



# **SPECIAL REPORT**

**Commissioner of the Verkhovna Rada  
of Ukraine for Human Rights**

on the state of compliance with citizens'  
rights to clean and accessible water under the  
conditions of the legal regime of martial law



**Омбудсман України  
Ombudsman of Ukraine**



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## Foreword by the Commissioner of the Verkhovna Rada of Ukraine for Human Rights



Water is the foundation of life. Without access to quality drinking water, it is impossible to ensure daily existence, health, and well-being.

The human right to access clean and safe water is a fundamental component of a dignified life and a key condition for ensuring other rights. In November 2002, the UN Committee on Economic, Social and Cultural Rights recognized the human right to an adequate amount of water that meets sanitary standards as essential for ensuring an adequate standard of living. The further consolidation of this right in the resolutions of the UN General Assembly and the UN Human Rights Council confirmed its significance and the necessity of guaranteeing it to every person.

However, the modern world faces a number of challenges that make this right increasingly less accessible. Today, environmental challenges such as pollution, depletion of natural resources, and global climate change complicate the realization of this right.

The full-scale war unleashed by the Russian Federation against Ukraine has brought not only human losses and destruction but has also significantly exacerbated the problem of citizens' access to clean drinking water. The destruction of critical infrastructure, damage to water pipelines, disruptions in the operation of water supply and sewage systems due to shelling and power outages is a harsh reality in which hundreds of thousands of Ukrainians live.

The catastrophic consequences of the Russian military's explosion of the Kakhovka hydroelectric power station are worth mentioning. According to a joint report by the Ukrainian government and the UN, around a million people have lost access to drinking water and thousands have been left without electricity. In such circumstances, the right to clean water becomes a humanitarian issue that must be urgently addressed.

To draw attention to this issue, I, the Ukrainian Parliament Commissioner for Human Rights, initiated a comprehensive study of citizens' rights to clean and accessible water under the legal regime of martial law in 2024. The study monitored the situation, collected data on the impact of hostilities on the water supply and examined the implementation of state policy in this area. Analysing national legislation and international standards enabled us to identify the main issues requiring the attention of the state and the international community.

This document is not just a report on issues. It is the voice of those who face water shortages every day, who are forced to search for it in destroyed cities and villages, who need government support and attention.

The Special Report highlights four key problematic aspects:

- the impact of the Russian Federation's military aggression on citizens' rights to drinking water and water supply.
- the impact of business entities on water resources.
- The state of development and implementation of state policy on ensuring the right to drinking water and sanitation.
- Compliance of national legislation with international norms and standards in the field of drinking water, drinking water supply and sanitation.

The result of the work carried out is the recommendations presented in the report for the Parliament and the Government of Ukraine, the central executive authorities regarding the improvement of legislation, and the implementation of state policy aimed at directing the development of practical tools to ensure citizens' rights to drinking water and sanitation, as well as recommendations for local government bodies regarding the proper execution of their powers in the field of drinking water supply and wastewater disposal.

I hope that the report will not only outline the scale of the problem but also serve as a starting point for changes aimed at protecting every Ukrainian's right to clean water; attract the attention of relevant authorities and contribute to strengthening state policy in the field of water supply and wastewater disposal, so that every person on the territory of Ukraine, regardless of circumstances, has guaranteed access to safe drinking water.

# Methods and sources of research

## The report is based on:

### 1) results:

- consideration of 511 individual and collective appeals to the Commissioner of the Verkhovna Rada of Ukraine for Human Rights (hereinafter referred to as the Commissioner) for the years 2023-2024 regarding violations of citizens' rights;
- 9 field monitoring visits to local government bodies, institutions, organizations, and economic entities in the field of centralized water supply and wastewater disposal, in particular:
  - territorial communities of Zhytomyr, Korostyshiv, Berdychiv, Vinnytsia, Mohyliv-Podilskyi, Odesa, Mykolaiv, Chernivtsi, Storozhynets;
  - centers for disease control and prevention of the Ministry of Health of Ukraine in Vinnytsia, Zhytomyr, Odesa, Mykolaiv, and Chernivtsi oblasts;
- 9 laboratory studies of the quality of drinking water sampled at the public receptions of the Commissioner in the cities of Zaporizhzhia, Kyiv, Lviv, Mykolaiv, Odesa, Sumy, Cherkasy, Chernihiv, Kharkiv, conducted in January-March 2025 by state regional laboratories of the State Service of Ukraine on Food Safety and Consumer Protection at the request of the Czech humanitarian organization 'People in Need';
- 3 laboratory studies by interregional bodies of the State Ecological Inspection in the cities of Zhytomyr, Berdychiv, Uman;
- online survey of citizens - consumers of centralized water supply services, conducted by the Commissioner in October 2024 (hereinafter referred to as the Commissioner's online survey). A total of 13,673 respondents from all regions of Ukraine participated in the survey: in urban areas (75.5%), suburban (13%), rural (13%) areas (excluding temporarily occupied territories of Ukraine). By gender: women (78%) and men (22%). By age: under 18 years (1%), 18-35 years (26.8%), 36-45 years (32.8%), 46-55 years (21.9%), 56-65 years (13.9%), 66 years and older (3.7%).

### 2) information received from/to:

- central executive authorities: Ministry of Health of Ukraine, Ministry for Communities and Territories Development of Ukraine, Ministry of Environmental Protection and Natural Resources of Ukraine, State Agency of Water Resources of Ukraine, State Environmental Inspection of Ukraine, State Service of Geology and Mineral Resources of Ukraine, State Emergency Service of Ukraine, State Service of Ukraine on Food Safety and Consumer Protection;
- 24 Oblast (State) Administrations;
- 23 local self-government bodies;

- annual National Reports on the state of the environment in Ukraine;
- National Reports on the quality of drinking water and the state of drinking water supply in Ukraine in 2021, 2022, 2023;
  - UN Report Ukraine “Post-Disaster Needs Assessment of the Kakhovka Hydroelectric Power Plant” (PDNA); data from the official resource of the Ministry of Environmental Protection “EcoThreat”;
  - expert studies by public organizations and other civil society institutions;
  - court decisions.

### **3) reports of the Accounting Chamber on the results of the audit:**

- measures provided for by the National Target Program “Drinking Water of Ukraine” for 2011-2020 dated 09.02.2016 No. 2-1;
- effectiveness on the topic “Destruction of the Kakhovka Hydroelectric Power Plant: scale and consequences of the disaster” dated August 27, 2024 No. 39-2.



## List of conditional abbreviations

<b>BOD<sup>5</sup></b>	Biochemical oxygen demand for 5 days
<b>SAWR</b>	State Agency of Water Resources of Ukraine
<b>SEI</b>	State Environmental Inspection of Ukraine
<b>SSUFSCP</b>	State Service of Ukraine on Food Safety and Consumer Protection
<b>SSGMR</b>	State Service of Geology and Mineral Resources of Ukraine
<b>SJA</b>	State Judicial Administration of Ukraine
<b>DSanPiN</b>	State Sanitary Norms and Rules
<b>SES</b>	State Emergency Service of Ukraine
<b>ME</b>	Municipal Enterprise
<b>MoJ</b>	Ministry of Justice of Ukraine
<b>MAPFU</b>	Ministry of Agrarian Policy and Food of Ukraine
<b>MoH</b>	Ministry of Health of Ukraine
<b>MEPNR</b>	Ministry of Environmental Protection and Natural Resources of Ukraine
<b>MEU</b>	Ministry of Economy of Ukraine
<b>MCTDU</b>	Ministry for Communities and Territories Development of Ukraine
<b>CME</b>	City Municipal Enterprise
<b>NEURC</b>	National Energy and Utilities Regulatory Commission
<b>CC</b>	City Council
<b>OMA</b>	Oblast Military Administration
<b>OSA</b>	Oblast State Administration
<b>LSGB</b>	Local Self-Government Body
<b>RF</b>	Russian Federation
<b>TC</b>	Territorial Community
<b>LLC</b>	Limited Liability Company
<b>CMU</b>	Cabinet of Ministers of Ukraine
<b>CEA</b>	Central Executive Authority

# The impact of full-scale military aggression of the Russian Federation on the rights of citizens in the field of drinking water and drinking water supply

During the period of military aggression by the Russian Federation against Ukraine, the issues of accessibility, quality, and safety of drinking water have become particularly relevant. The right to drinking water is one of the fundamental human rights and is inextricably linked to the right to life. This section analyzes the state of water resources; focuses on meeting the drinking, physiological, sanitary-hygienic, and household needs of the population for drinking water; raises the issue of access to information regarding water resources and the quality of drinking water; and clarifies the consequences of the full-scale aggression of the Russian Federation on water supply and wastewater management.

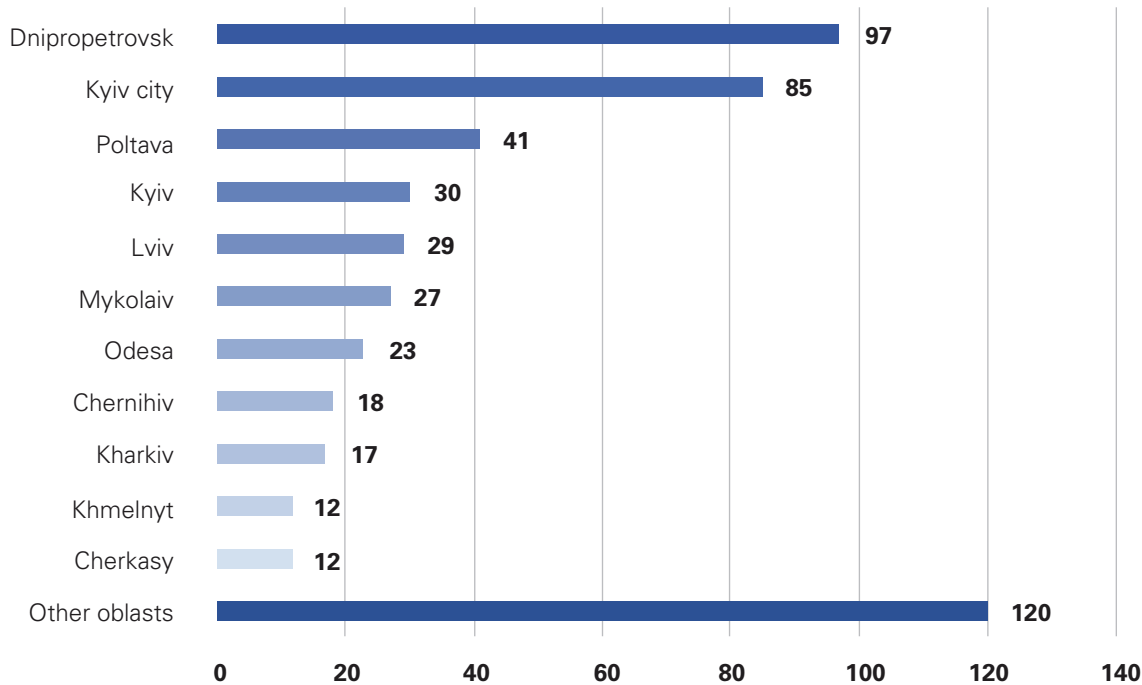
## **1. The state of water resources. Ensuring drinking, physiological, sanitary-hygienic, and household needs of the population for water. Access to information regarding water resources and the quality of drinking water**

This subsection reveals the issues regarding the state of water resources in Ukraine and the impact of armed aggression by the Russian Federation on them, the results of state monitoring of surface and groundwater, as well as issues related to nitrate pollution. It analyzes the state of satisfaction of consumers' needs for drinking water and issues regarding informing the population about water resources and the quality of drinking water. The importance of the aforementioned issues is evidenced by the significant number of appeals from citizens received during 2023-2024 by the Commissioner, in which they reported violations of their rights to drinking water, drinking water supply, and safe water resources (2023 - 200 appeals, 2024 - 311 appeals).

The most appeals were received from residents of Dnipropetrovsk Oblast - 97, Kyiv city - 85, Poltava - 41, and Kyiv oblasts - 30.

From 1 to 11 appeals during the specified period were received from citizens from Vinnytsia city, Volyn, Donetsk, Zhytomyr, Zakarpattia, Zaporizhzhia, Ivano-Frankivsk, Kirovohrad, Rivne, Sumy, Ternopil, and Chernivtsi oblasts. No appeals on these issues were received from Luhansk Oblast and the Autonomous Republic of Crimea, city of Sevastopol. The appeals raised issues and provided facts: pollution of surface and groundwater, poor quality of water supply or its absence, increase in tariffs for centralized water supply and wastewater services, as well as unlawful charges for debts for these services. Generalized information regarding citizens' appeals by region is reflected in the infographic.

Information on the number of appeals regarding violations of citizens’ rights to drinking water, drinking water supply, and safe water resources for the years 2023-2024



\*the indicator “other oblasts” includes information regarding appeals received from citizens of the following oblasts: Vinnytsia, Volyn, Donetsk, Zhytomyr, Zakarpattia, Zaporizhzhia, Ivano-Frankivsk, Kirovohrad, Rivne, Sumy, Ternopil, and Chernivtsi oblasts

1.1. State of Water Resources

Water resources are one of the most important elements of the natural environment that support human life, economic development, and the existence of ecosystems. At the same time, these resources are limited and vulnerable to the impacts of human activity and climate change. In the National Reports on the State of the Environment in Ukraine, starting from 2011<sup>1</sup>, it is noted that Ukraine is one of the least water-rich countries in Europe. In 2013, the local resources of river runoff per person amounted to about 1.0 thousand m<sup>3</sup> per year.<sup>2</sup> The resources of surface water across Ukraine are distributed very unevenly. In the latest National Report on the State of the Environment in Ukraine in 2021<sup>3</sup>, statistical indicators of river runoff per person per year are not provided, but it is noted that Donbas, Kryvorizhzhia, Crimea, and the southern regions of Ukraine are the least provided with water resources, although these regions have the highest number of water consumers. Under the legal regime of martial law, annual National Reports on the State of the Environment in Ukraine are not prepared.<sup>4</sup>

1 Ministry of Environmental Protection and Natural Resources of Ukraine: National Report on the State of the Environment in Ukraine in 2011, p. 41, URL: <https://mepr.gov.ua/wp-content/uploads/2023/05/U-2011-ROTSI.pdf>

2 Ministry of Environmental Protection and Natural Resources of Ukraine: National Report on the State of the Environment in Ukraine in 2014, p. 54, URL: <https://mepr.gov.ua/wp-content/uploads/2023/05/U-2014-ROTSI.pdf>

3 Ministry of Environmental Protection and Natural Resources of Ukraine: National Report on the State of the Environment in Ukraine in 2021, p. 42, URL: <https://mepr.gov.ua/wp-content/uploads/2023/01/Natsdopovid-2021-n.pdf>

4 Resolution of the Cabinet of Ministers of Ukraine “On Amendments to the Resolution of the Cabinet of Ministers of Ukraine dated February 7, 1992 No. 61” dated August 9, 2022 No. 883, URL: <https://zakon.rada.gov.ua/laws/show/883-2022-%D0%BF#Text>

**(a) the impact of armed aggression by the Russian Federation on the state of water bodies**

One of the problems of water supply is the quality of water resources, which is undoubtedly affected by the armed aggression of the Russian Federation. Military actions lead to an increase in negative impacts on water resources, which is associated with the deterioration of water quality due to the disruption of the operation of treatment facilities, emergency pollution, and the introduction of additional chemical substances of 'military' pollution. As a result of missile strikes and fires, heavy metals, petroleum products, toxic and hazardous compounds enter water bodies. SAWR reported that as of February 7, 2025, cases of increased organic and biogenic pollution with recorded excess concentrations of mercury, nickel and its compounds, lithium, cadmium and its compounds are observed in the largest rivers of Ukraine: Dniester, Dnipro, and Siverskyi Donets — and are mainly related to the consequences of attacks on critical infrastructure — energy facilities and treatment plants.

On February 9, 2024, as a result of missile shelling by Russian troops in Kharkiv Oblast, petroleum products entered the river Nemishlya. In water samples taken from the rivers Nemyshlia, Kharkiv, and Lopan, the content of petroleum products was found to exceed by 12-30 times. This situation posed risks of oil pollution to surface drinking water intakes in the Donetsk region (Siverskyi Donets river).

In March 2024, due to shelling of the Dnipro HPP, pollution of the Dnipro river with petroleum products was recorded. Due to the pollution of the Seim and Desna rivers with organic compounds that entered from the territory of the Russian Federation, an excess of the COD (chemical oxygen demand) indicator was noted, reaching up to 8 times, total iron — up to 4 times, manganese — up to 19 times.

In addition, military actions lead to the introduction of hazardous compounds and toxic substances with carcinogenic effects into water bodies. These compounds are components of explosives and fuels (nitrotoluene, trinitrotoluene, dinitrotoluene), and industrial pollutants (per- and polyfluoroalkyl substances PFAS), which are part of firefighting agents.

According to the official resource of the Ministry of Environmental Protection "EcoThreat"<sup>5</sup>, the damage caused by pollution and littering of water bodies, as of March 26, 2025, amounts to 69.06 billion UAH. The mass of pollutants that entered water bodies is 23,445 tons. The mass of foreign objects, materials, waste, and/or other substances in water bodies exceeds 38,764 tons. The volume of water taken/used illegally amounts to 20,937,563,991 m<sup>3</sup>, and the total amount of these damages is 26.77 billion UAH.

**(b) the state of drinking water supply sources based on the results of state monitoring of surface and groundwater by the State Agency of Water Resources of Ukraine, the State Emergency Service, and the State Service of Geology and Mineral Resources of Ukraine**

Since January 1, 2019, SAWR, SES, and SSGMR have been conducting state monitoring of surface and groundwater according to defined indicators in accordance with the new Procedure for conducting state water monitoring.<sup>6</sup> Every year, the Ministry of Environmental Protection, in

<sup>5</sup> Damages caused. Water resources, URL: <https://ecozagroza.gov.ua/damage/water>

<sup>6</sup> Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for State Water Monitoring" dated September 19, 2018, No. 758, URL: <https://zakon.rada.gov.ua/laws/show/758-2018-%D0%BF#Text> — hereinafter referred to as Resolution No. 758

accordance with the Procedure for conducting state water monitoring, approves Programs for state monitoring of surface and groundwater.

In 2024, the Program for state water monitoring in terms of diagnostic and operational monitoring of surface waters<sup>7</sup> and the Program for state water monitoring in terms of diagnostic monitoring of groundwater bodies<sup>8</sup> were in effect. State water monitoring in 2025 is also carried out under two separate Programs for state water monitoring, which cover surface<sup>9</sup> and groundwater bodies.<sup>10</sup>

### Monitoring of surface waters by SAWR

The Program for state water monitoring (in terms of diagnostic and operational monitoring of surface waters) for 2023<sup>11</sup> provides for the measurement of the qualitative state of surface water bodies at 583 monitoring points, of which 96 are on surface water bodies from which water is taken to meet the drinking needs of the population.

#### Results of surface water monitoring for 2023:

- monitoring covered 84% of observation points of surface water bodies:
  - basins of the Dniester, Danube, Vistula, and Southern Bug — in full volume;
  - basins of the Dnipro, Don, and Black Sea region — partially, due to limited access;
  - basins of the rivers of the Azov region — monitoring was not conducted due to
  - temporary occupation;
- measurements were carried out based on physicochemical, priority, and basin-specific indicators;
- in most river basins, the water quality is assessed as satisfactory or with local exceedances of environmental standards;
- the main pollutants are heavy metals (cadmium, copper, manganese), petroleum products, and pesticides.

*General information is provided in Appendix 1.*

### Monitoring of surface waters by the State Emergency Service

Hydrometeorological organizations of the State Emergency Service monitor the quality of surface waters in drinking water intakes based on biological indicators.

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7 Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the State Water Monitoring Program" dated January 9, 2024, No. 37, URL: <https://mepr.gov.ua/nakaz-mindovkillya-37-vid-09-01-2023/>

8 Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the State Water Monitoring Program" dated January 19, 2024, No. 78, URL: <https://mepr.gov.ua/nakaz-mindovkillya-78-vid-19-01-2024/>

9 Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the State Water Monitoring Program" dated January 8, 2025, No. 29, URL: <https://mepr.gov.ua/nakaz-mindovkillya-29-vid-08-01-2025/>

10 Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the State Water Monitoring Program" dated January 20, 2025, No. 84, URL: <https://zakon.rada.gov.ua/rada/show/v0084926-25#>

11 Text Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the State Water Monitoring Program" dated January 17, 2023, No. 27, URL: <https://mepr.gov.ua/nakaz-mindovkillya-27-vid-17-01-2023/>

The results of monitoring the quality of surface waters in drinking water intakes based on biological indicators in 2021-2024:

- water quality is characterized as 'good' or 'satisfactory';
- in the Karachunivske reservoir of the Dnipro River basin, poor quality was recorded in 2023

*General information is provided in Appendix 2.*

### Monitoring of groundwater by SSGMR

The State Scientific and Production Enterprise 'State Information Geological Fund of Ukraine' and regional geological enterprises of the State Geological Service conduct geological exploration work to monitor groundwater at the state level.

**Result:** SSGMR did not conduct monitoring of groundwater status in 2022-2024.

**Reason:** lack of budget funding.

*In March 2022, the Government of Ukraine allocated 100 million UAH for financing the defense sector of Ukraine under martial law from funds provided for the implementation of the National Program for the Development of the Mineral Resource Base of Ukraine for the period until 2030. The laws on the State Budget for 2023-2025 do not provide funding for this program, complicating the execution of groundwater monitoring work.*

### (c) water pollution by nitrates

According to the World Bank data for 2022, agricultural land in Ukraine accounted for 71.3% of the territory, with arable land making up 56.8%<sup>12</sup>. In 2021, Ukraine ranked 9th in the world in terms of agricultural land area, totaling 32,924 thousand hectares.<sup>13</sup> Agriculture is the main source of land pollution by nitrates, which are washed away by water from agricultural lands. The result is diffuse pollution of surface and groundwater by nitrates. Consuming water with nitrate levels exceeding the regulatory limit (50 mg/dm<sup>3</sup>) can have serious health consequences. Epidemiological studies have found a direct link between nitrate concentration in drinking water and the incidence of atrophic gastritis and stomach cancer. Additionally, consuming such water can lead to water-nitrate methemoglobinemia (tissue oxygen deprivation), which is particularly dangerous for children under 3 years old and pregnant women.<sup>14</sup>

Territorial bodies of the State Service of Ukraine on Food Safety and Consumer Protection in

<sup>12</sup> World Bank Group: Arable land (% of land area), Agricultural land (% of land area), URL: <https://surl.li/trvpez> World Bank Group: Arable

<sup>13</sup> land (hectares), URL: <https://surl.li/hoqmsf> Nitrates in drinking water: what is the danger to the body? — Center for Public Health of the Ministry of Health of Ukraine: 14.06.2022, URL: <https://surl.li/bfqkhn>

<sup>14</sup> Ministry of Health of Ukraine: 14.06.2022, URL: <https://surl.li/bfqkhn>

Kyiv<sup>15</sup>, Vinnytsia<sup>16</sup>, Chernihiv<sup>17</sup> and other oblasts recorded nitrate contamination of drinking water sources. Reducing diffuse water pollution by nitrates requires a thorough and comprehensive approach. In particular, through the development and adoption of a special law aimed at implementing the provisions of the Nitrates Directive<sup>18</sup> into national legislation. A priority measure for reducing nitrate water pollution is to identify areas vulnerable to (accumulation of) nitrates. The Ministry of Environmental Protection informed the Commissioner that the implementation of this measure will be carried out in two stages

- by 2030, identify specific areas vulnerable to (accumulation of) nitrates based on the results of scientific research and modeling;
- by 2036, expand and improve the monitoring network of surface and groundwater bodies, and complete the procedure for identifying zones.

