take decades for agricultural production and other land access to return to normal. The war itself is having a terrible impact on the climate, as well as stalling the climate policies that were in process.

President Zelenskyy highlighted the importance of environmental protection in his ten-point peace plan of November 2022, including food and energy security and nuclear safety. The Government of Ukraine has committed to giving these commitments more specificity and setting out a plan for implementation.

Key Factors

The environmental impact of the war in Ukraine is enormous due to a number of important factors:

- **Russia's prosecution of the war has directly and repeatedly hit environmental sites, and caused significant environmental damage, with no clear military target** and seemingly disproportionate to any anticipated military advantage. All evidence points to the collapse of Kakhovka Dam for example as an intentional act by Russia, flooding villages, destroying nature reserves, further strewing land mines, and putting the critical water supply for the Zaporizhzhia Nuclear Power Plant at great risk.
- **Ukraine feeds the world.** The war – and especially Russia's blockade of food exports through the Black Sea – is affecting food security globally. Ukraine has long been one of the world's major exporter of grains and cooking oils, and the increase in prices and reduction in supply as a result of Russia's actions has increased hunger and poverty for millions, in dozens of countries across the world.
- Ukraine is a country of **environmental splendor**: it is home to 35% of Europe's biodiversity, extraordinarily rich soil, and an impressive network of national parks, biosphere reserves, and other valuable ecosystems. Many of these sites have been directly damaged or even occupied by Russia, with terrible impact on the animal life and biodiversity of the country.
- It is also a country marked by **heavy industry**, including coal mines, chemical plants, oil depots, and other industrial sites, especially in the eastern Donbas region. This presents heightened environmental risks: enormous amounts of pollutants may be released into the air and water when these sites are damaged in the fighting.
- The **nuclear threat** is real. Russia's refusal to rule out the use of nuclear weapons, and the threat of disaster especially at the Russian-occupied Zaporizhzhia Nuclear Power Plant, represent extraordinarily irresponsible dangers that could impact the entire region.

- The war is having an **egregious impact on the climate** and climate goals. It appears that the war has significantly increased greenhouse gas emissions, while having a secondary effect of expanding fossil fuel development in other countries and reducing funds for adaptation. The poorest countries will suffer the most from this calamity.

Core Principles and Commitments

The High-Level Working Group on the Environmental Consequences of the War in Ukraine was created to bring attention to this terrible damage and help Ukraine see into a better environmental future. It will do this through relying on existing expertise, pushing for new research where needed, and advancing clear recommendations.

The deliberations and recommendations of the Working Group will be science-based and in line with international law and the Lugano Principles that emerged from the 2022 Ukraine Recovery Conference. It will push for full transparency in advancing environmental goals, which is understood as essential for success. More specifically, the Working Group will be guided by the following convictions:

1. The breadth and extent of the environmental impact of the war, both within Ukraine and globally, must be understood, and thus constantly tracked. This will strengthen accountability and will help guide risk mitigation, adaptation and reconstruction parameters and needs.
2. There must be accountability for the massive environmental destruction by Russian forces. Accountability includes holding individuals and states responsible for these crimes and providing reparations.
3. Ukraine can build back better, and this must be defined by environmental imperatives. The reconstruction of Ukraine and its industries, cities, and infrastructure, according to Best Available Technologies, should be guided by green sustainability objectives, and by the concept of Planetary Boundaries.
4. Clearly articulated green reconstruction goals deserve strong support from the Ukrainian people, its authorities, and the international

community, both public and private. Environmental criteria should be part and parcel of all recovery strategies and action plans across sectors, and assistance should be provided as needed to strengthen national capacity for implementation, which will require considerable interagency collaboration.

5. Both planning and action are needed urgently. Measures to prevent further environmental catastrophe, or mitigate damage, should be prioritized even as the war is still underway.
6. These measures will require engaging all of Ukrainian society, and will depend on partnerships between the public and private sectors, scientists, economists, community leaders, civil society, and others, including the concerns and representation of gender and youth. The Working Group will maintain an inclusive approach in its assessments and deliberations.

Three Priorities

The Working Group will assess what is known, where there are gaps, and what is needed for a comprehensive policy to respond to the environmental consequences of the war.

Damage assessment:

The Government of Ukraine collects information on damages on an ongoing basis, with the help of many Ukrainian citizens. Are there aspects of the environmental impact of the war that are not being captured, or could be reported or analyzed in a way that is more helpful for policy and action planning? Are there additional tools or methodologies that would be helpful for a more complete picture of the ongoing environmental damage and immediate risks?

Accountability:

Attacks during armed conflict that intentionally cause severe damage to the environment are a clear violation of international humanitarian law and constitute a war crime under the Rome Statute of the International Criminal Court. In Ukrainian law and in a number of other

jurisdictions, actions that cause environmental disaster are specifically defined as ecocide.

What is the strategy that will best define and ensure accountability for these massive crimes? How can the international community contribute to a multi-pronged approach to domestic and international legal accountability, including through preserving evidence and standing by international legal norms that have been so flagrantly violated?

In addition to holding persons and states responsible for their actions, a clear commitment to reparations is essential. Difficult questions of resourcing must be addressed, given clear responsibility for the damage and the huge sums required. Examples from other contexts should help establish options for a reparations strategy.

Green reconstruction:

In recovering from the war's damage, Ukraine must also undertake the very difficult task of fully transitioning to a green economy. Independent work to date has set out useful principles to guide this, but more specificity is needed in identifying the best policies and priorities across all sectors of the environment and economy. Ukraine should be guided in part by the recommendations of the Planetary Boundaries framework and other internationally-agreed standards and goals, including the EU *acquis*, in undertaking its reconstruction, significantly improving on its pre-war environmental and industrial realities.

What is the best way for Ukraine to identify sector-specific needs in order to reach its green, net-zero goals? This must include attention to governance, financial, statutory, and oversight structures to facilitate implementation, and will require significant private and government investment, both domestic and international.

Conclusion

The Working Group will dedicate the next year to harness expertise in all of the above areas in order to advance recommendations that help Ukraine move into a green future that protects its environment and gives it due justice for its extensive suffering.

A green Ukraine will benefit all Ukrainians, and will benefit humankind worldwide. The opportunity to modernize its industries, significantly reduce its carbon footprint, deepen its ecological protections, and undertake the necessary structural or legal changes to safeguard these protections are all critical elements for the country's recovery, and will help define its international relationships.

Ukraine is committed to grasping these responsibilities and standing in solidarity with future generations, in Ukraine and beyond, that will bear the consequences of today's actions. We must do all that is possible to help.