At the same time, the approved Methodology for identifying areas vulnerable to (accumulation of) nitrates (hereinafter referred to as the Methodology)<sup>19</sup>, in paragraphs 8 and 10 of Section I, establishes that the initial identification of areas vulnerable to (accumulation of) nitrates is carried out based on observation data collected for at least the period from 2000 to 2020, based on water monitoring data, which can be supplemented by modeling results. Considering the above, I consider the prolonged delay in identifying areas vulnerable to (accumulation of) nitrates to be unfounded.

Also, according to the provisions of paragraph 1 of Section II of the Methodology, the identification of areas vulnerable to (accumulation of) nitrates is carried out based on statistical analysis of the available observation data from all subjects of state water monitoring. If possible, data from state, municipal, and private companies that regularly measure the chemical composition of natural water within their obligations are involved

It should be noted that, according to paragraph 21 of the Procedure for state water monitoring<sup>20</sup>, the State Service of Ukraine for Food Safety and Consumer Protection and the Centers for Control of the Ministry of Health are not subjects of state water monitoring. It is important to take into account all available reliable data on water pollution by nitrates to resolve this issue as quickly as possible to preserve the lives and health of people.

15 Kyiv Oblast: the consequences arising from the emergency situation in the Obukhiv district have been localized — State Service of Ukraine on Food Safety and Consumer Protection, 26.05.2023, URL: <https://surl.li/oamzgf>

16 Vinnytsia Oblast: an inspection of 26 wells was conducted in the territories of Hnyvan, Tyvriv, and Sutiskiv communities — State Service of Ukraine on Food Safety and Consumer Protection, 17.05.2023, URL: <https://surl.li/oywmwe>

17 The State Service of Ukraine on Food Safety and Consumer Protection in Chernihiv region is strengthening oversight of compliance with sanitary legislation at water supply facilities — State Service of Ukraine on Food Safety and Consumer Protection, 03.12.2021, URL: <https://surl.li/mvsubk>

18 Council Directive of December 12, 1991 on the protection of waters against pollution caused by nitrates from agricultural sources economic sources: URL: [https://zakon.rada.gov.ua/laws/show/987\\_002-91#Text](https://zakon.rada.gov.ua/laws/show/987_002-91#Text)

19 Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On Approval of the Methodology for Determining Areas Vulnerable to (Accumulation of) Nitrates" dated April 15, 2024, No. 244 URL: <https://zakon.rada.gov.ua/laws/show/z0776-21#Text>

20 Resolution No. 758



## 1.2. Ensuring the drinking, physiological, sanitary-hygienic, and household needs of the population for water

Monitoring of the Authorized Person regarding the provision of drinking, physiological, sanitary-hygienic, and household needs of citizens for water has been carried out based on the following criteria: standards for drinking water and drinking water supply; tariffs for centralized water supply and sewage services; quality of centralized water supply services (including during the period of electricity supply interruption schedules); quality and safety of drinking water. The results of the monitoring are based on information obtained during monitoring visits to local government bodies, from state authorities, and online surveys of citizens.

### (a) standards for drinking water and drinking water supply

As part of the monitoring, an analysis was conducted on the practical implementation of the provisions of Article 29 of the Law of Ukraine “On Drinking Water and Drinking Water Supply”<sup>21</sup> (hereinafter referred to as the Water Law), which regulates the issues of establishing standards for drinking water and drinking water supply, and the Procedure for the development and approval of drinking water supply standards<sup>22</sup> in a specific settlement. The standard (norm) of drinking water supply in a specific settlement is the calculated amount of drinking water necessary to meet the drinking, physiological, sanitary-hygienic, and household needs of one person over the course of a day.

Established:

- the subjects of approval of standards are local self-government bodies;
- the standards are developed by specialised research institutions upon the request of local authorities;
- the approved standards apply exclusively to consumers of centralised water supply and sewerage services;
- when establishing these standards, the following factors are taken into account: the geographic area and living conditions of the population, including access to water supply and sewerage infrastructure, as well as the influence of climatic and environmental factors on water consumption; the prevalence of residential drinking water metering devices; the general level of water consumption awareness and practices among the population; the availability of water resources, as well as the capacity of local water treatment and supply infrastructure.
- The standards vary depending on the type of housing — multi-apartment buildings versus private residential homes.
- the standards are subject to revision every three years. However, early revision may be conducted if justified.

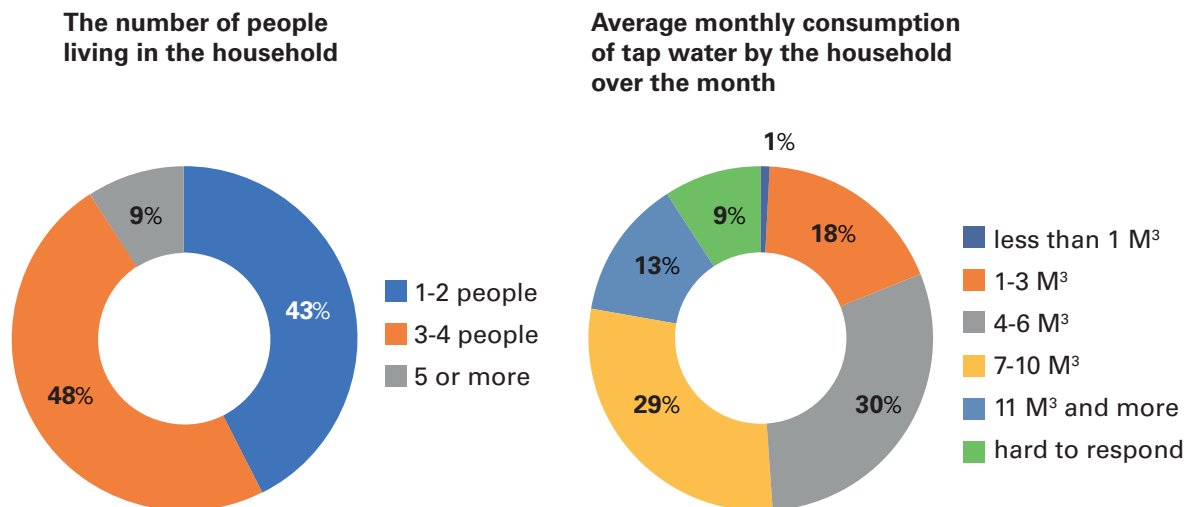
21 Law of Ukraine “On Drinking Water and Drinking Water Supply” dated 10.01.2002 No. 2918-III, Article 29, URL: <https://zakon.rada.gov.ua/laws/show/2918-14#Text>

22 Development and Approval of Standards for Drinking Water Supply” dated 25.08.2004 No. 1107, p. 2, URL: <https://zakon.rada.gov.ua/laws/show/1107-2004-%D0%BF#Text>



According to the results of the Ombudsman's online survey, a family consisting of 2-3 people consumes an average of 4-6 m<sup>3</sup> of water (4000-6000 liters of water) per month to meet their drinking, physiological, sanitary-hygienic, and household needs. 9.2% of respondents reported that their family consumes less than 1 m<sup>3</sup> of water, while nearly 12% of respondents indicated consumption of more than 11 m<sup>3</sup>.

The results of the online survey conducted by the Commissioner regarding the number of people living in the household and the average volume of tap water consumed by the household over the month are reflected in the infographic below.



According to the information from the Ukrainian Association of Water Supply and Sewerage Enterprises 'Ukrvodokanalekologiya' (hereinafter referred to as Ukrvodokanalekologiya), the volume of drinking water consumed by the population for drinking and cooking is 1-1.5% of the total supply, while the other 98.5-99% of water is used by the population for sanitary, household, and domestic needs.

**Result:** the norms for drinking water supply are used exclusively to determine the volumes of drinking water supply in case of absence or temporary malfunction of the drinking water consumption metering devices.

**Reason:** at the legislative level, there is no provision for the approval of a minimum standard (norm) of water necessary for a person during the day to meet their drinking, physiological, sanitary-hygienic, and domestic needs.

#### (b) tariffs for centralised water supply and centralised sewerage services

In 2023, centralized water supply services were provided to 68.7% of the population (22,180,061 out of 32,292,931 thousand people), while centralized wastewater disposal services were provided to 53.4% of the population (17,224,267 out of 32,267,741 thousand people)<sup>23</sup> (excluding the population of Luhansk Oblast and the Autonomous Republic of Crimea).

23 Ministry of Communities and Territories Development of Ukraine, website: National Report on the Quality of Drinking Water and the State of Drinking Water Supply and Wastewater in Ukraine in 2023, p. 46, URL: <https://mtu.gov.ua/content/nacionalna-dopovid-pro-yakist-pitnoi-vo-di-ta-stan-pitnogo-vodopostachannya-v-ukraini.html>. Hereinafter — National Report for 2023

Regarding state regulation of tariffs for centralized water supply and wastewater disposal services (hereinafter referred to as service tariffs), it has been clarified:

1. The subjects establishing tariffs for services are the National Commission for State Regulation of Energy and Public Utilities (NEURC) and local self-governments. For business entities located in one or several settlements within the territory of one or more regions (including the city of Kyiv), the total population must exceed 100 thousand people and the volumes of services provided are as follows: from centralized water supply - more than 300 thousand m<sup>3</sup> per year; from centralized wastewater disposal - more than 200 thousand m<sup>3</sup> per year - tariffs are set by the NEURC. In other settlements, tariffs for services are set by local authorities.
2. Tariffs for services are approved separately for each settlement.
3. The Government of Ukraine recommended in April 2022 not to raise tariffs for housing and communal services for the population during the martial law period, including for centralized water supply and centralized wastewater disposal services, and to keep them at the levels of tariffs that were applied as of February 24, 2022.<sup>24</sup>

Regarding the practical implementation of the recommendations of the Government of Ukraine concerning the moratorium on raising tariffs for services, it is established: the NEURC has taken into account the recommendations of the Government of Ukraine. Tariffs for services for the population from 47 licensees of the NEURC in the field of centralized water supply and wastewater disposal remain at the levels of tariffs that were applied as of February 24, 2022. As of June 1, 2024, the average tariff for centralized water supply services for consumers from NEURC licensees is 17.15 UAH per 1 m<sup>3</sup> of water.

*General information regarding tariffs for centralized water supply services from NEURC licensees is provided in Appendix 3.*

*For residents of the Novodnistrovskaya territorial community in Chernivtsi Oblast, the total tariff for water services is UAH 110 per cubic metre (UAH 63.74 for water supply and UAH 46.26 for sewerage).<sup>25</sup>*

*For residents of the Kitsmanska TC in Chernivtsi Oblast, the total tariff for services is UAH 95.81 per m<sup>3</sup> of water (UAH 48.11 for water supply and UAH 47.70 for sewerage).<sup>26</sup>*

24 Resolution of the Cabinet of Ministers of Ukraine "Some issues of regulating activities in the field of communal services in connection with the introduction of martial law in Ukraine" dated 29.04.2022 No. 502, p. 1, URL: <https://zakon.rada.gov.ua/laws/show/502-2022-%D0%BF#Text>

25 Decision of the executive committee of the Novodnistrovsk city council "On the establishment of tariffs for centralized water supply and centralized wastewater disposal services provided by the State Enterprise "Teplovodokanal" dated 16.08.2024 No. 149/16, URL: [https://rada.info/upload/users\\_files/05398510/7ccccaf5941e4bf232ff32e46ae46aa7.pdf](https://rada.info/upload/users_files/05398510/7ccccaf5941e4bf232ff32e46ae46aa7.pdf)

26 Kitsmanske VUZhKG "Personal account of the consumer of communal services, URL: [https://www.abon.com.ua/kicman/kicmanske\\_vuzhkg/318\\_rozmir\\_tarifiv\\_na\\_poslugi\\_z\\_centralizovanogo\\_vodopostachannya\\_ta\\_vodovidvedennya](https://www.abon.com.ua/kicman/kicmanske_vuzhkg/318_rozmir_tarifiv_na_poslugi_z_centralizovanogo_vodopostachannya_ta_vodovidvedennya)

*In April 2024, the Storozhynetska 3 TC in Chernivtsi Oblast increased the general tariff for services for the population by 42% (from UAH 45.60 to UAH 64.86 per m<sup>3</sup> of water).*

*For residents of the Berezanska urban TC in Kyiv Oblast, the general tariff is UAH 96.06 per m<sup>3</sup> of water (UAH 37.50 for water supply and UAH 58.56 for sewerage).<sup>27</sup>*

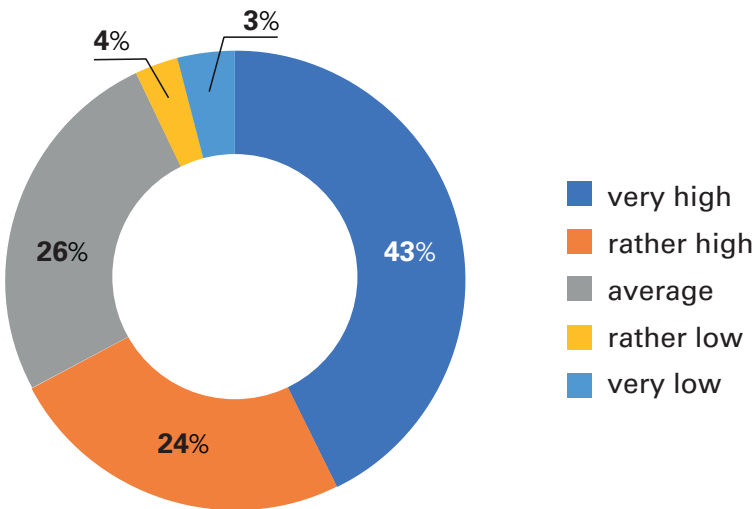
*In May 2024, the Borshchahivska village council in Kyiv Oblast increased the tariff for centralised water supply services for all residents of the hromada by 20% (from UAH 14.90 to UAH 17.88 per m<sup>3</sup> of water), as well as the tariff for centralised sewerage services for villagers. Petropavlivske (from UAH 18.70 to UAH 22.44) and Sofiyivska Borshchahivka (from UAH 21.20 to UAH 25.44).<sup>28</sup>*

*In October 2024, the Berdychiv City Council in Zhytomyr Oblast increased the general tariff for households by 35% (from UAH 47.84 to UAH 64.42 per cubic metre of water).*

*For residents of the Bagachevska urban hromada in Cherkasy Oblast, the general tariff for services is UAH 79.71 per cubic metre of water (UAH 38.29 for water supply and UAH 41.42 for sewerage).<sup>29</sup>*

According to the results of an online survey by the Commissioner, over 67% of citizens believe that the cost of centralized water supply services is high. The results of the online survey by the Commissioner regarding citizens’ opinions on tariffs for centralized water supply services are reflected in the infographic below.

Citizens' opinion on the cost of centralized water supply services



27 “Miskvodokanal” of the executive committee of the Berezansk city council, URL: <https://voda-berezan.telsys.net.ua/>

28 Borshchahivka Village Council of Bucha District, Kyiv Oblast, URL: <https://brada.gov.ua/rishenniavykonavchoho-komitetu/rishennia-vykonavchoho-komitetu-333-pro-vstanovlennia-taryfiv-na-posluhy-ztsentralizovanoho-vodopostachannia-ta-tsentralizovanoho-vodovidvedennia-ia-ki-nadaiutsia-tov-petropavlivske/>

29 KVP “Vodokanal” “Personal account of utility services consumer, URL: <https://www.abon.com.ua/company/article/100/436>

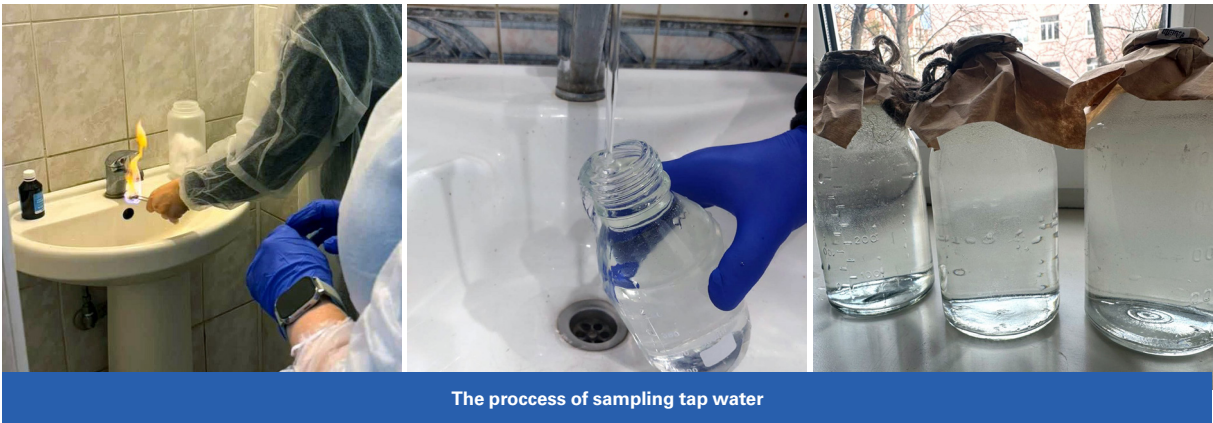
Result:

- In the conditions of the legal regime of martial law, different tariffs for services are in effect in the territorial communities;
- in the settlements where tariffs for services are set by the National Commission for State Regulation of Energy and Public Utilities (NEURC), the cost of services for the population remains unchanged, which is 2-3 times lower than in settlements where tariffs for services are set by local self-governments and, accordingly, increase;
- local self-governments did not take into account the recommendations of the Government of Ukraine regarding the non- increase of tariffs for centralized water supply and sewage services for the population during the period of martial law.

**Reason:** The Resolution of the Government of Ukraine dated April 29, 2022, No. 502 is advisory in nature for the authorities authorized to set tariffs for housing and communal services.

(c) quality of centralized water supply services

Information regarding the quality of centralized water supply services has been clarified: during monitoring visits to local self-governments; based on the results of an online survey by the Ombudsman; based on the results of 9 laboratory studies of the quality of tap water collected at the public receptions of the Ombudsman in the cities of Zaporizhzhia, Kyiv, Lviv, Mykolaiv, Odesa, Sumy, Cherkasy, Chernihiv, Kharkiv, conducted from January to March 2025 by state regional laboratories of the State Service of Ukraine on Food Safety and Consumer Protection at the request of the Czech humanitarian organization ‘People in Need’.



The process of sampling tap water



Sampling of tap water at the public reception of the Ombudsman in Chernihiv Oblast



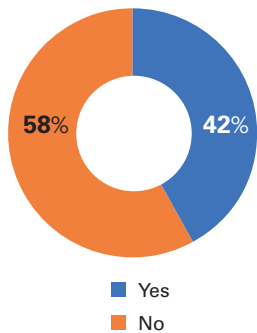
Sampling of tap water in the premises of the Ombudsman's Secretariat

During a monitoring visit to Berdychiv City Council, a meeting was held with representatives of public organizations and local residents, who reported that the tap water has an unpleasant smell and an unusual taste. As local residents noted, even boiling does not improve the quality of tap water and does not make it suitable for consumption. Residents of the community do not consume tap water and do not use it for cooking. Water is used only for household and domestic needs. At the same time, residents pay the water utility monthly for drinking water supply. Citizens constantly appeal to the Berdychiv City Council, however, control measures from the city council are absent.

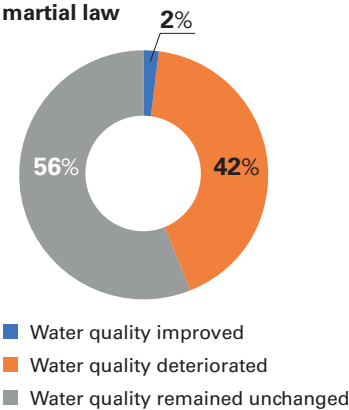


The results of the online survey conducted by the Commissioner regarding citizens' opinions on the quality of centralized water supply services; the quality of tap water; tap water consumption; the use of means for additional purification of tap water are reflected in the infographic below.

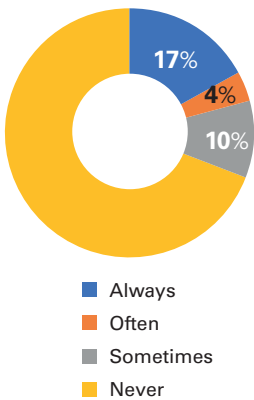
Level of public satisfaction with centralised water supply services



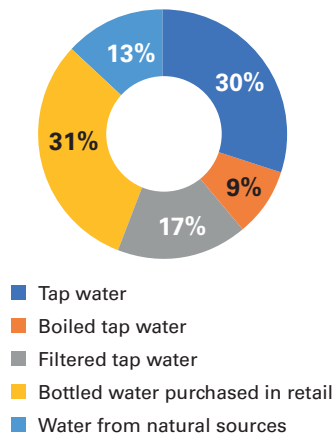
Public opinion on changes in tap water quality during martial law



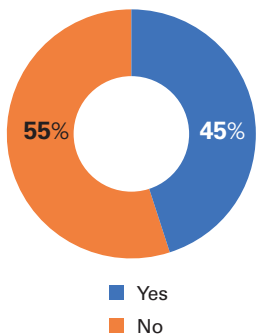
Use of tap water for drinking without additional purification



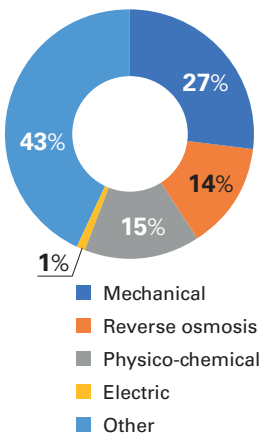
Use of water for cooking



Use of additional tap water purification methods



Types of additional tap water purification methods used





According to the conclusions of laboratory studies, tap water meets the requirements of DSanPiN 2.2.4-171-10<sup>30</sup> in all cities except for Mykolaiv. The research results showed that tap water in Mykolaiv does not meet DSanPiN 2.2.4-171-10 for microbiological indicators (enterococci detected<sup>31</sup>), physical-chemical indicators (exceeding chloride, sulfate).

**Result:** the vast majority of citizens in cities where tap water meets DSanPiN do not use it for drinking and cooking, as they consider it to be of poor quality. For these purposes, citizens buy water from special water vending machines, which are now located in almost every city, or purchase bottled water, while paying the water utility monthly for drinking water supply.

**Reason:** Local authorities do not ensure periodic laboratory testing of tap water and do not inform citizens about the quality of tap water and its compliance with DSanPiN 2.2.4-171-10.

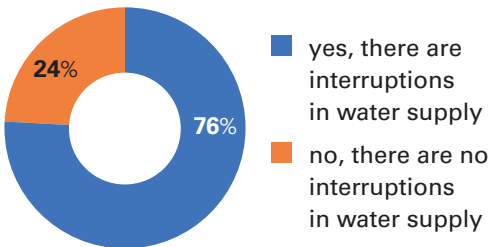
**(d) the quality of centralized water supply and sewage services during the period of electricity supply interruption schedules**

For the third year, the Russian Federation has systematically carried out massive missile and drone attacks on Ukraine’s energy infrastructure. Due to the difficult situation in the energy system, electricity supply interruption schedules have been implemented in Ukraine since October 2022.

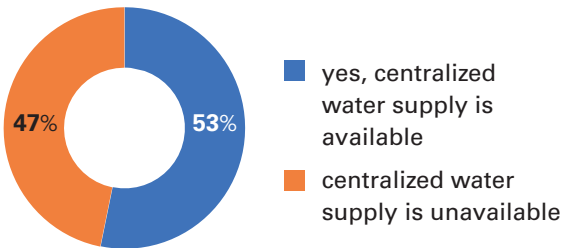
Only during October-December 2022, the Commissioner received 160 appeals from citizens regarding extremely difficult living conditions caused by terrorist acts of the Russian Federation on Ukraine’s energy infrastructure. Citizens were left without electricity, heating, water supply, communication, and internet. According to the results of an online survey conducted by the Commissioner, 76% of citizens experienced interruptions in centralized water supply during the legal regime of martial law.<sup>32</sup>

At the same time, 53% of consumers reported the presence of centralized water supply, while 46% reported its absence in case of electricity supply interruption. The results of the online survey regarding interruptions in centralized water supply and its availability in case of electricity supply interruption are reflected in the infographic below.

Interruptions in water supply



Availability of centralized water supply when applying power outage schedules



30 Order of the Ministry of Health of Ukraine “On Approval of State Sanitary Norms and Rules “Hygienic Requirements for Drinking Water Intended for Human Consumption”” dated February 12, 2010, No. 400, URL: <https://zakon.rada.gov.ua/laws/show/z0452-10#Text>

31 Main Department of the State Service of Ukraine on Food Safety and Consumer Protection in Ternopil Oblast, “Enterococci in Water: Research Results, Their Features”, URL: <https://surl.li/qlvyvr>

32 The Commissioner of the Verkhovna Rada of Ukraine for Human Rights, Annual Report of the Commissioner of the Verkhovna Rada of Ukraine for Human Rights on the state of observance and protection of human and citizen rights and freedoms in Ukraine in 2022, Chapter 5. Social State, p. 127, URL: <https://ombudsman.gov.ua/report-2022/images/documents/annual-report-2022.pdf>

During monitoring visits to LSGB and water utilities regarding the provision of centralized water supply and sewage services to citizens during the application of electricity disconnection schedules, it was established:

1. not all water utilities are included in the list of critical infrastructure facilities, as well as in the list of critically important facilities of Ukraine, which, according to the resolution of the Cabinet of Ministers of Ukraine dated May 24, 2024, No. 600<sup>33</sup>, are provided with priority electricity supply;
2. electricity disconnection schedules also apply to water utilities included in the list of critical infrastructure facilities;
3. the equipment of the pumping stations of water utilities, which provides water supply and sewage, does not operate during the application of electricity disconnection schedules;
4. The treatment facilities do not provide for the purification of wastewater.

During monitoring visits to:

*Berdychiv City Council in Zhytomyr Oblast, it was found that KES LLC is responsible for wastewater treatment. However, the city council does not control the operation of the city's wastewater treatment facilities. KES LLC is not included in the list of critical infrastructure facilities or critical facilities in Ukraine. The city's sewage and wastewater treatment systems do not function during electricity outages. KES LLC's management does not take measures to include the enterprise in the critical infrastructure facilities list.*



Monitoring visit to Berdychiv City Council

*Despite being included in the lists of critical infrastructure facilities, as well as the list of critically important facilities in Ukraine, the water utility experienced 278 power outages in July–August 2024. This resulted in the shutdown of pumping equipment at the water supply stations, disrupting the technological regime and causing sediment to enter consumers' taps.*



Monitoring visit to 'Zhytomyrvodokanal'

33 Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Determining and Applying the Maximum Values of Electricity Consumption" dated 24.05.2024 No. 600, URL: <https://zakon.rada.gov.ua/laws/show/600-2024-%D0%BF#Text>

*The Storozhynets City Council of Chernivtsi Oblast found that the water supply system did not work during electricity outages on the TC's territory. The Storozhynets Utility Company, which provides centralised water supply and sewerage services to the population, is not included in the list of critical infrastructure facilities as its employees' low average salary does not meet the established criterion of criticality.*



Monitoring visit to Storozhynets City Council

**Reason:** enterprises that provide centralized water supply services drainage and wastewater treatment:

- are not included in the list of critical infrastructure facilities and, as a result, do not have priority access to electricity;
- do not meet the established criticality criteria due to the low average salary of employees<sup>34</sup>.

**Consequences** of the application of power outage schedules:

- almost half of consumers lack centralized water supply;
- wastewater treatment facilities are not operational, leading to the discharge of polluted (untreated) wastewater into natural water bodies.

#### (e) the quality and safety of drinking water

The Centers for Disease Control and Prevention of the Ministry of Health of Ukraine (hereinafter referred to as the CDC of the Ministry of Health) carry out epidemiological surveillance, assessment of the quality and safety of drinking water in accordance with sanitary norms and regulations.

The statutory powers of the CDC of the Ministry of Health include:

- conducting observations (monitoring) of water supply;
- hygienic assessment of the quality and safety of drinking water according to sanitary-chemical indicators (organoleptic, physicochemical, sanitary-toxicological) and indicators of epidemic safety (microbiological, parasitological);
- conducting investigations into the causes and conditions of the occurrence of infectious diseases, including those transmitted by water, etc. No appeals have been received by the Authorized Person from citizens regarding issues of infectious diseases related to poor-quality drinking water.

<sup>34</sup> Subparagraph 6 of paragraph 2 of the Criteria and Procedure for determining enterprises, institutions, and organizations that are critically important for the functioning of the economy and ensuring the vital activities of the population in special periods, as well as critically important for meeting the needs of the Armed Forces and other military formations in special periods, approved by the resolution of the Cabinet of Ministers of Ukraine dated January 27, 2023, No. 76 (as amended by the resolution of the Cabinet of Ministers of Ukraine dated November 22, 2024, No. 1332), URL: <https://zakon.rada.gov.ua/laws/show/76-2023-%D0%BF#Text>



Instead, the Authorized Person has conducted monitoring regarding the provision of citizens' rights by the Kyiv City and 24 oblast CDCs of the Ministry of Health to quality and safe drinking water under the legal regime of martial law. According to the monitoring results, it was established that the CDCs of the Ministry of Health:

1. Since the first day of the full-scale armed aggression of the Russian Federation, daily monitoring of the quality and safety of drinking water supplied to the population has been carried out at monitoring points, as well as a constant exchange of information with drinking water supply enterprises. For example, the Chernivtsi Oblast CDC of the Ministry of Health has collected and tested 45,430 samples of drinking water from centralized water supply according to sanitary-chemical indicators and 48,044 samples according to sanitary-bacteriological indicators from 53 monitoring points from February 24, 2022, to October 25, 2024. Deviations from the requirements of DSanPiN 2.2.4-171-10 were found in 25 samples based on bacteriological indicators.
2. No cases of infectious epidemic diseases have been registered as a result of consuming contaminated drinking water among the population of Ukraine. At the same time, the Ministry of Health was informed that 1 outbreak of infectious disease related to the consumption of poor-quality imported drinking water was registered in a military unit in Ternopil Oblast. 32 adults were affected. The cause of the outbreak was identified as the use of contaminated water (which contains pathogenic microorganisms) for drinking and cooking. Timely anti-epidemic measures allowed for the localization and elimination of the outbreak.

Exceedances of nitrate content in water from non-centralized drinking water supply sources have been recorded. In particular, the proportion of tested samples of drinking water from non-centralized sources that did not meet the nitrate content standards in 2024 was 24.2% (in 2023 - 23.9%, in 2022 - 24.6%), including from well water that did not meet the standards, which was 29.8% (in 2023 - 29.7%, in 2022 - 29.4%).

The information from the CDCs of the Ministry of Health is presented in the infographic.

The number of non-standard drinking water samples from sources of decentralized water supply for nitrate content

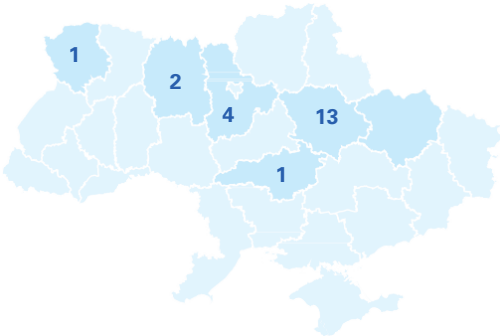
Non-standard water samples from	Number of samples studied		
	2022	2023	2024
non-centralised water supply	41796	39331	39849
including from:			
shaft wells	28313	28705	29935
including public	9232	10371	10555
individual	17800	17367	18342
captages	767	1163	990
including public	656	808	698
wells	4304	6183	6079

Percentage of non-standard drinking water samples from sources of decentralized water supply by nitrate content

Non-standard water samples from	Percentage of tested samples (%)		
	2022	2023	2024
non-centralised water supply	24.6	23.9	24.2
including from:			
shaft wells	29.4	29.7	29.8
including public	38.2	37.9	38.5
individual	22.7	26.3	26.2
captages	14.7	12.9	10.4
including public	16.6	14.7	12.3
wells	8.2	10.2	9.8

The Ministry of Health’s Control Centers have also registered cases of illness in children under 3 years old, related to the deterioration of drinking water quality in certain regions. During the years 2022-2024, 12 cases of water-nitrate methemoglobinemia in children have been registered:

- In 2024 — 3 cases: (2 — in Kharkiv Oblast; 1 — in Zhytomyr Oblast).
- in 2023 — 5 cases (1 — in Poltava Oblast 1 — in Zhytomyr Oblast, 1 — in Kirovohrad Oblast, 1— in Volyn Oblast; 1— in Kyiv Oblast).
- In 2022 — 4 cases (3 — in Kyiv Oblast, 1 — in Kharkiv Oblast).



**Result:** The Ministry of Health’s control centers continuously monitor the quality and safety of drinking water. In certain regions, cases of illnesses related to the consumption of poor-quality drinking water have been registered.

**The reason** of these illnesses was the exceedance of nitrate content in water from non-centralized water supply sources, which parents used for cooking. The nitrate content in the water exceeded the maximum allowable concentration by 2.9 to 9.4 times.

**(f) production control of the quality and safety of drinking water under the legal regime of martial law**

In April 2022, the Ministry of Health approved state sanitary norms and rules “Indicators of safety and certain quality indicators of drinking water in conditions of martial law and emergencies of other nature”<sup>35</sup> (hereinafter referred to as “Military” SanPiN).

The “Military” SanPiN is applied in conditions of martial law and during emergencies of other nature in a specific territory for a defined period by the decision of the relevant regional or local commission on technogenic-ecological safety and emergencies.

According to the “Military” SanPiN, production control of the safety and quality of drinking water in centralized drinking water supply systems is carried out by drinking water supply enterprises. To ensure control of the safety and quality of drinking water in the case of applying the “Military” SanPiN, drinking water supply enterprises develop a temporary program for conducting production control of the safety and quality of drinking water.

According to the information from Ukrvodokanalekologiya, water utilities do not actually conduct studies of drinking water for the presence of relevant contaminating chemical substances or biological agents in the case of the use of weapons of mass destruction or suspicions regarding their use and contamination of drinking water.

**Reasons:** lack of necessary organizational and technical support for water utility laboratories, in particular:

- permission to work with hazardous substances and pathogenic microorganisms;
- special premises for research, equipped with means to protect personnel and the environment from toxins, pathogens, and radioactive materials;
- trained and equipped personnel (radiologists, chemists, and microbiologists) for radiological-chemical and biological reconnaissance in the area of use of weapons of mass destruction;
- analytical and auxiliary equipment, reagents, and consumables.

**1.3. Access to information regarding the state of water resources and the quality of drinking water**

According to Article 1 of the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (hereinafter referred to as the Aarhus

<sup>35</sup> Order of the Ministry of Health of Ukraine “On Approval of State Sanitary Norms and Rules “Indicators of Safety and Certain Indicators of Quality of Drinking Water in Conditions of Martial Law and Emergency Situations of Other Nature” dated 22.04.2022 No. 683, URL: <https://zakon.rada.gov.ua/laws/show/z0564-22#Text>

Convention)<sup>36</sup>, which was ratified by Ukraine on July 6, 1999<sup>37</sup>, each of the states parties to the convention, in order to promote the protection of the right of every person, present and future generations, to live in an environment favorable to their health and well-being, guarantees citizens the right to access environmental information.  
This subsection highlights issues related to citizens' right to access information about the state of water resources and the quality of drinking water.

(a) informing about the state of water resources

The State Agency of Water Recourses of Ukraine publishes monitoring data on water resources on the web portal 'Monitoring and Environmental Assessment of Water Resources of Ukraine'<sup>38</sup>. Reports on the specified web portal can be generated based on the following criteria:

- by administrative-territorial principle;
- by water management organization;
- by the feature of transboundary flow;
- by the area of the river basin or sub-basin.

The information resource provides that everyone can receive information free of charge in real-time by independently forming a request. There is an opportunity to obtain information about water quality indicators at observation posts (pollution of water resources by specific indicators).

Region: Zhytomyrska Oblast

1. Station: Voznya River, 8 km, Rudnia Horodyschenska village, drinking water intake for the city of Malyn

Value	Indicator									
Date	Nitrogen (mg/dm³)	Ammonium Ions (mg/dm³)	Biochemical Oxygen Demand, 5 days (mgO₂/dm³)	Suspended Solids (mg/dm³)	Dissolved Oxygen (mgO₂/dm³)	Nitrate Ions (mg/dm³)	Nitrite Ions (mg/dm³)	Sulfate Ions (mg/dm³)	Phosphate Ions (polyphosphates) (mg/dm³)	Chloride Ions (mg/dm³)
	18.02.2025	0.550	0.240	3.180	5.100	13.040	1.520	0.026	54.000	0.063

Fragment of the report prepared by the State Water Agency for visual presentation.

(b) informing about the quality of drinking water

Every consumer of drinking water is guaranteed by the state the right to free access to information about the quality of drinking water.  
Monitoring by the Authorized Person regarding the practical implementation of the provisions of Article 9 of the Water Law, which regulates issues of informing consumers about the quality

36 Convention on Access to Information, Public Participation in Decision-Making Processes and Access to Justice in Environmental Matters dated 25.06.1998, Aarhus (Denmark): International Treaty URL: [https://zakon.rada.gov.ua/laws/show/994\\_015#Text](https://zakon.rada.gov.ua/laws/show/994_015#Text)

37 On the Ratification of the Convention on Access to Information, Public Participation in Decision-Making Processes and Access to Justice in Environmental Matters: Law of Ukraine dated July 6, 1999 No. 832-XIV URL: <https://zakon.rada.gov.ua/laws/show/832-14#Text>

38 Monitoring and environmental assessment of water resources in Ukraine, State Agency of Water Resources of Ukraine: URL:<http://monitoring.davr.gov.ua>

of drinking water, has established that the subjects informing consumers about the quality of drinking water and the state of drinking water supply are the Ministry of Development and local self-government bodies.

The Ministry for Communities and Territories Development of Ukraine (MCTDU) annually, starting from 2003, prepares and publishes the National Report on the Quality of Drinking Water and the State of Drinking Water Supply in Ukraine. The latest report is for 2023, which is posted on the official website of the Ministry of Development<sup>39</sup>. The deadline for publishing the report for 2024 has not yet arrived (preparation February-October 2025, publication - November 2025).

Local self-government bodies do not inform the population about:

- the quality of drinking water and the state of drinking water supply;
- non-compliance of drinking water with state sanitary norms and rules;
- non-compliance with quality indicators of drinking water.

These functions are performed by water utilities.

*According to the results of monitoring visits to local self-government bodies conducted in October 2024, it was established that Berdychiv, Storozhynets, Odesa, and Mohyliv-Podilskyi city councils do not provide information to consumers about the quality of drinking water and the state of drinking water supply.*

*The official website of Berdychiv City Council only contains information from 18.03.2024 about water testing in 3 public wells<sup>40</sup>.*

*The official website of Odesa City Council has the latest information about the quality of sea and drinking water for 2023<sup>41</sup>.*

*The official websites of Storozhynets and Mohyliv-Podilskyi city councils lack information about the quality of drinking water.*

Water utilities publish (post) information and announcements regarding the quality of drinking water on their official websites and social media pages monthly or quarterly.

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40 Berdychiv City Council of Zhytomyr Oblast, URL: <http://surl.li/cvjdsm>

41 Odesa City Council, URL: <https://omr.gov.ua/ua/citizens/monitoring-sea-water/>

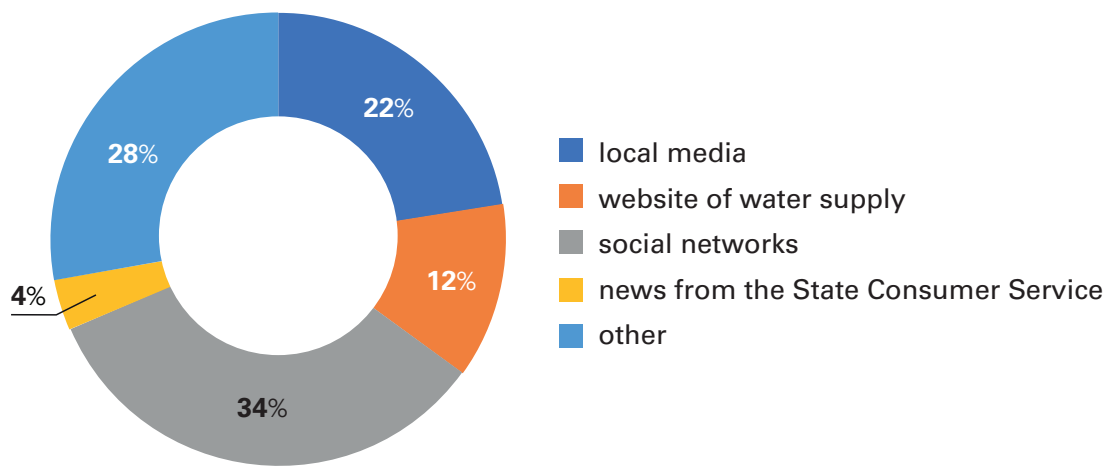
*KP 'Zhytomyrvodokanal' of Zhytomyr City Council has been publishing (posting) protocols of drinking water quality measurements on its official website monthly since 2016.<sup>42</sup>*

*KP 'Chernivtsivodokanal' publishes (posts) information about the quality of drinking water from centralized water supply systems on its official website monthly.<sup>43</sup>*

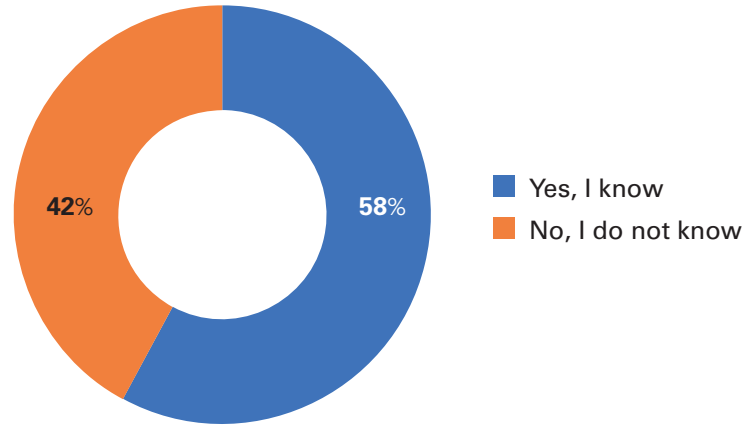
*LLC 'Infoks' through its branch 'Infoksvodokanal' (in Odesa) publishes (posts) information about drinking water quality indicators in the water supply network on its official website monthly.<sup>44</sup>*

According to an online survey by the Ombudsman, 34% of consumers receive information about the quality of drinking water from social media. The results of the Ombudsman’s online survey are reflected in the infographic below.

Sources of information for citizens about the quality of tap water



Citizens' awareness of the government authority that monitors the quality of drinking water



42 ME Zhytomyrvodokanal, URL: <https://vodokanal.zt.ua/spozivacam/akist-vodi>

43 E ChernivtsiVodokanal, URL: [https://vodokanal.cv.ua/yakist\\_vodi](https://vodokanal.cv.ua/yakist_vodi)

44 Infox Vodokanal (Odesa), URL: <https://infoxvod.com.ua/uk/iakist-pitnoyi-vodi/>

**Results:**

- the population is not informed about the quality of drinking water and the state of drinking water supply by local authorities;
- not all consumers have access to information about the quality of drinking water and the state of drinking water supply.

**Reasons:**

- The Government of Ukraine has not approved the procedure for informing consumers about the quality of drinking water and the state of drinking water supply by government authorities, local authorities, and water utilities;
- not all consumers use the internet and have the opportunity to familiarize themselves with information about the quality of drinking water published (posted) on the official websites and social media pages of water utilities.

## **2. The consequences of the full-scale military aggression of the Russian Federation on water supply and wastewater management**

For more than three years of full-scale war, the Russian Federation has deliberately shelled critical infrastructure facilities. The enemy systematically destroys water supply and wastewater management facilities and networks, leading to citizens being deprived of access to a vital resource— drinking water. The explosion of the Kakhovka Hydroelectric Power Station has caused a large- scale ecological disaster and a shortage of drinking water in the affected regions. The security situation, among other factors, affects the timeliness of restoring water supply and wastewater management systems.

### **(a) the level of damage and destruction of water supply and wastewater management networks and facilities**

According to the MCTDU as of 20.09.2024 regarding the state of water supply and wastewater management systems:

#### **1. Damaged and destroyed:**

- 1108.5 km of centralized water supply and wastewater management networks (of which 779.5 km are subject to restoration), the estimated cost of restoring them is 3.1 billion UAH;
- 589 facilities of centralized drinking water supply and wastewater management (of which 540 facilities are subject to restoration), the estimated cost of restoring them is 9.6 billion UAH.

#### **2. Restored:**

- 228 facilities of centralized drinking water supply and wastewater management for an estimated amount of 318.3 million UAH;
- 278.2 km of centralized water supply and sewage network with an estimated amount of

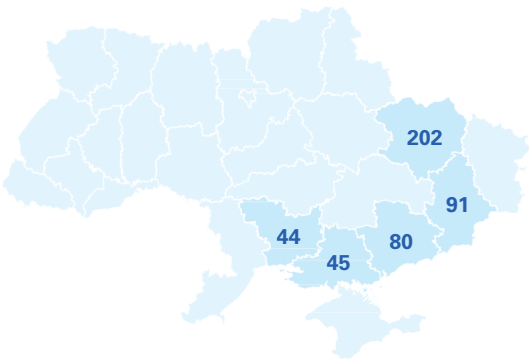
174 thousand hryvnias.

As a result of the military aggression of the Russian Federation, the most damage/destruction was suffered by the water supply and sewage infrastructure in the east and south of Ukraine.

The summarized information is presented in the infographic and Appendix 4.

**The number of water supply and sewage facilities destroyed/damaged due to the military aggression of the Russian Federation as of 2023<sup>45</sup>**

- Donetsk Oblast— 91;
- Zaporizhzhia Oblast — 80;
- Mykolaiv Oblast — 44;
- Kharkiv Oblast — 202;
- Kherson Oblast — 45.



**(b) the consequences of the explosion of the Kakhovka HPP dam on drinking water and drinking water supply**

On June 6, 2023, the Russian military blew up the dam of the Kakhovka Hydroelectric Power Station, resulting in a rapid decrease in the water level in the reservoir and a catastrophic increase in the water level downstream of the Kakhovka HPP.

The State Emergency Service reported that, according to the operational assessment of the hydrological post ‘Nikopol’ (Dnipropetrovsk Oblasts), the total decrease in the water level in the Kakhovka reservoir (from 20:00 on June 5, 2023, to 20:00 on June 11, 2023) was 7.73 m, and the volume of water decreased by 14.4 km<sup>3</sup> (by 72.5% of its total volume before the explosion).

The destruction of the dam led to widespread flooding affecting 80 settlements in four oblasts: Kherson, Mykolaiv, Dnipropetrovsk, and Zaporizhzhia. Approximately 100,000 residents of these oblasts were affected by the flood. About one million people lost access to drinking water, and 140,000 were left without electricity.<sup>46</sup>

Consumers in the cities of Dnipropetrovsk Oblast, such as Kryvyi Rih, Nikopol, Pokrov, and Marhanets, were left without access to centralized drinking water supply. Additionally, residents of the Nikopol, Marhanets, Pokrov, and Chervonohryhorivka communities were affected.

In Mykolaiv Oblast, 7 artesian wells were flooded in the settlements of Snihurivka community (Snihurivka city - 5 units; Pavlivka village - 1 unit; Yurivka village - 1 unit).

As a result of the decrease in water level after the explosion of the Kakhovka HPP dam, the coastal settlements of the Beryslav district in Kherson Oblast experienced shallowing. *The infrastructural damages to the water supply and drainage system in Kherson Oblast are detailed in Appendix 4.*

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46 UN Report Ukraine ‘Post-Disaster Needs Assessment of the Kakhovka HPP Dam’ (PDNA): URL: <https://surl.li/upbkug>



**(c) measures for restoring water supply to affected regions and reducing the negative impact of the Kakhovka Hydroelectric Power Plant dam explosion on public health**

The Ukrainian government has approved a pilot project for the restoration of water supply in affected regions:

1. The Experimental Project<sup>47</sup> for the construction, reconstruction, and major repairs of artesian wells and centralized drinking water supply facilities in Dnipropetrovsk, Kherson, Zaporizhzhia, and Mykolaiv oblasts, because of which 26 artesian wells out of the required 73 (or 36% of the need) have been put into operation. Work has also been carried out to lay a water supply network from the wells to the settlements with a total length of 4150 m, and installation work has been completed for laying water supply networks with a length of 410 m.
2. Water supply to the city of Mykolaiv was provided through the Ingulec irrigation system channels (the “Antiriver” method). The “Antiriver” method was implemented at the Ingulec pumping station from June 21, 2023, to August 17, 2023. During the operation in “Antiriver” mode, 48.658 million m<sup>3</sup> were pumped, 10.656 million kWh were consumed, and 72.751 million hryvnias were spent.
3. Approved on 17.09.2024 the State Target Program for Comprehensive Water Supply of Areas Affected by Military Actions for the Period Until By 2030<sup>48</sup>, the program operates in 9 oblasts: Dnipropetrovsk, Kirovohrad, Donetsk, Zaporizhzhia, Luhansk, Mykolaiv, Odesa, Kharkiv, and Kherson. With a funding volume of 54.187 billion hryvnias.
4. *The construction of three sections of main water pipelines with a total length of almost 150 km has been completed: Karachunivske Reservoir — Kryvyi Rih — Pivdenne Reservoir, Marhanets— Nikopol, Khortytsia (DVS2) — Tomakivka, which will provide water to at least one million people in Dnipropetrovsk, Zaporizhzhia, Mykolaiv, and Kherson oblasts.*<sup>49</sup> Information on the construction status is provided in Appendix 5.

The executive authorities with the aim of preventing the occurrence and possible spread of infectious diseases:

1. Daily information on the state of the sanitary and epidemiological situation in the affected regions has been provided between the Public Health Center of the Ministry of Health and the Control Centers of the Ministry of Health.

47 Resolution of the Cabinet of Ministers of Ukraine “Some issues of implementing the experimental project on water supply in Dnipropetrovsk, Kherson, Zaporizhzhia, Mykolaiv, and Kharkiv oblasts” dated July 25, 2023, No. 771, URL: <https://zakon.rada.gov.ua/laws/show/771-2023-%D0%BF#Text>

48 Order of the Cabinet of Ministers of Ukraine “On the approval of the State Target Program for comprehensive water supply of territories affected by military actions until 2030” dated September 17, 2024, No. 884-r, URL: <https://zakon.rada.gov.ua/laws/show/884-2024-%D1%80#n77>

49 Resolution of the Cabinet of Ministers of Ukraine “On the allocation of funds from the fund for eliminating the consequences of armed aggression for the implementation of the experimental project for the construction of main water pipelines due to the need to eliminate the negative consequences associated with the destruction of the Kakhovka hydroelectric power station” dated June 6, 2023, No. 566 URL: <https://zakon.rada.gov.ua/laws/show/566-2023-%D0%BF#Text>

2. A daily exchange of information has been established between the Control Centers of the Ministry of Health, healthcare institutions, emergency medical care centers, and disaster medicine, and territorial bodies of the State Emergency Service in the affected areas.
3. More than 240,000 tablets for disinfecting drinking water have been issued to water supply enterprises and critical infrastructure facilities, as well as informational materials on the specifics of their use.
4. Work has been ensured on disinfecting drinking water at critical infrastructure facilities where water use conditions have changed.
5. Recommendations have been developed for local executive authorities and local self-government bodies regarding the volume of priority anti-epidemic measures aimed at preventing the spread of infectious diseases and poisonings related to the emergency situation.
6. The Ministry of Health's Centers for Control have conducted discussions among the population regarding the prevention of intestinal infections, the rules for consuming quality drinking water, and distributed leaflets to the population on the prevention of acute intestinal infections.

# The impact of economic entities on water resources

This chapter examines the impact of economic entities on water resources. It identifies the industries that pollute water the most, provides data on violations of water protection legislation by entities discharging wastewater, and emphasises the importance of reconstructing and modernising treatment facilities. It also highlights issues regarding compensation for damage caused by violations of the right to safe water resources. The chapter also considers the UN Guiding Principles on Business and Human Rights, outlining the provisions that must be adhered to when providing drinking water and wastewater services.

## 1. Pollution of water bodies by economic entities that carry out wastewater discharge

According to the State Statistics Service of Ukraine, there is a positive trend towards a reduction in the volumes of discharges of polluted (untreated and insufficiently treated) wastewater into water bodies from 518.35 million m3 in 2020 to 375.65 million m3 in 2023. Information on water pollution by industries is reflected in the infographic provided below.

Volume of (untreated) wastewater discharged into water bodies by sectors in 2021–2023 (million m³)

No.	Sector	2021	2022	2023
1	Industry	119.706	86.987	63.784
2	Agriculture	33.744	14.242	19.375
3	Forestry	no information available	no information available	no information available
4	Transport	1.443	0.466	1.092
5	Communications	no information available	no information available	0.004
6	Construction	2.484	0.568	0.006
7	Trade and public catering	0.088	0.074	0.070
8	Material and technical supply	0.147	0.135	0.149
9	Residential and utility services	382.456	270.301	289.525
10	Healthcare and physical education	0.474	0.337	0.440
11	Public education	0.254	0.271	0.308
12	Other sectors	0.711	0.646	0.896
13	Total	541.507	374.027	375.647

The largest volume of discharges of polluted wastewater occurs in the housing and communal services sector. The above information is confirmed by the results of the review of appeals to the Authorized Person in 2023-2024, which established systemic violations of water protection legislation by wastewater enterprises: discharges of untreated (insufficiently treated) wastewater, violations of sanitary protection zones of water intakes, etc. For violations of environmental legislation by economic entities, officials have been held administratively liable. Damages caused to the environment have been compensated.

*The People’s Deputy of Ukraine appealed to the Ombudsman regarding the violation of residents’ rights in the Uman district of the Cherkasy Oblast, caused by Uman Vodokanal (Uman City Council) discharging wastewater without complying with the established requirements.*

*At the request, the Commissioner initiated proceedings and issued recommendations to the State Environmental Inspectorate regarding the implementation of state supervision (control) measures to ensure that the Umanvodokanal Municipal Utility complies with legislation on the protection and rational use of water resources.*

*The State Environmental Inspectorate of the Central District conducted an inspection, which revealed:*

- *violations of the terms of the special water use permit, in particular, exceeding the permissible concentrations (MPCs) of pollutants discharged into the water body and improper maintenance of treatment facilities;*
- *an order was issued to eliminate the identified violations of environmental legislation;*
- *an official of Umanvodokanal was held administratively liable under Part 1 of Article 59 of the Code of Ukraine on Administrative Offenses (CUAO);*
- *damages caused to the state due to the discharge of insufficiently treated wastewater were calculated at 68,872.52 UAH and were voluntarily compensated by Umanvodokanal.*



Discharges of untreated water from the wastewater treatment facilities of Umanvodokanal

Considering the relevance of the issue of water resource pollution in the context of guaranteeing the human right to a safe environment, in October 2024, monitoring of the activities of the Authorized Person was carried out.



Treatment facilities of KP “Chernivtsivodokanal”

8 economic entities in the field of wastewater management, municipal (6) and private (2) forms of ownership. At the request of the Authorized Person within the framework of monitoring, the State Environmental Inspection of the Polissya District conducted water sampling on October



**Laboratory research** results: KP 'Zhytomyrvodokanal',

- Zhytomyr — exceedances of the GDS standards (according to the special water use permit) were found at discharges No. 2, 3 for the following indicators:
  - discharge No. 2: chlorides 1.2 times; BOD5 — 1.4 times; nitrites — 2.8 times;
  - discharge No. 3: ammonia — 1.8 times; chlorides — 1.3 times; iron — 1.7 times; phosphates — 1.5 times;
- LLC 'Complex of Ecological Facilities', Berdychiv — exceedances of the GDS standards (according to the special water use permit) were found at discharge No. 1: ammonia (in nitrogen) — 17.5 times; phosphates — 6.1 times; iron — 1.4 times; COD — 2.3 times, BOD5 — 3.1 times;
- Municipal Enterprise 'Berdychivkomunservis', Berdychiv — at the discharge from the stormwater network on Urzhaïna Street, concentrations of pollutants characteristic of untreated wastewater were found: ammonia (in nitrogen) — 11.7 mg/dm<sup>3</sup>; phosphates — 8.5 mg/dm<sup>3</sup>; iron — 1.4 mg/dm<sup>3</sup>; COD — 158 mgO/dm<sup>3</sup>; BOD5 — 40 mg/dm<sup>3</sup>; suspended substances — 38 mg/dm<sup>3</sup>;
- Municipal Enterprise 'Berdychivvodokanal', Berdychiv — no exceedances were found.

According to the results of laboratory research, the State Environmental Inspection of the Polissya region sent materials to the State Environmental Inspection with the aim of obtaining a decision from the Ministry of Environmental Protection for conducting unscheduled state supervision (control) measures regarding LLC 'Complex of Ecological Facilities', Berdychiv (decision is pending).

## 2. Condition of the drainage systems

A significant part of the centralized sewage system facilities in Ukraine has reached the normative lifespan and requires updating:

- 30% — the operational period has expired;
- 40% — are worn out, require complete replacement, and have a high accident rate;
- 49% of pumping stations and 55% of treatment facilities require reconstruction, improvement of the technological process, or urgent replacement of equipment.<sup>50</sup>

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The resolution of these issues is possible after the approval by the Government of Ukraine and the implementation of the State Target Environmental Program for the technical modernization of sewage and wastewater treatment enterprises that are state or municipal property (hereinafter referred to as the Program), which has not been developed in accordance with the provisions of subparagraph 1 of paragraph 3 of section X “Final Provisions” of the Law on sewage and wastewater treatment (hereinafter referred to as the Law on sewage)<sup>51</sup> within three months from the date of entry into force (07.08.2023) of this Law. Currently, only the Concept of such a Program has been approved by the Government of Ukraine<sup>52</sup>.

The obsolescence and wear of wastewater treatment facilities in drainage systems is an important factor affecting the state of water.

During the monitoring initiated by the Authorized Person, information from the territorial bodies of the State Environmental Inspection regarding the condition of wastewater treatment facilities in the territorial communities (TC) was analyzed. The State Environmental Inspection in the Chernihiv region specifically reported that due to the lack of reconstruction and modernization of wastewater treatment facilities, polluted wastewater is being discharged into water bodies.

*The State Environmental Inspectorate in Chernihivska Oblast informed the Commissioner of the following problematic issues regarding treatment facilities in some CCs in the region:*

- *deterioration and failure to modernise treatment facilities;*
- *underfunding of measures to reconstruct and modernise wastewater treatment systems;*
- *failure to implement modern environmental approaches to wastewater treatment and discharge to filtration fields in some communities.*
- *In most communities, the issue of liquid waste removal from cesspools and wastewater storage facilities remains unresolved.*

*Notably, in nine settlements in Chernihiv Oblast, municipal wastewater is discharged to filtration fields, one of the most outdated wastewater treatment methods. Six of these settlements (Horodnia, Sosnytsia, Posivka, Sribne, Honcharivske and Desna) have significant populations and industrial enterprises.*

*The infographic below presents generalised information on the state of wastewater treatment facilities in individual CCs in Chernihiv Oblast.*

51 Law of Ukraine “On sewage and wastewater treatment” dated 12.01.2023 No. 2887-IX, URL: <https://zakon.rada.gov.ua/laws/show/2887-20#Text>

52 Resolution of the Cabinet of Ministers of Ukraine “On the approval of the Concept of the State Target Environmental Program for the technical modernization of sewage and wastewater treatment enterprises that are state or municipal property, for the period until 2034” dated February 7, 2025 No. 91-r, URL: <https://zakon.rada.gov.ua/laws/show/91-2025-%D1%80#Text>



**The condition of wastewater treatment facilities in the drainage systems of certain TCs in Chernihiv Oblast (according to the information from the State Environmental Inspection in Chernihiv Oblast)**

No.	Territorial Community	Entity Responsible for Wastewater Disposal	Status of Treatment Facilities	Environmental Consequences
1	Ichnianska City Council	Municipal Water and Sewerage Enterprise "Ichen"	Construction started in 2011, not completed	Discharge of return water exceeding permitted levels; pollution of a water body located within the Ichnianskyi National Nature Park
2	Kulykivska Settlement Council	Municipal Enterprise "Kulykivske VUZhKG"	Construction started in 2015, not completed	Facilities provide only mechanical treatment; return water is discharged into bio-ponds, then into the reclamation system channel "Kraslianska," which flows into the Vzvzhka River; insufficiently treated wastewater is discharged into a natural water body, creating conditions for an emergency situation
3	Varvynska Settlement Council	Municipal Enterprise "Hospodar"	Construction completed in 2021	The treatment complex, after reconstruction, essentially does not provide wastewater treatment; cases of exceeding permitted levels of pollutants have been recorded
4	Kyselivska Village Council	Municipal Enterprise "Snovske"	Construction ongoing since 2012, but the complex has not been commissioned; works are not fully completed	Biological treatment is not carried out; facilities are used as storage for untreated sewage, which is then discharged into the Snov River
5	Bakhmatska City Council	Municipal Enterprise "Bakhmach-vodservis"	Facilities are in unsatisfactory technical condition; require reconstruction or construction of new treatment facilities	Regular exceedance of permissible levels of ammonium nitrogen, BOD <sub>5</sub> , and phosphates in discharges into the Borzenka River
6	Prylutska City Council	Municipal Enterprise "Pryluki Heating and Water Supply"	Facilities are in satisfactory condition	Exceedance of permissible levels of nitrates and phosphates has been recorded
7	Snovska City Council	Public Joint Stock Company "Komunalnyk"	Facilities are significantly underloaded (capacity 700 m <sup>3</sup> /day, actual intake ~110 m <sup>3</sup> /day), which contributes to their inefficiency and, as a result, inadequate sewage treatment	Exceedance of permissible pollutant levels for phosphates, COD, BOD <sub>5</sub> , chlorides, and ammonium nitrogen

### 3. Responsible business conduct in the field of drinking water and wastewater management

The Guiding Principles of the United Nations on Business and Human Rights (hereinafter - the Guiding Principles)<sup>53</sup> define the main directions for the protection of human rights. They require appropriate obligations from businesses as employers, service providers to the population, as well as as entities that can cause harm to the environment. Unfair business practices lead to violations of human rights.

The provisions of the Guiding Principles have been implemented by Ukraine into regulatory acts that provide for measures to implement standards for responsible business conduct.

The section reveals the provisions of the Guiding Principles in the field of human rights protection in the process of providing drinking water supply and wastewater services.

#### (a) the principle of assessing the environmental consequences of the activities of business entities

The National Strategy in the field of human rights in § 16 “Ensuring respect for human rights in the process of conducting business activities” sets the task of addressing the issue of human rights violations by business entities (in particular, in the field of environmental protection, etc.)<sup>54</sup>.

Monitoring has established that the Action Plan is designed for 2021-2023, and it did not specify measures aimed at implementing § 16 of the National Strategy<sup>55</sup>.

The main directions for the development of socially responsible business in the field of environmental protection, implemented by business entities on a voluntary basis, according to the Business Concept, are to prevent negative impacts on the environment<sup>56</sup>.

The implementation plan of the Business Concept in the area of environmental protection consists of 7 points. Three of them provide for the promotion and raising awareness of business entities on issues of environmental conservation<sup>57</sup>. The Ministry of Economy in its Report on the status of implementation of this plan notes a formal response that for these three points “informational measures are carried out on a permanent basis.”

53 The Guiding Principles of the United Nations on Business and Human Rights: approved by the UN Human Rights Council resolution 17/4 of June 16, 2011. The Guiding Principles are a document that first summarizes and interprets existing standards on business and human rights at the international level; it serves as a ‘roadmap’ for the state, business, and civil society.

54 Decree of the President of Ukraine “On the National Strategy in the Field of Human Rights” dated March 24, 2021 No. 119/221. URL: <https://zakon.rada.gov.ua/laws/show/119/2021#Text>

55 Action Plan — Action Plan for the Implementation of the National Strategy in the Field of Human Rights for 2021-2023, approved by the order of the Cabinet of Ministers of Ukraine dated June 23, 2021 No. 756-r, URL: <https://zakon.rada.gov.ua/laws/show/756-2021-%D1%80#Text>

56 Business Concept — Concept for the Implementation of State Policy in the Field of Promoting the Development of Socially Responsible Business in Ukraine for the Period until 2030, approved by the order of the Cabinet of Ministers of Ukraine dated January 24, 2020 No. 66-r. URL: <https://zakon.rada.gov.ua/laws/show/66-2020-%D1%80#Text>

57 Implementation Plan for the Business Concept — Action Plan for the Implementation of the Concept for the Implementation of State Policy in the Field of Promoting the Development of Socially Responsible Business in Ukraine for the Period until 2030, approved by the order of the Cabinet of Ministers of Ukraine dated July 1, 2020 No. 853-r, URL: <https://zakon.rada.gov.ua/laws/show/853-2020-%D1%80#Text>



For example: the name of the measure - "Promotion of the participation of business entities in the organization and support of the environmental protection system, formation of ecological consciousness and fostering respect for nature"; indicators of measure implementation: "informational measures have been carried out"; status of implementation: "informational measures are carried out on a permanent basis."

#### **(b) the principle of protecting human rights from gross violations in conflict zones**

The guiding principles stipulate the obligation of the state to assist businesses in ensuring respect for human rights and their observance in conflict zones.

To simplify permitting procedures and reduce the timeframes for project implementation in construction (reconstruction, restoration), including the construction of artesian wells and other operational wells of various types, the Government of Ukraine approved an Experimental Water Supply Project in 2023 in the Dnipropetrovsk, Kherson, Zaporizhzhia, and Mykolaiv oblasts.

At the same time, the issue of simplifying the procedure and shortening the time for obtaining a permit for special water use, which is issued in accordance with the Procedure for issuing permits for special water use by territorial bodies of the State Agency of Water Resources of Ukraine within thirty calendar days from the date of receipt of the application and documents necessary for its issuance<sup>58</sup>, remains unresolved.

The state has not developed an algorithm of actions in conditions of martial law for businesses that would allow business entities to quickly obtain the necessary permits for measures to provide citizens with drinking water in case of damage to centralized water supply systems.

During monitoring, it was established by the Authorized Person that in Mykolaiv, due to the broken water pipeline by Russian invaders on April 12, 2022, drinking water disappeared. One of the alternative technical solutions for providing the population with drinking water supply is drilling artesian wells in settlements that are in the zone of influence of the emergency situation.

The Mykolaiv City Council has made operational decisions to provide the population with drinking water by drilling artesian wells without obtaining permits in the procedures provided by law, as the procedure for obtaining permits is lengthy. Such decisions in conditions of martial law may lead to violations of the norms of the Water Code of Ukraine<sup>59</sup> and the Code of Ukraine on Subsoil.<sup>60</sup>

The preservation of the quality of drinking water by business entities during economic activities is an important aspect of responsible business conduct. Adhering to this principle corresponds to the Guiding Principles on Business and Human Rights and minimizes the risks of such violations. State supervision (control) over the rational use of water and the reproduction of water resources is carried out by the State Environmental Inspection (*see (b) subparagraph 2.1 of paragraph 2 of section 3*).

58 Resolution of the Cabinet of Ministers of Ukraine "On Approval of the Procedure for Issuing Permits for Special Water Use and Amending the Resolution of the Cabinet of Ministers of Ukraine of August 10, 1992 No. 459" dated 13.03.2002 No. 321, paragraph 4. URL: <https://zakon.rada.gov.ua/laws/show/321-2002-%D0%BF#Text>

59 Water Code of Ukraine, paragraph 6 of part 3 of article 110. URL: <https://zakon.rada.gov.ua/laws/show/213/95-%D0%B2%D1%80#Text>

60 Code of Ukraine on Subsoil, paragraph 2 of part 2 of article 65. URL: <https://zakon.rada.gov.ua/laws/show/132/94-%D0%B2%D1%80#Text>

**(c) the principle of protecting human rights by the state from violations by business**

The Guiding Principles establish the obligation of the state to ensure proper control over the observance of human rights when entering into contracts with enterprises.

Due to the destruction of the Kakhovka HPP, Resolution No. 566<sup>61</sup> provides for the allocation of funds for the restoration of water supply. The decision of the Government of Ukraine to allocate funds for measures to prevent and respond to a man-made disaster was made in a short time. The report of the Accounting Chamber states that “violations of the law occurred in the use of funds, including due to shortcomings in the internal control systems of budget fund administrators;

contracts were concluded without competitive selection, which led to significant overpricing of works and materials, negatively affecting the cost-effectiveness of budget spending; the recipient of the budget funds allocated for the implementation of the pilot project on the construction of main water pipelines was an organization that had not carried out any water pipeline construction activities in the past three years.”<sup>62</sup>

**(d) The principle of legal protection of human rights through judicial, administrative, and other means against violations by businesses.**

During the monitoring conducted by the Authorized Person regarding responsibility for violations of water resource protection rules, requirements for the protection of territorial and internal marine waters from pollution and littering, and water use rules, information was obtained from the State Environmental Inspection for the period 2021-2024.

Analysis of the obtained statistical data:

- under Article 59 “Violations of water resource protection rules” of the Code of Administrative Offenses, 3200 protocols on administrative offenses were drawn up, of which 1540b regarding legal entities;
- under Article 59-1 “Violations of requirements for the protection of territorial and internal marine waters from pollution and littering” of the Code of Administrative Offenses, 68 protocols on administrative offenses were drawn up, of which 28 regarding legal entities;
- under Article 60 “Violations of water use rules” of the Code of Administrative Offenses, 2247 protocols on administrative offenses were drawn up, of which 2014 regarding legal entities.

The obtained information indicates that the largest number of violations of environmental legislation concerns water resource protection and water use rules. A significant number of offenses are committed by legal entities.

61 Resolution of the Cabinet of Ministers of Ukraine “On allocation of funds from the fund for the elimination of the consequences of armed aggression for the implementation of an experimental project for the construction of main water pipelines due to the need to eliminate the negative consequences associated with the destruction of the Kakhovka Hydroelectric Power Station” dated June 6, 2023 No. 566 (with the latest amendments according to CM Resolutions No. 1333 dated 22.11.2024). URL: <https://zakon.rada.gov.ua/laws/show/566-2023-%D0%BF#Text>

62 Decision of the Accounting Chamber “On the consideration of the Report on the results of the audit of effectiveness on the topic “Destruction of the Kakhovka Hydroelectric Power Station: the scale and consequences of the disaster”” dated August 27, 2024, No. 39-2: URL: <https://rp.gov.ua/FinControl/FinResolutions/?id=1801>

#### **4. Compensation for damage caused by the violation of the right to clean water as part of the human right to environmental safety**

Calculation of damage caused to human life and health as a result of violations of environmental legislation, as well as damage caused to life and health, is carried out in a civil law manner. The main object of the damage is the good - human health, which is recognized as the highest social value according to Article 3 of the Constitution of Ukraine.

Article 50 of the Constitution of Ukraine defines the right of everyone to a safe environment for life and health and to compensation for damage caused by the violation of this right. According to the provisions of the Civil Code of Ukraine, a person has the right to compensation for moral damage caused by the violation of their rights.

In the event that harm is caused in the form of injury, compensation is due for the earnings (income) lost by the person as a result of the loss or reduction of professional or general work capacity, as well as compensation for additional expenses caused by the need for enhanced nutrition, sanatorium-resort treatment, purchase of medications, prosthetics, external care, etc.

Thus, the Civil Code of Ukraine provides for two types of compensation: monetary equivalent when it comes to moral damage, or property expenses incurred by the person as a result of the inflicted harm.

However, an important issue is proving the causal link between the harm caused to the environment and the harm caused to human health.

The European Court of Human Rights (hereinafter referred to as the ECHR) has repeatedly noted on this issue that regarding the deterioration of health, it is difficult to distinguish the impact of environmental risks from the influence of other relevant factors, such as age, profession, or lifestyle. Regarding the overall state of the environment, there is no doubt that severe pollution of water and soil can negatively affect the health of citizens in general and worsen the quality of human life. However, its actual impact in each individual case cannot be determined in quantitative terms.

“Quality of life” is, in fact, a subjective characteristic that cannot be precisely defined<sup>63</sup>.

In each specific case, national courts must thoroughly establish the factual circumstances of the case to determine whether the state bears responsibility under Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms<sup>64</sup>; also to establish whether the situation was the result of a sudden and unexpected turn of events or, on the contrary, existed for a long time and was well known to the state authorities; whether the state was or should have been aware that the danger or harmful influence affected the private life of the applicant, and to what extent the applicant contributed to creating this situation for themselves and was able to rectify it without excessive costs.

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63 Decision of the European Court of Human Rights, case “Dziemyuk v. Ukraine”, URL: [https://zakon.rada.gov.ua/laws/show/974\\_a51#Text](https://zakon.rada.gov.ua/laws/show/974_a51#Text)

64 Convention for the Protection of Human Rights and Fundamental Freedoms, URL: [https://zakon.rada.gov.ua/laws/show/995\\_004#Text](https://zakon.rada.gov.ua/laws/show/995_004#Text)

The court must also assess whether the authorities conducted sufficient preliminary studies to assess the risk of the planned potentially hazardous activity, whether they developed an adequate policy regarding polluting enterprises based on available information, and whether this policy was implemented in a timely manner.<sup>65</sup>

The ECHR also indicated that environmental pollution can negatively affect people's well-being, their private life, but does not cause serious harm to their health.

In the ruling of the Supreme Court,<sup>66</sup> it is stated that "... the plaintiffs must prove in court not only the fact of environmental pollution by the defendant but also that it occurs outside the relevant norms established by the state, which is not inherent in the existing pollution in modern cities and towns, negatively affects the use of amenities in populated areas, private and family life of the plaintiffs, however, deprived the plaintiffs of the procedural opportunity to prove the persuasiveness of their arguments.

Therefore, courts, when making decisions on compensation for moral damage in each individual case, need to investigate many factors and circumstances to determine the amount of compensation and the causal link between the harm caused to human health and the polluted environment.

The next problem in the realization of citizens' right to receive compensation for health damage is that the right to receive compensation for damage, enshrined in the Constitution of Ukraine, can only be defended by a person in court, which in turn reduces the scope of this right.

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65 Decision of the European Court of Human Rights, case "Dubetska and others v. Ukraine", URL: [https://zakon.rada.gov.ua/laws/show/974\\_689#Text](https://zakon.rada.gov.ua/laws/show/974_689#Text)

66 Ruling of the Supreme Court composed of a panel of judges of the Third Judicial Chamber of the Cassation Civil Court dated April 10, 2024, in case No. 638/6852/18, URL: <https://reyestr.court.gov.ua/Review/118421113>

## The state of formation and implementation of state policy on ensuring the right to drinking water and sanitation

The authorized body has conducted monitoring of the state of formation and implementation of state policy regarding the provision of the right to water and sanitary conditions. The legislative framework in the drinking water supply and wastewater sectors has been analyzed, as well as in the area of state control over compliance with sanitary and environmental legislation. Issues of state control in the areas of drinking water, drinking water supply, and wastewater have been revealed. The state of implementation of state, regional, and local programs regarding the provision of the right to drinking water and sanitation has been studied, as well as issues of public participation in making environmentally significant decisions.

### 1. The state of formation of state policy regarding the provision of the right to drinking water and sanitation

The section presents the main program documents aimed at ensuring the right to drinking water and sanitation: The Water Strategy of Ukraine until 2050, River Basin Management Plans for the period 2025-2030, and the National Target Program 'Drinking Water of Ukraine'. Monitoring of the state of adoption of regulatory legal acts necessary for the implementation of the provisions of the Law on Drinking Water and the Law on Wastewater has been carried out.

#### 1.1. The Water Strategy of Ukraine until 2050

By signing a number of international acts, Ukraine has undertaken international obligations to ensure equal rights to water and sanitary conditions for all citizens of Ukraine. An important Euro-integration document is the Water Strategy of Ukraine until 2050<sup>67</sup> (hereinafter - Water Strategy), which was approved in accordance with Article 365 (b) of Chapter 6 of the Association Agreement<sup>68</sup> and the Decision of the National Security and Defense Council of Ukraine.<sup>69</sup>

The Water Strategy is a program document aimed at increasing the level of water security and implementing sustainable integrated water resource management. It defines the main principles of state policy in the field of use, protection, and reproduction of water resources.

67 Order of the Cabinet of Ministers of Ukraine "On Approval of the Water Strategy of Ukraine for the Period until 2050" dated December 9, 2022, No. 1134-r, URL: <https://zakon.rada.gov.ua/laws/show/1134-2022-%D1%80#Text>. Hereinafter — Order No. 1134

68 Association Agreement — Agreement on Association between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their member states, on the other hand, URL: [https://zakon.rada.gov.ua/laws/show/984\\_011#Text](https://zakon.rada.gov.ua/laws/show/984_011#Text)

69 Decree of the President of Ukraine "On the Decision of the National Security and Defense Council of Ukraine dated March 23, 2021, "On Challenges and Threats to National Security of Ukraine in the Environmental Sphere and Priority Measures for Their Neutralization" dated 23.03.2021 No. 111/2021, URL: <https://zakon.rada.gov.ua/laws/show/111/2021#Text>

### (a) public participation in the development of the Water Strategy

According to the Ministry of Environmental Protection, to prepare the draft document, the Ministry of Environmental Protection, together with the Office for Reform Support, created a working group in May 2021. It included 13 representatives of the public and environmental organizations.

After the draft Water Strategy was published, about 20 appeals with suggestions for improving the document were received from the public. Approximately 55% of the comments were taken into account, as some of them were repetitive or contradictory.

In addition, the draft Water Strategy was discussed at a meeting of the Public Council under the Ministry of Environmental Protection and at 12 Basin Councils. As a result of the discussions, about 150 proposals and comments were provided, of which 80% were considered.

### (b) the state of achieving the goals of the Water Strategy

The Water Strategy defines 5 main goals:

1. ensuring equal access to quality and safe drinking water for human health and adequate sanitary and preventive measures;
2. improving the qualitative state of water bodies by achieving and maintaining 'good' ecological and chemical status of surface water bodies, ecological potential of artificial or significantly modified surface water bodies, quantitative and chemical status of groundwater bodies;
3. ensuring the necessary amount of water resources for the restoration and rehabilitation of aquatic ecosystems and achieving sustainable water abstraction and supply;
4. reducing the increasing risks of water scarcity and excess water;
5. implementing integrated water resource management based on the basin principle and the principles of the Organisation for Economic Co-operation and Development (OECD) regarding water governance in river basin areas, in coastal and marine waters.

To fulfill the tasks of the Water Strategy, the Operational Plan for the implementation of the Water Strategy for 2022-2024 (hereinafter referred to as the Operational Plan)<sup>70</sup> has been approved, which contains 16 tasks. Monitoring by the Authorized Person has established that out of the 16 tasks provided, two have not been completed, namely:

- Task 5: zones vulnerable to (accumulation of) nitrates have not been identified in accordance with the Methodology for determining zones vulnerable to (accumulation of) nitrates, approved by the order of the Ministry of Environmental Protection dated April 15, 2021, No. 244, and regulatory legal acts aimed at reducing diffuse water pollution have not been implemented;
- Task 11: the Guidelines for the implementation of the principles of the Organisation

<sup>70</sup> Order No. 1134 of the Cabinet of Ministers of Ukraine 'On the approval of the Water Strategy of Ukraine for the period until 2050' dated December 9, 2022, No. 1134-r, URL: <https://zakon.rada.gov.ua/laws/show/1134-2022-%D1%80#Text>

for Economic Co-operation and Development (OECD) regarding water governance at the basin and territorial level have not been approved by the order of the Ministry of Environmental Protection.

### (c) results of the Interagency Working Group on Water Policy

The coordination of actions for the implementation of the Water Strategy is entrusted to the Ministry of Environmental Protection.

To fulfill the tasks of the Water Strategy, defined in the section 'Procedure for monitoring, evaluating the results of the Strategy's implementation, and reporting', and in order to coordinate its implementation, the Ministry of Environmental Protection created <sup>71</sup> an Interagency Working Group on Water Policy, approved its composition and the relevant Regulation.

In addition to representatives of state authorities, the composition of this Interagency Working Group also includes representatives of higher educational institutions, scientific institutions, public organizations, and others.

According to the approved Regulation, the main form of work of the Interagency Working Group is meetings, which are held at least once a quarter at the decision of its chairperson.

Since its formation date (June 2023), meetings of the Interagency Working Group have not been held.

According to the Ministry of Environmental Protection, there was no need to hold meetings of the Interagency Working Group during 2023-2024.

At the same time, the Ministry of Environmental Protection informed that in December 2023, a Report on the status of the tasks defined in the Operational Plan, the deadlines for which are set for 2023, was submitted to the Government of Ukraine. At the same time, according to the Regulation, the Interagency Working Group monitors and evaluates the achievement of the goals defined by the Water Strategy; reviews and approves annual reports on the implementation of the Water Strategy, according to the indicators of achieving its goals and the ecological goals defined in the river basin management plans (hereinafter referred to as RBMP).

In addition, monitoring by the Authorized Person has established that the approved personal composition of the Interagency Working Group is outdated due to the dismissal of its chairperson from office back in September 2024.<sup>72</sup>

**Result:** meetings of the Interagency Group are not held, which indicates improper monitoring and evaluation of the achievement of the goals of the Water Strategy, and public involvement is formal.

71 Order of the Ministry of Environmental Protection and Natural Resources of Ukraine 'On the establishment of the Interagency Working Group on Water Policy for coordinating actions for the implementation of the Water Strategy of Ukraine until 2050' dated June 9, 2023, No. 407, URL: <https://mepr.gov.ua/wp-content/uploads/2023/06/407n.pdf>

72 Decree of the Cabinet of Ministers of Ukraine 'On the dismissal of Krasnolutskyi O.V. from the position of First Deputy Minister of Environmental Protection and Natural Resources of Ukraine' dated September 20, 2024, No. 887-r, URL: <https://zakon.rada.gov.ua/laws/show/887-2024-%D1%80#Text>



## 1.2. Development and financing of Management Plans for river basins for the period 2025-2030

RBMP, as a tool for achieving Goal 5 of the Water Strategy, provides for the introduction of integrated water resources management based on the basin principle

In accordance with the European integration commitments regarding the implementation of Directive 2000/60/EC of the European Parliament and Council of October 20, 2000<sup>73</sup>, and in the course of implementing the National Target Program for the Development of Water Management and the Water Strategy, the Government of Ukraine approved the first River Basin Management Plans (RBMPs) for the period 2025-2030 for each of the nine river basin districts (hereinafter referred to as RBDs) of Ukraine in the 4th quarter of 2024.

### (a) public participation in the development of river basin management plans

The preparation of the RBMPs was carried out in compliance with the deadlines according to the requirements of Directive 2000/60/EC of the European Parliament and Council of October 20, 2000, and in accordance with the schedules of the RBMP development process approved by the Ministry of Environmental Protection.<sup>74</sup>

To ensure public participation, consultations were held and comments were collected at the stage of preparing the characteristics of the RBDs and reviewing significant water resource management issues in the relevant RBD. Members of the basin councils — advisory bodies at the level of the relevant RBD were involved in these consultations. The draft RBMPs were published on the website of SAWR in December 2023 and underwent public consultations for 6 months — from December 2023 to June 2024.

According to SAWR, representatives of basin councils, public organizations, special water users, educational and scientific institutions, environmental authorities, and local communities participated in the public discussion. 13 events were held, and stakeholders from the relevant river basins and sub-basins were involved. 677 representatives participated. During the public discussion of the draft RBMPs, 218 letters with proposals and comments regarding the draft RBMPs were received.

### (b) implementation of river basin management plans

The implementation of the RBMPs will begin on January 1, 2025, and requires significant funding. Monitoring by the Authorized Person revealed:

- the implementation of the RBMP measures requires investments of about 345 billion UAH;
- the sources of funding for the RBMP measures are funds from the state and local budgets, as well as other sources not prohibited by law;

<sup>73</sup> Directive of the European Parliament and Council 2000/60/EC of October 23, 2000, establishing a framework for Community action in the field of water policy, URL: [https://zakon.rada.gov.ua/laws/show/994\\_962#Text](https://zakon.rada.gov.ua/laws/show/994_962#Text)

<sup>74</sup> Order of the Ministry of Environmental Protection and Natural Resources of Ukraine "On the approval of the schedules for the process of developing draft river basin management plans," URL: <https://mepr.gov.ua/nakazmindovkillya-313-vid-27-11-2020/>

- expenditures from the state budget for financing the implementation of the RBMPs in 2025 are not provided, as at the time of approval of the RBMPs, the projects of the State and local budgets for 2025 had already been formed;
- the measures for the implementation of the RBMPs in 2025 will be carried out by the SAWR within the budget programs 2707010 “Management and Administration in the Field of Water Management,” with a funding volume of 60213.8 thousand UAH, and 2707050 “Operation of the State Water Management Complex and Water Resource Management,” with a funding volume of 4434305.9 thousand UAH;
- the measures provided for in the RBMPs for the rivers of the Black Sea, Azov Sea, and Crimea will be implemented in the territories of the Autonomous Republic of Crimea, Luhansk, Donetsk, Zaporizhzhia, and Kherson oblasts after their de-occupation based on the results of the inventory of water bodies, collection, and analysis of data taking into account post-war recovery expenditures;
- The action programs of the PWRB include measures to achieve a ‘good’ state of waters, the vast majority (92%) of which are aimed at reducing pollution of water resources. This includes the construction, reconstruction, and modernization of sewage treatment plants (hereinafter referred to as STP) and sewage networks (hereinafter referred to as SN), as well as the implementation of secondary and tertiary treatment of wastewater before discharge into surface waters or the environment.

*The action program of the PWRB for Dnipro for 2025-2030 provides for:*

- *930 measures to reduce pollution out of 1057 main and additional measures; a 71% reduction in pollution will be achieved through the reconstruction of STP and SN, and 29% through the construction of new STP and SN;*
- *309 measures for communities / settlements with a population equivalent of 2 to 10 thousand (37%) and communities/settlements with a population equivalent of 10 to 100 thousand (46%).*

*It is expected that the implementation of only the reconstruction measures of the Bortnytsia aeration station will ensure improved sanitary conditions for over 29 million residents of the Dnipro River basin. The total cost of all PWRB measures for Dnipro for the period 2025-2030 amounts to 159,458.497 million UAH or 26,576.416 million UAH per year.*

### 1.3. National Target Program ‘Drinking Water of Ukraine’

The National Target Program ‘Drinking Water of Ukraine’ has been the main tool for implementing state policy in the field of drinking water and water supply since 2006, as provided by Article 10 of the Law on Drinking Water. The last National Target Program ‘Drinking Water of Ukraine for 2011- 2020’ (hereinafter referred to as the ‘Drinking Water Program’) was approved in 2011, and since 2021 there has been no active ‘Drinking Water of Ukraine’ Program.

There is also no summarized reporting information on the status of its implementation. The law<sup>75</sup>, which approved it, did not define the responsible body for summarizing reporting information and the body to which the summarized reporting information is submitted. The results of the analysis of the implementation of the 'Drinking Water of Ukraine for 2011-2020' program were formed by the Authorized Person based on:

- audit conclusion of the Accounting Chamber for 2016<sup>76</sup>, stated: "Within the Program, which has been implemented for 10 years, due to its inadequate organizational and financial support, it is practically impossible to solve the problem of providing citizens with drinking water in the necessary volumes and in accordance with established standards. The audit results give grounds to assert that there are risks of non-fulfillment of the Program even after five years (2020). Current legislation does not provide for a comprehensive regulation of issues related to providing citizens with drinking water. Measures for the development and reconstruction of centralized water supply and sewage systems are carried out in a non- systematic and inconsistent manner. There is no permanent source of funding, primarily for the reconstruction or construction of these systems";
- analysis of the program "Drinking Water of Ukraine," presented in the PURB of Dnipro for 2025- 2030:<sup>77</sup> "As of 01.01.2020, centralized drinking water supply in Ukraine was not provided to 1 % of cities, over 10% of towns, and almost 70% of villages in Ukraine (8.934 million people).

Practically every fourth citizen of the country was not provided with centralized water supply; at least 268 thousand residents of 824 settlements in 9 oblasts of the country used delivered water; data from National Reports for 2021<sup>78</sup>, 2022<sup>79</sup>, 2023<sup>80</sup>, which indicate that during the full-scale war, there has been an increase in the number of settlements without centralized water supply and sewage services, as shown in the infographic below.

75 Law of Ukraine "On the National Target Program "Drinking Water of Ukraine" for 2011-2020" dated 03.03.2005 No. 2455-IV, URL: <https://zakon.rada.gov.ua/laws/show/2455-15#Text> Report on the results of the audit of the implementation of tasks and measures

76 provided for by the National Target Program "Drinking Water of Ukraine" for 2011-2020, approved by the decision of the Accounting Chamber No. 2-1 dated February 9, 2016, URL: [https://rp.gov.ua/upload-files/Activity/Collegium/2016/zvit\\_2-1\\_2016/zvit\\_2-1.pdf](https://rp.gov.ua/upload-files/Activity/Collegium/2016/zvit_2-1_2016/zvit_2-1.pdf)

77 Order of the Cabinet of Ministers of Ukraine "On Approval of the Management Plans for the River Basins of the Dnipro and Don for 2025-2030" dated November 1, 2024, No. 1077-r, Chapter 7, URL: <https://zakon.rada.gov.ua/laws/show/1077-2024-%D1%80#Text>

78 Ministry of Community and Territorial Development of Ukraine, National Report on the Quality of Drinking Water and the State of Drinking Water Supply in Ukraine in 2021, URL: <https://surl.li/unapqy>

79 Ministry of Community, Territories and Infrastructure Development of Ukraine, National Report on the Quality of Drinking Water and the State of Drinking Water Supply and Wastewater in Ukraine in 2022, URL: <https://surl.li/potemk>. Further - National Report for 2022

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The number of settlements in Ukraine without centralized water supply and sewage services in 2021-2023

Service name	Type of settlement	Year		
		2021	2022	2023
centralized water supply	city	4	6	10
	town	46	46	63
	rural settlements	16989	16995	18048
centralized sewage	city	13	16	18
	village	154	185	190
	rural settlements	21874	23568	24018

**Reason:** lack of state attention to the problems of the sector, limited or absent state funding.

**Consequence:** a crisis state of the industry and regression in citizens’ access to quality and safe drinking water and sanitation conditions even before the start of the military aggression of the Russian Federation against Ukraine. The nationwide targeted program ‘Drinking Water of Ukraine for 2022-2026’<sup>81</sup> was adopted by the Verkhovna Rada of Ukraine (Law of Ukraine dated February 15, 2022 No. 2045-IX) and was sent for signature to the President of Ukraine on February 21, 2022, but was not signed. The National Report<sup>82</sup> on the Quality of Drinking Water and the State of Drinking Water Supply in Ukraine in 2022 states that with the armed aggression of the Russian Federation against Ukraine, the measures of the Program ‘Drinking Water of Ukraine for 2022-2026’ have lost their relevance and require a detailed review in terms of tasks and measures, as well as a review of the volumes and funding methods of the Program.

81 Draft Law on the National Target Social Program “Drinking Water of Ukraine” for 2022-2026 / Official Web Portal of the Verkhovna Rada of Ukraine, URL: <https://itd.rada.gov.ua/billinfo/Bills/CardByRn?regNum=5723&conv=9>

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## 1.4. Regulatory and legal regulation of the right to drinking water and sanitation

The Ministry of Development is the main body in the system of central executive authorities that ensures the formation and implementation of state policy in the areas of drinking water, drinking water supply (Article 10 of the Law on Drinking Water) and wastewater (Article 11 of the Law on Wastewater).

The Law on Drinking Water, as well as the Law on Wastewater, have not been fully applied in practice since their entry into force due to the non-adoption of the regulatory legal acts necessary for their implementation.

The authorized body has conducted monitoring of the status of the adoption of regulatory legal acts (hereinafter referred to as RLA) provided for in paragraph 2 of section XII of the Final Provisions of the Law on Drinking Water and paragraph 3 of section X of the Final Provisions of the Law on Wastewater.

As of 20.09.2024, monitoring has established:

- no RLA has been approved for the implementation of the Law on Drinking Water regarding:
  - the development of optimization schemes for centralized water supply systems;
  - connection to centralized water supply networks;
  - the development and approval of technical conditions for connection to centralized water supply systems;
  - technical operation of centralized water supply systems;
- no 27 RLAs have been approved for the implementation of the Law on Wastewater regarding:
  - connection to centralized wastewater networks;
  - collection, transportation, and treatment of wastewater from facilities in settlements that are not connected to centralized wastewater systems;
  - the development of optimization schemes for centralized wastewater systems;
  - the development and approval of technical conditions for connection to centralized wastewater systems;
  - relationships between consumers and service providers for the collection, transportation, and treatment of wastewater from facilities that are not connected to centralized wastewater systems and other issues.

In addition, at the state level, there are other problematic issues in the areas of drinking water, drinking water supply, and wastewater management that have arisen as a result of the full-scale invasion of the Russian Federation into the territory of Ukraine, and which require resolution.

The Ministry of Development highlights the following main problematic issues:

- restoration and reconstruction of damaged facilities and networks;
- modernization of outdated systems, increasing the reliability and energy efficiency of technological equipment;
- elimination of regional disparities in access to water and its quality;
- improvement of legislative norms in the areas of drinking water, drinking water supply, and wastewater management.

**Result:** problematic issues in the areas of drinking water, drinking water supply, and wastewater management have been identified, which require resolution at the legislative level to ensure citizens' rights to receive quality water supply and wastewater services under the conditions of the legal regime of martial law.

**Reason:** The Government of Ukraine has not ensured the adoption of all subordinate regulatory legal acts in the areas of drinking water, drinking water supply, and wastewater disposal, nor have amendments been made to the legislation to address problematic issues in these areas.

## **2. The state of implementation of state policy in the areas of drinking water, drinking water supply, and wastewater**

This section contains an analysis of the main directions of the implementation of state policy in the areas of drinking water, drinking water supply, and wastewater disposal through the exercise of state supervision (control) over compliance with the requirements of sanitary and environmental legislation and the implementation of regional and local program documents.

### **2.1. The state of implementation of state policy regarding state control in the areas of drinking water, drinking water supply, and wastewater disposal**

The actions of state supervisory (control) bodies to detect and prevent violations of the requirements of legislation in the areas of drinking water, drinking water supply, and wastewater disposal are one of the ways to protect the rights of citizens.

The legal and organizational foundations for the implementation of state supervision (control) by the State Consumer Service and the State Environmental Inspection in the areas of drinking water, drinking water supply, and wastewater disposal have been analyzed.

#### **(a) state control over compliance with the requirements of sanitary legislation in the areas of drinking water, drinking water supply, and wastewater disposal**

Article 49 of the Constitution of Ukraine stipulates that the state ensures sanitary and epidemiological well-being.

The implementation of state supervision (control) measures over compliance by water supply entities with the requirements of sanitary legislation, including SanPiN, is one of the tools for the state to fulfill its obligation to ensure the sanitary and epidemiological well-being of the population.

The State Service of Ukraine on Food Safety and Consumer Protection exercises state supervision (control) over compliance with sanitary legislation, sanitary and epidemiological well-being of the population, particularly in the areas of drinking water, drinking water supply, and wastewater disposal.

It has been established by the authorized body that from 01.10.2023, due to changes in legislation, the State Service of Ukraine on Food Safety and Consumer Protection will not carry out state supervision (control) over compliance with sanitary legislation in the areas of drinking water, drinking water supply, and wastewater disposal.

*In August 2024, the Ombudsman received a complaint from residents of Uman in the Cherkasy Oblast regarding a violation of their rights as consumers of centralised water supply services, caused by the poor quality of the tap water. They provided a certificate of tap water analysis to support their claim, which stated that the water did not meet drinking water standards. The water contained excessive levels of turbidity and iron, as well as coliform bacteria.*

*Within the framework of the proceedings initiated at the applicants' request, the Commissioner made recommendations to the State Service of Ukraine on Food Safety and Consumer Protection regarding state sanitary and epidemiological supervision of Umanvodokanal's compliance with sanitary legislation. However, these measures were not carried out.*

*The State Service of Ukraine on Food Safety and Consumer Protection informed us that the Law of Ukraine 'On the Public Health System' (hereafter 'the Law on Public Health') came into effect on 1 October 2023. As a result, the Law of Ukraine 'On Ensuring Sanitary and Epidemiological Welfare of the Population' of 24 February 1994 No. 4004-XII, which authorised the State Service of Ukraine on Food Safety and Consumer Protection to perform the functions of state sanitary and epidemiological supervision in the respective territories, became invalid.*

*The Ministry of Economy believes that the State Service of Ukraine on Food Safety and Consumer Protection has lost its authority to exercise state supervision, as the Law on Public Health does not specify a public authority to exercise such supervision over compliance with sanitary legislation requirements.*

*The legislative gap can be resolved by amending the legislation. The State Service of Ukraine on Food Safety and Consumer Protection has developed a draft law entitled 'On Amendments to Certain Laws of Ukraine on State Supervision (Control) over Compliance with Sanitary Legislation in the Areas of Public Health and Sanitary and Epidemiological Welfare of the Population'. However, the Ministry of Health does not support this draft law.*



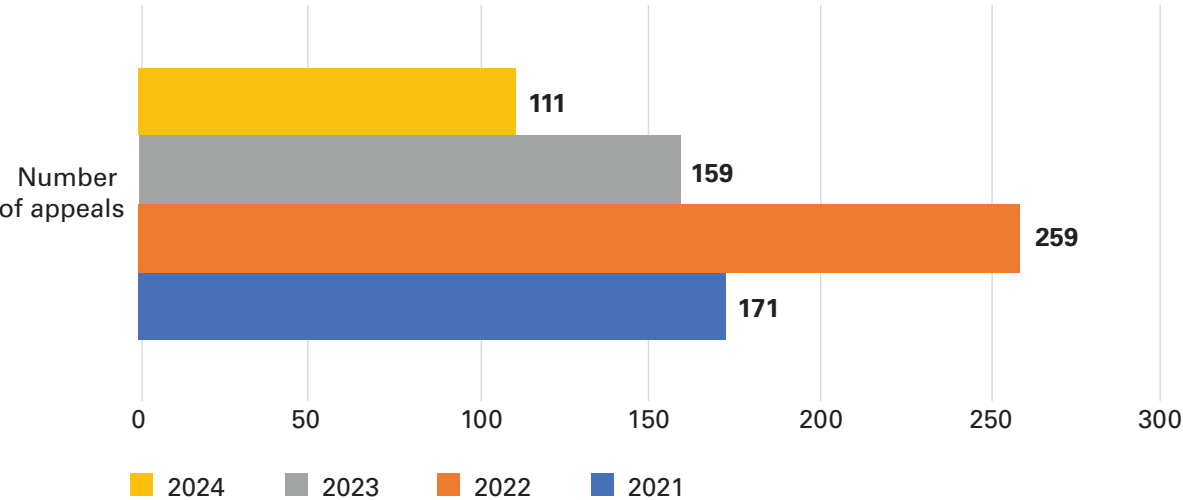
The quality of tap water for consumers in Uman city



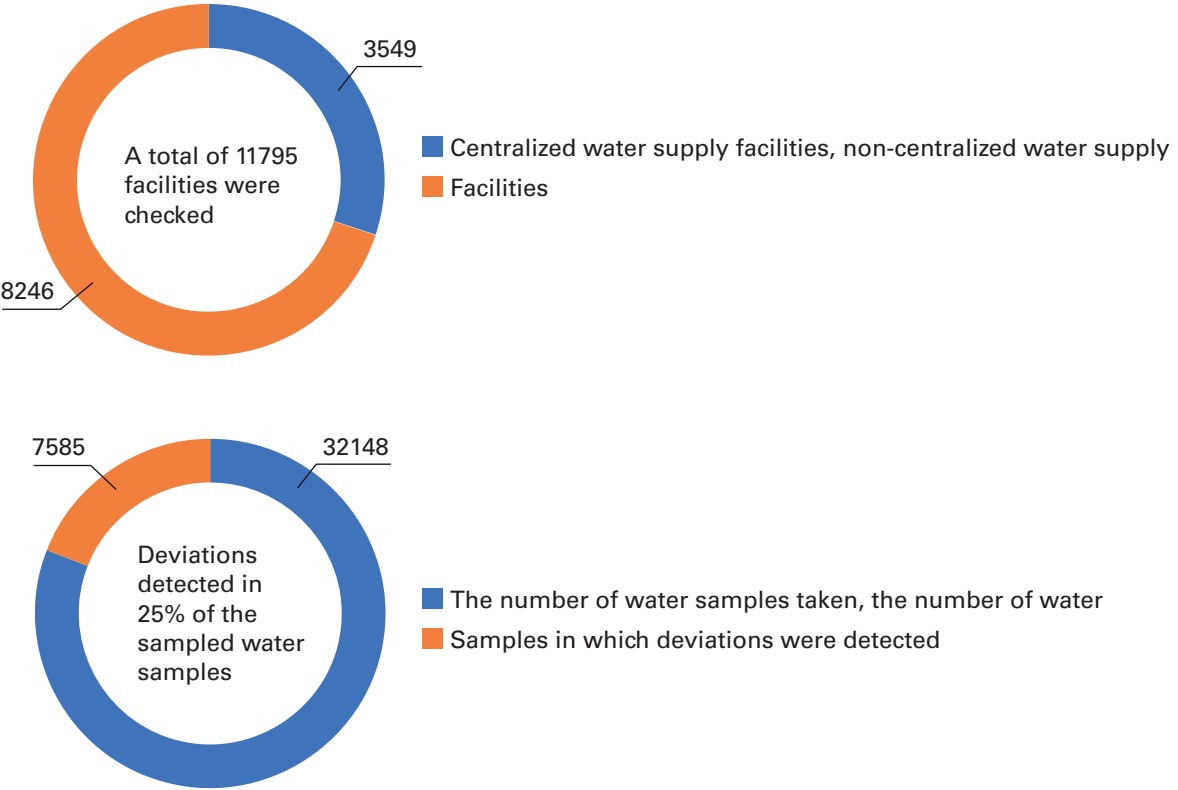
The Ombudsman’s monitoring of the performance of the State Service of Ukraine on Food Safety and Consumer Protection in the area of state supervision (control) over compliance with sanitary legislation requirements by water supply and sewerage entities, prior to the adoption of the Law on Public Health, has established that:

- 1. 700 appeals from citizens were received between 2021 and 01/09/2024. The infographic shows the number of appeals received by year.

Statistics on citizens' complaints to the State Service of Ukraine on Food Safety and Consumer Protection concerning poor water quality



- 2. Information for the years 2021-2023 about the total number of facilities for water supply (including centralized and decentralized) checked by the State Service of Ukraine on Food Safety and Consumer Protection as part of state sanitary and epidemiological supervision (control), the number of water samples taken at these facilities, and the identified deviations from established sanitary norms and rules is presented in the infographic below.



During the period of the legal regime of martial law (in 2022-2023), unscheduled state supervision (control) measures were carried out by the State Service of Ukraine on Food Safety and Consumer Protection exclusively in the presence of a threat that negatively affects the rights, legitimate interests, life, and health of a person, based on decisions of the central executive bodies that ensure the formation of state policy in the relevant areas;

**3.** main systemic violations of sanitary norms identified by the State Service of Ukraine on Food Safety and Consumer Protection:

- at centralized water supply and sewage facilities:
  - absence of a technological regulation for the drinking water production process;
  - failure to conduct/violation of production quality control of drinking water;
  - non-compliance of drinking water quality with sanitary standards;
  - failure to conduct annual comprehensive safety and quality control of drinking water from public wells;
  - failure to conduct laboratory studies of water from surface water bodies in the area affected by wastewater discharge;
  - unsatisfactory technical condition of structures and production premises at water supply facilities;
  - violation of maintenance and operation mode of water supply systems and structures.
- at decentralized water supply sources:
  - absence of periodic planned repairs and cleaning of sources;
  - insufficient or lack of departmental laboratory water control.

**Result:** The State Service of Ukraine on Food Safety and Consumer Protection does not carry out state supervision (control) over compliance with sanitary legislation requirements in the conditions of the legal regime of martial law since 01.10.2023, including compliance by economic entities at water supply facilities with sanitary legislation requirements.

**Reason:** The Law on the Public Health System does not designate an authorized central executive authority or authorities to carry out state supervision (control) over compliance with sanitary legislation requirements.

**(b) state control over compliance with environmental standards in the areas of drinking water, drinking water supply, wastewater disposal**

The State Ecological Inspection, in accordance with the tasks assigned to it, carries out state supervision (control) over compliance with the requirements of legislation on the protection, rational use of water, and reproduction of water resources.

The Commissioner received appeals from citizens regarding pollution of the environment by economic entities with wastewater. The identified violations concerned the activities of those economic entities that provide wastewater services, as well as economic entities in other sectors of production. To eliminate the violation of the human right to safe water resources within the consideration of appeals, the Commissioner provided recommendations to territorial and interregional bodies of the State Environmental Inspection for conducting unscheduled inspections.

*The Commissioner received a request from a citizen, Ms. Z., a resident of the city of Korostyshiv in the Zhytomyr Oblast, regarding the systematic discharge of wastewater from the Korostyshiv Municipal Enterprise “Vodokanal” into the Teteriv River without proper treatment.*

*As part of the consideration of the request, the Commissioner recommended that the State Environmental Inspection of the Polissya region conduct an unscheduled state supervision (control) measure. Water samples were taken at the discharge point No. 2 of the post-treatment facilities of the Korostyshiv Municipal Enterprise “Vodokanal”.*

*According to the results of laboratory studies of selected water samples from the wastewater treatment facilities of the Korostyshiv Municipal Enterprise ‘Vodokanal’ and the Teteriv River upstream of the discharge point, exceedances of the GDS standards were recorded for the following indicators: ammonia (by nitrogen) — 23 times; phosphates — 2.3 times; iron — 1.4 times; COD — 3.9 times; BOD5 — 5.2 times; suspended substances — 6 times.*

*It was also established that the pollutant content in the wastewater at the entrance to the treatment facilities (before treatment) and at the discharge point (after treatment) are virtually identical, indicating the actual discharge of untreated wastewater into the Teteriv River.*

*The following measures were taken as a result of the laboratory studies:*

*The State Environmental Inspection of the Polissya region submitted an administrative lawsuit to the Zhytomyr District Administrative Court on 18 December 2024 regarding the suspension of the discharge of wastewater from discharge point No. 2 of the Korostyshiv Municipal Enterprise ‘Vodokanal’ until the wastewater meets the GDS standards established by the special water use permit.*



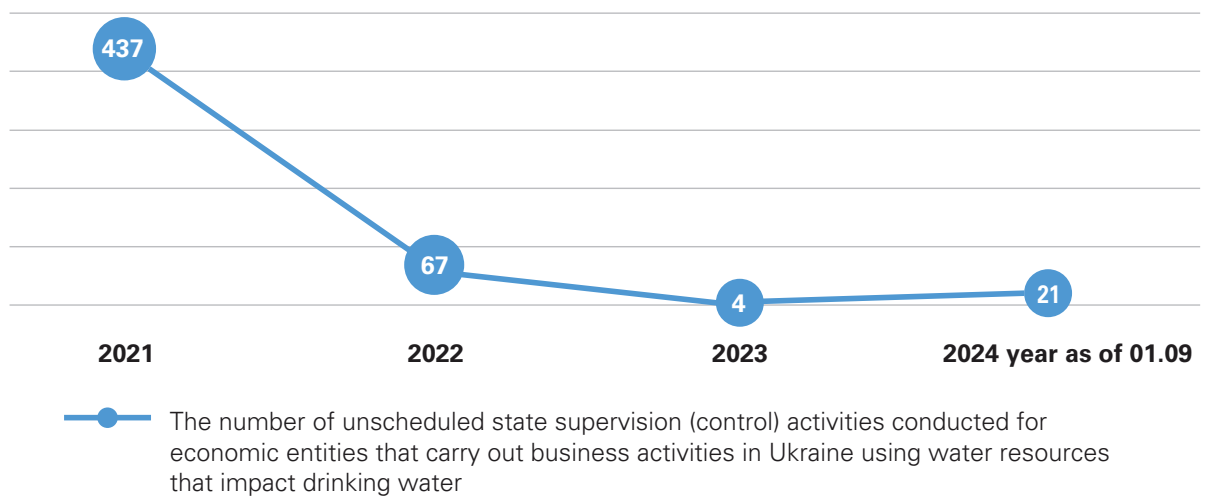
The main types of violations of environmental legislation in the field of protection, rational use of water, and reproduction of water resources, which are recorded as a result of state supervision (control) measures by the State Environmental Inspection, are:

- exceedances of pollutant discharges with wastewater;
- cases of land contamination with untreated wastewater;
- non-compliance with the conditions of special water use permits;
- unauthorized use of water resources;

- violations of the rules for the operation of water management facilities and devices, maintaining primary water accounting;
- violations of the economic activity regime in water protection zones and on the lands of the water fund.

Monitoring by the Commissioner regarding the implementation of the State Environmental Inspection’s powers in carrying out state supervision (control) over compliance by economic entities with environmental legislation in terms of water resource pollution has established:

Since 2022, the State Environmental Inspection has reduced the number of unscheduled state supervision (control) measures for economic entities engaged in special water use, as reflected in the infographic.



**Reason:** the reduction in control measures is related to the adoption of the resolution of the Government of Ukraine<sup>83</sup>, which suspended the conduct of planned and unscheduled state supervision (control) and state market supervision during the period of martial law.

The resolution defines the conditions under which unscheduled state supervision (control) activities are carried out: the presence of a threat that negatively affects rights, legal interests, life and health of a person, protection of the environment, and ensuring state security, as well as for the fulfillment of Ukraine’s international obligations. In such cases, unscheduled state supervision (control) activities are conducted based on decisions of central executive bodies that ensure the formation of state policy in the relevant areas.

The resolution does not specify the time frame within which a decision on conducting an unscheduled state supervision (control) activity is made, which can be critical for taking measures to eliminate the consequences of pollution for the environment and the population.

83 Resolution of the Cabinet of Ministers of Ukraine “On the Suspension of State Supervision (Control) and State Market Supervision Measures in the Conditions of Martial Law” dated March 13, 2022, No. 303, URL: <https://zakon.rada.gov.ua/laws/show/303-2022-%D0%BF#Text>

Monitoring by the Commissioner has revealed a number of problematic issues in the implementation of state supervision (control) measures by the State Environmental Inspection based on data from 7 interregional and 11 territorial bodies of the State Environmental Inspection:

1. Business entities do not allow inspectors of the State Environmental Inspection to access the inspection sites and do not provide the necessary information, thereby violating the requirements of Article 11 of the Law of Ukraine “On the Basic Principles of State Supervision (Control) in the Field of Economic Activity.”

*Municipal Enterprise “Teplodarvodokanal” of Odesa Oblast: inspectors of the State Environmental Inspection of the Southwestern District were denied the participation of an official of the enterprise in the sampling of wastewater and surface water; a report on the volumes of wastewater discharged into the water body (Dniester River) after the treatment facilities of Municipal Enterprise “Teplodarvodokanal” was not provided (inspection of compliance with the order, 2022). Such actions create obstacles for inspectors in carrying out state supervision (control) measures.*

*KP ‘Pervomaiske Water Supply and Sewerage Management’ of Mykolaiv Oblast: at the request of the State Environmental Inspection of the Southwestern District, no information was provided regarding the volume of discharged wastewater for the relevant period (the basis for conducting an unscheduled inspection is a request from an individual, 2024). This information is necessary for comparing the actual volumes of wastewater discharges with the volumes defined by the conditions of the special water use permit.*

**Reasons:** for non-compliance with the legal orders of the State Environmental Inspection inspectors, administrative liability is provided for officials in the amount of 15 to 45 non-taxable minimum incomes of citizens (from 255 to 765 UAH)<sup>84</sup>.

This issue can be resolved by the adoption of a draft law by the Verkhovna Rada of Ukraine (registration No. 3091 dated 19.02.2020) ‘On State Environmental Control’, which proposes to establish fines for economic entities for preventing the conduct of state environmental control measures, creating obstacles to its conduct by the economic entity. Depending on the degree of environmental risk of the activity — fines ranging from 100 to 300 minimum wages.

The draft law was adopted in the first reading on 15.07.2021, responsible for its consideration — the Committee of the Verkhovna Rada of Ukraine on Environmental Policy and Natural Resource Use.

2. Economic entities that carry out special water use do not inform the territorial and interregional territorial bodies of the State Environmental Inspection:
  - about the occurrence of emergency pollution that may cause deterioration of water

84 The Code of Ukraine on Administrative Offenses, Article 188-5, URL: <https://zakon.rada.gov.ua/laws/show/80731-10#Text>

quality and discharge of untreated wastewater into water bodies, as provided for in Article 17 of the Law on Water Discharge;

- about deviations from established water quality standards, according to the imposed obligation, in accordance with Articles 44, 59 of the Water Code of Ukraine.

Since the enactment of the Law on Water Discharge (from 07.08.2023), one notification has been received from KP 'Miskvodokanal' of Sumy City Council to the State Environmental Inspection in Sumy Oblast about the discharge of flushing water into the Psel River after flushing the water supply networks.

**Result:** due to the failure of economic entities to fulfill the obligation to notify about emergency pollution and deviations from established water quality standards, the territorial and interregional territorial bodies of the State Environmental Inspection cannot respond promptly and take measures to eliminate negative consequences for the environment and the population.

## **2.2. The state of implementation of regional and local programs, which are aimed at ensuring the rights of citizens to drinking water, sanitary conditions, and a safe natural environment**

The issue of improving access to water and sanitation services is included in a number of regional and local program documents related to the provision of water supply and wastewater management, the development of water management, and the management of water resources in Ukraine.

The section analyzes the state of implementation of regional and local program documents aimed at improving the population's access to drinking water and sanitary conditions, ensuring the protection of water resources and sources of drinking water supply.

### **(a) the state of implementation of regional programs aimed at on ensuring the rights of citizens to drinking water, sanitary conditions, and a safe natural environment**

In accordance with state programs in the sector of drinking water supply and wastewater management, protection of water resources and sources of drinking water, relevant regional target programs and socio-economic development and/or nature protection programs are developed and implemented at the regional level, which include relevant directions and measures of state programs taking into account local specifics.

During July-September 2024, the Commissioner conducted monitoring regarding the status of implementation of regional programs in the areas of drinking water, drinking water supply, and wastewater management. The monitoring was carried out through a written survey, in which 24 regional military administrations (OVAs) participated.

According to the survey results, the overwhelming majority (20 out of 24) of OVAs indicated the regional programs "Drinking Water" among the programs aimed at improving access to water supply and wastewater management.



At the same time, 7 Oblast Military Administration (Kherson, Kharkiv, Luhansk, Lviv, Kirovohrad, Dnipropetrovsk, Volyn) noted old regional programs for the period 2005-2021 that had not been updated; while 13 Oblast Military Administration (Chernivtsi, Chernihiv, Khmelnytskyi, Ternopil, Poltava, Odesa, Mykolaiv, Kyiv, Ivano-Frankivsk, Zaporizhzhia, Zakarpattia, Zhytomyr, Donetsk) indicated updated programs approved for 2022-2027, of which 12 are already being implemented. The program “Water of Donetsk Region for 2017-2025” is approved, but its implementation is suspended until the completion or cancellation of the legal regime of martial law.

During the survey, the regional program of Kirovohrad Oblast was at the approval stage, while Vinnytsia Oblast Military Administration informed about the development of the regional program “Drinking Water” for the period 2025-2028.

In the responses of 5 Oblast Military Administration (Cherkasy, Kherson, Sumy, Rivne, Kirovohrad), only local programs of individual territorial communities for the period 2022-2027 were mentioned

It has been clarified:

- the implementation of the approved regional programs “Drinking Water” was halted in 2022 due to uncertainty regarding the implementation of the National Target Program “Drinking Water of Ukraine” for the period 2022-2026; priority measures of the approved regional programs “Drinking Water” are being carried out at the expense of local budgets of the territorial communities and water utilities in Volyn, Dnipropetrovsk, Kirovohrad, Lviv, and Kherson oblasts;
- the approved programs are not being implemented in Kharkiv and Donetsk oblasts due to active military actions, and in Luhansk — due to the temporary occupation of the region’s territory by the Russian Federation.

Instead, measures to improve access to drinking water and sanitation are being implemented.

- regional programmes for the development of housing and communal services or water and sewerage facilities (Cherkasy, Kherson, Rivne and Kirovohrad oblasts);
- socio-economic development programmes (Lviv, Kirovohrad, and Dnipro oblasts), which include water supply and sewerage development issues;
- programs for financial support for the development of water supply and sewage systems and investment projects to address local water supply and drainage issues (Kyiv and Mykolaiv oblasts);
- regional programs for the development of water management and the rehabilitation of water resources, which include measures for the construction of centralized water supply and drainage systems in rural settlements, and the protection of water resources (Khmelnytskyi, Kherson, Ternopil, Kirovohrad, Zaporizhzhia, Rivne oblasts);
- regional programs for environmental protection, which include measures for the protection of water resources, in particular (Chernihiv, Cherkasy, Khmelnytskyi, Kherson, Kharkiv, Ternopil, Rivne, Odesa, Mykolaiv, Luhansk, Lviv, Zhytomyr, Volyn oblasts)

Monitoring has established:

- a systemic problem — the absence of state budget support since 2012 for the implementation of regional programs “Drinking Water”. Until 2021, planned measures for the reconstruction and modernization of water supply and sewage systems were carried out at the expense of the state regional development fund, the state and regional environmental protection fund;
- No regional programmes have been developed separately to improve access to sewerage services for the population.
- the Drinking Water, Environmental Protection and Socio-Economic Development programmes include measures for the construction and reconstruction of wastewater facilities.
- there are various financial instruments available for the implementation of investment projects in the water supply and sewage sector: loans from the International Bank for Reconstruction and Development under the ‘Second Urban Infrastructure Development Project’, credit and grant funds from the European Investment Bank (EIB), funds from other sources.

**(b) the state of implementation of local programs aimed at ensuring citizens’ rights to drinking water, sanitary conditions, and a safe natural environment**

In July-September 2024, the Authorized Person conducted monitoring regarding the state of implementation of local programs in the field of: drinking water supply and sewage; management and protection of water resources through written surveys in 22 TCs from various regions of Ukraine under the control of the Government of Ukraine.

The results of the analysis of the responses from local self- governments indicate that at the local level there are:

- Programs ‘Drinking Water’, indicated by 8 LSGB (Yahotyn, Chernihiv, Pereiaslav, Marhanets, Irpin, Zhytomyr, Borozenska, Tiachiv TC). It should be noted that there is no ‘Drinking Water’ program in the overwhelming majority (14 out of 22) of communities (Uzhhorod, Nikopol, Mykolaiv, Kryvyi Rih, Kyiv, Berdychiv, Apostolivka, Kherson, Snovsk, Lviv, Komarno, Ivankiv, Zelenodolsk, Velykodimersk);
- a development plan for local water utilities is available in 5 TCs (Uzhhorod, Nikopol, Mykolaiv, Apostolivka, Ivankiv), and development plans for water utilities in 3 TCs (Pereiaslav, Kryvyi Rih, Kherson);
- community development strategies that include issues of water supply and sewage (Kyiv and Mykolaiv TCs);
- investment programs/projects are present in the majority of 12 out of 22 TCs (Chernihiv, Uzhhorod, Nikopol, Marhanets, Mykolaiv, Kryvyi Rih, Irpin, Zhytomyr, Borozenska, Apostolivka, Tiachiv, Velykodimersk).

Mykolaiv City Council informed about four active local documents aimed at addressing problematic issues of access to drinking water and sanitation services in the TC under the conditions of the legal regime of martial law: the Program for the Renewal of Water Supply and Sewage Infrastructure in the city of Mykolaiv for 2019-2033; the Development Strategy of the Mykolaiv City Territorial Community for the period of 2027 and the Action Plan for its implementation; the Economic and Social Development Program for 2024-2026; a special city program 'Accessible Water' for 2024.

The Kherson City Council approved the 'Program for Effective Operation and Development of the Water Supply and Sewage System of the Kherson City Territorial Community for 2021-2025.' The water resource protection program was mentioned in the response only by the local self-government of the Chernihiv community.

The monitoring by the Commissioner established:

- a systemic problem of non-implementation of local programs due to a lack of state budget funding for State Target Programs;
- no documents have been approved for the planning of water supply and sewage development in 4 communities (Berdychiv, Zelenodolsk, Komarni, Snovsk);
- the program "Drinking Water" is absent in 14 out of 22 surveyed TC;
- the implementation of local programs depends on funding from local budgets and funds from producers: 7 communities have local financial support programs or water utility development plans; 12 communities have investment programs and projects to address specific water supply issues identified by water utilities;
- investment projects are actively being developed and implemented in communities that have experienced: the impact of the destruction caused by the aggressor of the Kakhovka dam (Mykolaiv, Kryvyi Rih, Nikopol, Marhanets); military actions and/or shelling (Irpine, Chernihiv, and Zhytomyr). For example, in Mykolaiv, the investment program for 2023-2024 included 28 investment projects aimed at providing residents of the city with drinking and technical water;
- investment programs are developed in addition to targeted programs "Drinking Water" or development and/or financial support programs for water supply and sewage systems;
- the investment program for the Lviv city community has not been approved by the National Commission for State Regulation of Energy and Public Utilities as of August 2024;
- LSGB together with water utilities are seeking additional sources of funding for priority and urgent measures of local targeted and investment programs; they are entering into agreements and contracts with investors, donors, and humanitarian organizations for the provision of humanitarian, financial, and technical assistance to the community in the water and sanitation.

## Compliance with international law and standards on drinking water supply and sanitation

This chapter discusses key international documents regarding the right to water and sanitation and the compliance of Ukraine's national legislation with international norms and standards established at global and regional levels.

The UN Committee on Economic, Social and Cultural Rights, in its General Comments, defines the right to water as part of the right to an adequate standard of living, enshrined in the International Covenant on Economic, Social and Cultural Rights (hereinafter referred to as the ICESCR), which Ukraine ratified in 1973.<sup>85</sup> 86

Thus, in General Comment No. 15 to the ICESCR<sup>86</sup>, it is stated that water is a natural resource and a public good. A person has the right to sufficient, safe, and accessible water for drinking, cooking, and hygiene. States are obliged to protect water resources, monitor their quality, and ensure sanitation.

The right to water and sanitation, as a single fundamental right of every individual, is affirmed at the global level by UN resolutions. In its resolution, the UN General Assembly<sup>87</sup> recognized that the right to safe and clean drinking water and sanitation, as a human right, is of essential importance for a full life and the complete realization of all human rights.

Another important international document is the Protocol on Water and Health to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes of 1992<sup>88</sup>, which also states that water is necessary for sustaining life. It is noted that the availability of water in such quantity and quality as is necessary to meet basic human needs is one of the prerequisites for both strengthening people's health and sustainable development. Ukraine has been a party to the Protocol since 2003.

To ensure Ukraine's national interests in sustainable economic, social and state development, to improve the standard and quality of living for citizens, and to respect constitutional rights and freedoms, the Sustainable Development Goals were approved by Decree No. 722/2019<sup>89</sup> of the President of Ukraine on 30 September 2019. This was in order to support the global sustainable

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85 Decree of the Presidium of the Supreme Council of the Ukrainian SSR "On the Ratification of the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights" dated 19.10.1973 No. 2148, URL: <https://zakon.rada.gov.ua/laws/show/2148-08#Text>

86 General Comment No. 15 (2002) The right to water (arts. 11 and 12 of the International Covenant on Economic, Social and Cultural Rights), URL: <https://surl.li/uvqvi>

87 Resolution adopted by the General Assembly UN on 28 July 2010 (without reference to a Main Committee (A/64/L.63/Rev.1 and Add.1)) 64/292. The human right to water and sanitation (further in the text — Resolution 64/292. <https://docs.un.org/en/A/RES/64/292>

88 Protocol on Water and Health to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes 1992, URL: [https://zakon.rada.gov.ua/laws/show/994\\_030#Text](https://zakon.rada.gov.ua/laws/show/994_030#Text)

89 Decree of the President of Ukraine "On the Sustainable Development Goals of Ukraine for the period until 2030" dated 30.09.2019 No. 722/2019, URL: <https://zakon.rada.gov.ua/laws/show/722/2019#Text>

development goals proclaimed by the United Nations General Assembly in Resolution No. 70/1 on 25 September 2015, and to adapt them to Ukraine's specific development needs. The sixth goal is to ensure access to safe water and sanitation for all citizens.

The international acts and obligations directly related to ensuring the right to water and sanitation include 4 directives of the European Union (EU), which Ukraine has committed to implement according to the Association Agreement:

Water Framework Directive (2000/60/EC), Drinking Water Directive (98/83/EC, updated 2020/2184), Urban Wastewater Treatment Directive (91/271/EEC, updated 2022/0345), Council Directive on the protection of waters against pollution caused by nitrates from agricultural sources (91/676/EEC).

According to the Association Agreement, Ukraine is obliged to gradually align national legislation with EU law and policy in the field of environmental protection, particularly in the water quality and water resource management sector (Article 363), and to develop sectoral strategies, including in the area of improving water quality and water resource management (Article 365b).

Ukraine has made significant progress in implementing the Water Framework Directive: in 2024, 9 river basin management plans (Danube, Dniester, Dnieper, Don, Southern Bug, Vistula, rivers of the Sea of Azov, Black Sea, Crimea) were approved, with implementation starting in 2025.

The entry into force of the updated Drinking Water Directive has significantly expanded the range of obligations that Ukraine must implement. In particular, in addition to changes to technical and organizational obligations that require the addition and updating of several water quality parameters in national regulatory documents, there are a number of innovations that require a review of approaches to management in the field of drinking water and drinking water supply. The updated Directive requires the introduction of a risk-oriented principle — managing the safety of drinking water from the source to the consumer's tap according to the recommendations and guidelines of the World Health Organization (hereinafter referred to as WHO).

It should be noted that the implementation of proactive risk-oriented management in the drinking water supply sector has been recommended by the Meetings of the Parties to the Protocol since 2010, and Water Safety Plans (hereinafter referred to as WSPs) have been recognized as the main tool for fulfilling the Protocol's tasks regarding the safety of drinking water, including in emergency situations.

In Ukraine, the introduction of a risk-oriented approach to ensure the safety of drinking water requires:

1. legislative consolidation of this approach and WSPs;
2. adoption of relevant regulatory legal acts;
3. education and training of personnel for both water utilities and regulatory bodies and local self-governments. In 2023, the Ministry of Health, WHO-Europe, and WHO-Ukraine held 3 national seminars aimed at raising awareness among stakeholders regarding the risk-oriented approach and WSPs.

Another important innovation of Directive 2020/2184, which changed its substantive technical status to political, is the obligation to ensure “equal rights to water for all.” Member States are obliged:

- to ensure access to minimum water supply for all citizens according to WHO recommendations, improve access to safe drinking water for the entire population, and promote the implementation of Principle 20 of the European Pillar of Social Rights: “Everyone has the right to access essential services of good quality, including water” (paragraph 33);
- ensure the right to water, while adhering to the principle of subsidiarity, and the provisions of the Protocol on Water and Health of the United Nations Economic Commission for Europe and WHO-Europe<sup>90</sup> and the guiding documents developed under the Protocol;
- pay special attention to vulnerable and marginalized groups, taking necessary measures to improve these groups’ access to drinking water (paragraph 35).

In fulfillment of the obligations to implement the Urban Wastewater Treatment Directive in 2023, Ukraine approved the Law on Wastewater Management. At the same time, the updated Urban Wastewater Treatment Directive introduces obligations to improve the population’s access to sanitary conditions by:

- extending the Directive’s scope to small settlements — agglomerations with a population equivalent of 1000-2000;
- improving sanitary conditions, especially for the most vulnerable segments of the population.

To fulfill the obligations of the Urban Wastewater Treatment Directive, it is also necessary to assess the state of wastewater management and treatment of urban wastewater, taking into account the consequences of military actions and determining the population’s needs for access to adequate sanitary and hygienic services.

The implementation of the Nitrates Directive is practically significant for addressing the problems of nitrate pollution of water resources, primarily sources of drinking water supply from agricultural sources of pollution.

The implementation of the Nitrates Directive is included in the priority actions of the Government of Ukraine for the implementation of EU<sup>91</sup> law in 2024. The measures include the development of a draft law that will regulate issues related to the protection of water from pollution caused by nitrates from agricultural sources. The deadline for completing the tasks is September 2024. In October 2024, the Ministry of Environmental Protection informed that the relevant draft law has been developed and the procedure for processing the comments received on it is ongoing, after which it will be submitted to the meeting of the Government of Ukraine.

Ukrainian legislation is gradually adapting to international standards in the field of water supply and sanitation, ensuring citizens’ rights to clean water and adequate sanitary conditions.

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90 Resolution 64/292 Order of the Cabinet of Ministers of Ukraine ‘On Approval of the Government’s Priority Action Plan for 2024’ dated

91 February 16, 2024, No. 137-r, URL: <https://zakon.rada.gov.ua/laws/show/137-2024-%D1%80#n14>

## RECOMMENDATIONS

### To the Verkhovna Rada of Ukraine:

- Consider the draft Law of Ukraine “On State Environmental Control” (registration No. 3091 dated 19.02.2020).
- Consider the draft Law of Ukraine “On amendments to some legislative acts of Ukraine regarding the exercise of state supervision (control) over compliance with sanitary legislation in the areas of economic activity that may pose a risk to the health and sanitary-epidemiological well-being of the population” (registration No. 13205 dated 21.04.2025).

### To the Cabinet of Ministers of Ukraine:

- Develop and submit for consideration by the Verkhovna Rada of Ukraine:
  - A draft Law of Ukraine on the nationwide targeted social program “Drinking Water of Ukraine” for the relevant period.
  - A draft Law of Ukraine on amendments to the Law of Ukraine “On Drinking Water and Drinking Water Supply” regarding the approval of the minimum standard (norm) of water necessary for a person during the day to meet their drinking, physiological, sanitary-hygienic, and household needs.
  - A draft Law of Ukraine on amendments to some legislative acts of Ukraine regarding the implementation of the provisions of Annex I to Council Directive 91/676/EEC of December 12, 1991, on the protection of waters against pollution caused by nitrates from agricultural sources.
  - A draft Law of Ukraine regarding the regulation of problematic issues in the areas of drinking water, drinking water supply, and wastewater management, which relate to the restoration and reconstruction of damaged facilities and networks, modernization of outdated systems, increasing the reliability and energy efficiency of technological equipment, eliminating regional disparities in access to water and its quality.
- develop and approve resolutions:
  - on amending Resolution No. 303 of the Cabinet of Ministers of Ukraine dated March 13, 2022, “On termination of state supervision (control) measures under martial law” for the resumption of state supervision (control) measures over compliance with environmental legislation;
  - on amending paragraph 4 of the Procedure for issuing permits for special water use, approved by Resolution No. 321 of the Cabinet of Ministers of Ukraine dated March 13, 2002, “On approval of the Procedure for issuing permits for special water use and amending Resolution No. 459 of the Cabinet of Ministers of Ukraine dated August 10, 1992” regarding the reduction of terms for issuing or refusing to issue a permit for special water use.



- provide for expenditures in the draft State Budget for 2026 for the implementation of groundwater monitoring measures and the implementation of river basin management plans;
  - ensure the development and adoption of by-laws for the implementation of the provisions of the Law of Ukraine “On Drinking Water and Drinking Water Supply” and the Law of Ukraine “On Wastewater Discharge and Wastewater Treatment”;
- develop and approve:
- an action plan for the implementation of the National Human Rights Strategy for 2025 and subsequent years, providing for measures to prevent human rights violations by economic entities in the field of environmental protection;
  - a plan for the implementation of obligations under EU Directive (2020/2184) on the quality of water intended for human consumption (recast) and EU Directive (2024/3019) on urban wastewater treatment;
  - an operational plan for the implementation of the Water Strategy of Ukraine for the next period, taking into account unfulfilled measures provided for by its Operational Plan for 2022-2024;
  - management plans for nitrate vulnerable zones and measures to reduce diffuse water pollution with nitrates;
  - a State Target Environmental Program for the technical modernization of wastewater collection and treatment enterprises that are state or communal property for the period until 2034;
  - a procedure for informing consumers about the quality of drinking water and the state of drinking water supply by state authorities and local self-government bodies, taking into account the level of use of information and communication technologies by certain categories of consumers.

## **To the Ministry of Environmental Protection and Natural Resources of Ukraine:**

- Identify areas vulnerable to (accumulation of) nitrates and create their register.
- Establish state monitoring of nitrogen compound pollution in water resources to assess the vulnerability of groundwater and surface water to nitrate pollution from agricultural sources.
- Prepare and submit a report on the implementation of the Water Strategy to the Cabinet of Ministers of Ukraine, in accordance with the indicators for achieving its goals for 2022-2024.

### **To local self-government bodies:**

- Take into account in their activities the resolution of the Cabinet of Ministers of Ukraine dated April 29, 2022, No. 502 "Some issues of regulating activities in the field of communal services in connection with the introduction of martial law in Ukraine" and take measures to prevent the increase of tariffs for centralized water supply and centralized wastewater disposal services for the population during the period of martial law;
- Ensure the conduct of laboratory studies of drinking water and inform consumers about its quality and compliance with State Sanitary Rules and Norms;
- Provide for funding in local budgets: to equip water utility laboratories with necessary equipment and materials; for training personnel (for the purpose of conducting research on drinking water for the presence of relevant pollutants) or biological agents (to respond to threats of the use of weapons of mass destruction).

### **To Berdychiv, Zelenodolsk, Komarno, and Snovsk city councils:**

- Approve and implement local programs in the areas of drinking water supply and wastewater disposal.

### **To the local self-government bodies of Chernihiv Oblast (Ichnya, Bakhmach, Pryluky, Snovsk city councils, Kulykivka, Varva village councils, Kyselivka village council):**

- Provide funds in their budgets for financing reconstruction (modernization) activities of wastewater systems.

# APPENDICES

Appendix 1. General information from SAWR on the results of surface water monitoring in 2023

River basin	No. of monitoring points	Points at drinking water intakes	Water condition (general)	Main pollutants	Notes
Dnipro	140	28	Satisfactory, local exceedances	Manganese, cadmium, nickel, copper, oil products	At drinking water intakes, indicators exceed norms; local exceedances
Dniester	93	20	Within norms, some exceedances	Copper, oil products	Copper levels exceed norms multiple times
Don	35	5	Elevated content of organic substances	Manganese, copper, oil products	Monitoring complicated due to military actions
Danube	101	11	Generally within norms, local exceedances	Copper, cadmium, lead	One-time lead exceedance by 7.5×, cadmium by 1.3× observed
Vistula	23	0	Not used for drinking supply; population needs met by groundwater	Cadmium, lead, pesticides	The Poltva River is the most polluted in the basin due to wastewater from Lviv
Southern Bug	50	15	Significant exceedances of organic and biogenic indicators	Oil products, manganese, copper	At intakes near Vinnytsia, Ladyzhyn, and Khmelnytskyi: BOD <sub>5</sub> up to 14.7 mgO <sub>2</sub> /dm <sup>3</sup> , COD up to 69.3 mgO <sub>2</sub> /dm <sup>3</sup>
Black Sea coastal region	12	0	Not used for drinking supply; population needs met by groundwater	Cadmium, polyaromatic hydrocarbons	High fluoride levels (up to 3× above norm)
Azov Sea region	—	—	—	—	Monitoring suspended due to military actions

Appendix 2. General information from the State Emergency Service on the results of monitoring the quality of surface waters in drinking water intakes in 2021-2024

River Basin	Sampling Location (Drinking Water Intake)	Year	2021	2022	2023	2024
Visla Basin						
r. Vyshnia	Vodokanal Utility, Mostyska	-	n/a	2	2	*
DNIESTER BASIN						
r. Dniester	783 km, Dniester Reservoir, Kamianets-Podilskyi	-	n/a	2	n/a	3
r. Dniester	708 km, Dniester Reservoir, near Korman, area of pumping station	-	n/a	3	n/a	3
r. Solonytsia	24.5 km, Truskavets, Truskavetsvodokanal LLC	-	n/a	n/a	1	*
r. Luh	18.45 km, water intake, Khodoriv	-	n/a	2	2	*
r. Stryi	78 km, Verkhnie Synovyadne, left bank, 150 m downstream from bridge, Stryi-Skole road	-	n/a	2	2	*
r. Svicha	57 km, Nyazholuka, water intake, Dolyna	-	n/a	1	2	*
r. Lymnytsia	30 km, Vistova, water intake, Kalush	-	n/a	3	n/a	*
r. Bystrytsia Nadvirnianska	16 km, Berezivka, water intake, Ivano-Frankivsk	-	n/a	2	2	*
r. Bystrytsia Solotvynska	18 km, Skobychivka, water intake, Ivano-Frankivsk	-	n/a	2	2	*
r. Seret	211 km, Horishno-Ivachivske Reservoir, Ternopil	-	n/a	3	2	*
Ternopil Reservoir	Ternopil City Reservoir	-	n/a	n/a	n/a	2
r. Seret	81 km, Chortkiv, Chortkiv City Reservoir	-	n/a	2	2	*
DANUBE BASIN						
r. Tysa	882 km, Tyachiv, water intake, border with Romania	-	n/a	2	2	*
r. Latorytsia	65 km, near Chop, border with Slovakia	-	n/a	2	2	*
r. Zhdymyr	9 km, upstream from Vovchyi, Svaliava area, Svaliava water intake	-	n/a	2	2	*
Derivation Canal to r. Uzh	35 km, Uzhhorod, water intake, Uzhhorod	-	n/a	3	3	*
r. Prut	896 km, Yaremche, water intake, Yaremche Municipal Water Utility	-	n/a	2	2	*
r. Prut	864 km, Sheparivtsi, water intake, Kolomyia	-	n/a	2	2	*
r. Prut	772 km, Chernivtsi, Lenkivtsi, 500 m upstream from bridge to Chernivtsi	-	n/a	3	2	*
DNIPRO BASIN (SUB-BASIN OF PRIPYAT)						
r. Sluch	203 km, water intake, Novograd-Volynskyi	-	2	n/a	2	*
r. Khomora	52 km, water intake, Polonne	-	2	n/a	2	*
r. Uzh	Right tributary of Pripyat, 172 km, water intake, Korosten	-	n/a	2	2	*

River Basin	Sampling Location (Drinking Water Intake)	Year			
		2021	2022	2023	2024
r. Sluch (Chernylivske reservoir)	406 km, village of Chernelivka, Krasyliv district, drinking water intake of the city of Khmelnytskyi	3	n.a	3	*
BASIN OF THE DNIPRO RIVER (SUBBASIN OF THE MIDDLE DNIPRO)					
r. Dnipro (Kanivske reservoir)	897 km, n/b Kyiv HPP, city of Vyshhorod, drinking water intake of the city of Kyiv	2	n.a	3	*
r. Dnipro (Kremenchutske reservoir)	678 km, village Sokyrne, drinking water intake m. Cherkasy	2	n.a	3	*
r. Dnipro (Kremenchuk Reservoir)	580 km, right bank, drinking water intake m. Svitlovodsk, Kirovohrad region	3	n.a	n.a	*
r. Dnieper River (Kamianske Reservoir)	476 km, city of Verkhniodniprovsk, drinking water intake	3	n.a	3	*
r. Dnipro (Kamianske Reservoir)	462 km, town of Auli, drinking water intake of the city of Dnipro and Kamianske	3	n.a	3	*
r. Teteriv (Vidsichne Reservoir)	259 km, drinking water intake of the city of Zhytomyr	3	n.a	2	*
r. Hnylopiat (Berdychiv Reservoir)	59 km, drinking water intake of Berdychiv	2	n.a	2	*
r. Irsha (Irshansk Reservoir)	93 km from the mouth of the Irsha River, Irshansk Reservoir, drinking water intake of Nova Borova settlement	2	n.a	3	*
r. Irsha (Malynske Reservoir)	31 km, drinking water intake of the city of Malyn	3	n.a	3	*
r. Voznya	Right tributary of the Irsha River, 8 km from Rudnia Horodyshchenska village, drinking water intake of the town of Malyn	2	n.a	2	*
r. Ros (Korsun-Shevchenkivske Reservoir)	218 km, village of Hlybocka, drinking water intake of the city of Bila Tserkva	2	n.a	3	*
r. Ros	118 km, drinking water intake of the city of Bohuslav	2	n.a	2	*
r. Ros	village of Teptiivka, drinking water intake of the city of Myronivka	2	n.a	2	*
r. Ros (Korsun-Shevchenkivske Reservoir)	64 km, m. Korsun-Shevchenkivskyi, drinking water intake	3	n.a	3	*

River Basin	Sampling Location (Drinking Water Intake)	Year				
		2021	2022		2023	2024
BASIN OF THE DNIPRO RIVER (SUBBASIN OF THE DESNA)						
r. Desna	3 km, Desnyansky drinking water intake, Kyiv	2	n.a		1	*
BASIN OF THE DNIPRO RIVER (SUBBASIN OF THE LOWER DNIPRO)						
Dniprovske Reservoir	Dnipro city, left bank, Lomovsky drinking water intake	n.a	3		3	*
r. Dnipro (Dniprovske Reservoir)	Dnipro city, right bank, Kaidatsky drinking water intake	n.a	3		3	*
Dniprovske Reservoir	Viiskove village, drinking water intake of Solonyansky district	n.a	3		3	*
Dniprovske Reservoir	Dnirpo city, WP “PDTES” PJSC “DTEK Dniproenergo”, drinking water intake	n.a	3		2	*
Pivdenne reservoir	Pivdenne reservoir, drinking water intake	n.a	n.a	3	*	
Iskrivske reservoir	Iskrivske reservoir, drinking water intake of the town of Petrovo	n.a	2	3	*	
Karachunivske reservoir	Karachunivske reservoir, drinking water intake Kryvyi Rih city	n.a	n.a	4	*	
Makortovske reservoir	Makortovske Reservoir, village of Makorti, drinking water intake of ME PMR “Zhitlokompleks”	n.a	3	3	*	
BASIN OF THE R. Southern Buh						
r. Southern Buh	652 km, city of Khmilnyk, drinking water intake, upstream of the city	n.a.	n.a.	3	*	
r. Southern Buh	607 km, below the village of Hushyntsi, drinking water intake, Kalynivka	n.a.	n.a.	2	*	
r. Southern Buh (Sabarivske Reservoir)	582 km, Sabarivske water supply system, drinking water intake in Vinnytsia.	n.a.	n.a.	2	*	
r. Pivdennyi Buh	413 km, village of Mankivka, above the village, drinking water intake of the city of Ladyzhyn	n.a.	n.a.	3	*	
r. Pivdennyi Buh	237 km, drinking water intake of the town of Pobuzke	n.a.	n.a.	2	*	
R. Southern Buh (Oleksandrivske Reservoir)	153 km, village Oleksiivka, drinking water intake. South Ukraine	n.a.	n.a.	3	*	
R. Southern Buh	97 km, city of Voznesensk, drinking water intake, Voznesensk 2 km to the entrance of the city of Voznesensk	n.a.	n.a.	2	*	
r. Syniukha	10 km, drinking water intake city of Pervomaisk	n.a.	n.a.	2	*	
r. Hnylyi Tykich	41 km, Zvenigorodka, drinking water intake of the Municipal Enterprise “Water Supply and Sewerage” of Zvenigorodka City Council	n.a.	n.a.	3	*	
r. Syniukha	94 km, Novoarhansky Reservoir, town of Novoarkhansk drinking water intake	n.a.	n.a.	2	*	
r. Chornyi Tashlyk	51 km, drinking water intake of the town of Pomichna	n.a.	n.a.	2	*	

River Basin	Sampling Location (Drinking Water Intake)	Year				
		2021	2022		2023	2024
r. Inhul	318 km, drinking water intake of the city of Kropyvnytskyi	n.a.	n.a.	3	*	
r. Inhul	103 km, drinking water intake of the city of Bashtanka, village of Odradne	n.a.	n.a.	2	*	
BASIN OF THE DON RIVER (SUBBASIN OF THE SIVERSKYI DONETS)						
r.Siverskyi Donets	village of Kochetok, water intake of KP ‘Kharkivvodokanal’	2	n.a	3	*	
r.Siverskyi Donets	water intake of KP ‘Slovianskvodokanal’	2	n.a	n.a	*	
r.Siverskyi Donets	water intake of Sloviansk RVU KP “Company ‘Voda Dobasu’”	2	n.a	n.a	*	
r.Siverskyi Donets	Raygorodskaya dam, water intake of RUEK RVU KP “Company ‘Voda Donbasu’”	2	n.a	n.a	*	
r.Siverskyi Donets	village Bilohorivka, water intake of KP “Popasnyansky District Water Canal”	3	n.a	n.a	*	

ASSESSMENT OF ECOLOGICAL CONDITION/POTENTIAL	
1	excellent
2	good
3	satisfactory
4	bad
5	very bad

\*As of 30.08.2024, monitoring has not been conducted



Appendix 3. Information on tariffs for centralized water supply established by the National Commission for State Regulation of Energy and Public Utilities (NEURC)

No.	Name of the licensee of NEURC in the field of centralized water supply and wastewater disposal	No., date of the NEURC resolution	Price per 1 m³ of water for consumers (UAH)	No., date of the NEURC resolution	Price per 1 m³ of water for consumers (UAH)
Vinnitsia Oblast					
1.	KP 'VINNYTSIAOBLVODOKANAL'	No. 2866 dated 22.12.2021	13.12	No. 1034 dated 28.05.2024	13.12
Volyn Oblast					
2.	KP 'LUTSKVODOKANAL'	No. 2867 dated 22.12.2021	10.17	No. 1001 from 28.05.2024	10.17
Dnipropetrovsk Oblast					
3.	KP 'DNIPROVODOKANAL' DMR	No. 2848 dated 22.12.2021	15.13	No. 1021 from 28.05.2024	15.13
4.	KP "NIKOPOL WATER SUPPLY AND SEWERAGE MANAGEMENT" NMR	No. 2862 from 22.12.2021	11.55	No. 1020 dated 28.05.2024	11.55
5.	KP DNIPROPETROVSK REGIONAL COUNCIL "AULSKY WATER SUPPLY"	No. 2847 dated 22.12.2021	11.18	No. 1002 dated 28.05.2024	11.18
6.	SIDWSSE "DNIPRO ZAKHIDNYI DONBAS	No. 2854 dated 22.12.2021	30.2	—	—
7.	KP "NOVOMOSKOVSK VODOKANAL"	No. 2851 dated 22.12.2021	18.01	No. 2851 dated 22.12.2021	18.01
8.	PJSC "ENERGORESURSY"	No. 2873 dated 22.12.2021	22.63	No. 1003 dated 28.05.2024	53.39
9.	KP "KRIVBASVODOKANAL"	No. 2855 dated 22.12.2021	13.31	No. 1004 from 28.05.2024	24.52
10.	KP "PAVLOHRAD WATER SUPPLY AND SEWERAGE MANAGEMENT" PMR	No. 2856 dated 22.12.2021	32.85	No. 1216 from 28.06.2024	32.85
Donetsk Oblast					
11.	KVP "KRAMATORSK VODOKANAL"	No. 2878 dated 22.12.2021	16.29	No. 1005 dated 28.05.2024	16.29
12.	KP "MARIUPOLVODOKANAL"	No. 2871 dated 22.12.2021	16.01	No. 2871 dated 22.12.2021	16.01
13.	KP "BAKHMUT-VODA"	No. 2860 dated 22.12.2021	18.94	No. 2860 dated 22.12.2021	18.94
14.	KP SMR "SLOVMISKVODOKANAL"	No. 2885 dated 22.12.2021	16.85	No. 2885 dated 22.12.2021	16.85
Zhytomyr Oblast					
15.	KP 'ZHITOMIRVODOKANAL' ZMR	No. 2859 dated 22.12.2021	15.22	No. 1023 dated 28.05.2024	15.22
Zakarapattia Oblast					

No.	Name of the licensee of NEURC in the field of centralized water supply and wastewater disposal	No., date of the NEURC resolution	Price per 1 m <sup>3</sup> of water for consumers (UAH)	No., date of the NEURC resolution	Price per 1 m <sup>3</sup> of water for consumers (UAH)
16.	MUNICIPAL ENTERPRISE 'PRODUCTION MANAGEMENT OF WATER SUPPLY AND SEWERAGE SYSTEM OF UZHGOROD'	No. 2861 dated 22.12.2021	22.1	No. 1006 dated 28.05.2024	22.1
<b>Zaporizhzhia Oblast</b>					
17.	KP "Vodokanal" of Melitopol City Council of Zaporizhzhia Region	No. 2844 dated 22.12.2021	16.17	No. 2844 from 22.12.2021	16.17
18.	KP "BERDYANSKVODOKANAL" BMR	No. 2850 dated 22.12.2021	25.73	No. 2850 from 22.12.2021	25.73
19.	KP "VODOKANAL" (City of Zaporizhzhia)	No. 2875 dated 22.12.2021	14.84	No. 1007 dated 28.05.2024	14.84
20.	KP "OBLVODOKANAL" Zaporizhzhia Regional Administration	No. 2846 dated 22.12.2021	20.87	No. 1035 from 28.05.2024	20.87
<b>Ivano-Frankivsk Oblast</b>					
21.	KP 'IVANO-FRANKIVSKVODOKOTECHPROM'	No. 2880 dated 22.12.2021	10.79	No. 1008 from 28.05.2024	10.79
<b>Kyiv O'blast</b>					
22.	KP 'IRPINVOCOCANAL'	No. 2843 from 22.12.2021	10.34	No. 2843 from 22.12.2021	10.34
23.	MUNICIPAL ENTERPRISE 'BROVARYTEPLOVODOENERGIA', Brovary City Council of Kyiv Regional Administration	No. 2853 from 22.12.2021	12.84	No. 1031 from 28.05.2024	12.84
24.	LLC 'BILOTSERKIVVODA'	No. 2849 from 22.12.2021	12.9	No. 1009 dated 28.05.2024	12.9
<b>Kirovohrad Oblast</b>					
25.	OKVP "DNIPRO-KIROVOGRAD"	No. 2858 dated 22.12.2021	21.01	No. 1025 dated 28.05.2024	21.01
<b>Luhansk Oblast</b>					
26.	LKSP 'LYSYCHANSKVODOKANAL	No. 2872 dated 22.12.2021	20.77	No. 2872 dated 22.12.2021	20.77
<b>Lviv Oblast</b>					
27.	Lvivvodokanal	No. 2881 dated 22.12.2021	14.41	No. 1010 dated 28.05.2024	14.41
28.	KP "DROHOBYCHVODOKANAL" Drohobych City Council in Lvivska Oblast	No. 2883 dated 22.12.2021	23.85	No. 1026 dated 28.05.2024	23.85
<b>Mykolaiv Oblast</b>					
29.	MKP "MYKOLAIVVODOKANAL"	No. 2876 dated 22.12.2021	14.61	No. 2876 dated 22.12.2021	14.61
<b>Odesa Oblast</b>					

No.	Name of the licensee of NEURC in the field of centralized water supply and wastewater disposal	No., date of the NEURC resolution	Price per 1 m³ of water for consumers (UAH)	No., date of the NEURC resolution	Price per 1 m³ of water for consumers (UAH)
30.	LLC "INFOX" (BRANCH "INFOXWATERCHANNEL")	No. 2841 dated 22.12.2021	14.93	No. 1011 dated 28.05.2024	14.93
Poltava Oblast					
31.	KP "KREMENCHUKVODOKANAL" KMR KRPO	No. 2874 dated 22.12.2021	11.92	No. 1012 dated 28.05.2024	11.92
32.	KP POR "POLTAVAVODOKANAL"	No. 2868 dated 22.12.2021	13.74	No. 1013 dated 28.05.2024	13.74
Rivne Oblast					
33.	Rivne Regional Water Supply Company "Rivneoblvodokanal"	No. 2869 dated 22.12.2021	13.9	No. 1022 from 28.05.2024	13.9
34.	PJSC "Rivneazot"	No. 2882 from 22.12.2021	0	No. 1032 from 28.05.2024	0
Sumy Oblast					
35.	KP "MISKVODOKANAL" SMR	No. 2877 from 22.12.2021	13.32	No. 1014 from 28.05.2024	13.32
Ternopil Oblast					
36.	KP "TERNOPILVODOKANAL"	No. 2845 from 22.12.2021	14.65	No. 1027 from 28.05.2024	14.65
Kharkiv Oblast					
37.	KP 'KHARKIVVODOKANAL'	No. 2894 dated 22.12.2021	13.36	No. 1399 dated 31.07.2024	13.36
Kherson Oblast					
38.	Municipal Enterprise "Production Management of Water Supply and Sewerage of the City of Kherson"	No. 2865 dated 22.12.2021	13.15	No. 2865 dated 22.12.2021	13.15
Khmelnysk Oblast					
39.	MKP 'KHMELNYTSKVODOKANAL'	No. 2864 dated 22.12.2021	11.81	No. 1015 dated 28.05.2024	11.81
40.	KP 'MISKTEPLOVODENERHIA' (City of Kamianets-Podilskyi)	No. 2879 dated 22.12.2021	14.91	No. 1016 dated 28.05.2024	14.91

No.	Name of the licensee of NEURC in the field of centralized water supply and wastewater disposal	No., date of the NEURC resolution	Price per 1 m <sup>3</sup> of water for consumers (UAH)	No., date of the NEURC resolution	Price per 1 m <sup>3</sup> of water for consumers (UAH)
Cherkasy Oblast					
41.	KP 'CHERKASYVODOKANAL' Cherkasy City Council	No. 2863 dated 22.12.2021	11.54	No. 1028 dated 28.05.2024	11.54
42.	PJSC "AZOT" (Cherkasy)	No. 2884 dated 22.12.2021	0	No. 1017 dated 28.05.2024	0
43.	KP "UMANVODOKANAL" UMR	No. 2852 dated 22.12.2021	28.47	No. 1033 dated 28.05.2024	28.47
Chernivtsi Oblast					
44.	KP "CHERNIVTSIVODOKANAL"	No. 2870 dated 22.12.2021	14.93	No. 1018 from 28.05.2024	14.93
Chernihiv Oblast					
45.	KP "CHERNIGIVVODOKANAL" CMR	No. 2857 dated 22.12.2021	12.97	No. 1029 from 28.05.2024	12.97
Kyiv city					
46.	PRAT "AK "KYIVVODOKANAL"	No. 2842 from 22.12.2021	13.47	No. 1019 dated 28.05.2024	13.47
47.	AT "UKRAINIAN RAILWAYS"	No. 2499 from 16.12.2020	23.1	No. 1030 dated 28.05.2024	23.1
Total: 47 licensees of the NEURC		Average rate 16.51 UAH		Average rate 17.15 UAH	

**Annex 4.** *Infrastructure Damage to Water Supply and Sewerage Systems in Kherson Oblast as a Result of the Destruction of the Kakhovka Dam*

Territorial Community	Damaged/Destroyed Facilities (type, units, km)	Restored (units, km)	Not Restored (units, km)	Needs
Darivska	Water plant 'Dnipro-Mykolaiv', water intake from the Dnipro River (1 unit). Facility is on the balance of 'Mykolaivvodokanal' (Mykolaiv Oblast)	–	1 unit	Need not identified due to security situation
	Artesian wells – 3 units	–	3 units	New boreholes required
Mylivska	3 artesian wells in villages: Mylove, Respublikanets, Novokairy	–	3 units	Drilling 4 new wells is needed: Mylove – 2, Respublikanets – 1, Novokairy – 1
Novooleksandrivska	8 artesian wells in villages: Novooleksandrivka (3), Havrylivka (1), Mykhailivka (2), Zolota Balka (2)	–	8 units	Drilling 8 wells in 4 villages. 4 wells already completed, pipeline installation ongoing
Novoraiska	2 artesian wells No. 2-87 and No. 3-33 were damaged by shallowing	–	2 units	Planned drilling of 4 artesian wells in Chervonyi Mayak
Novovorontsovka	1 well in Osokorivka was damaged by shallowing	–	1 unit	Planned drilling of 1 well in Osokorivka
Tyahynska	2 pumping stations destroyed in Lvivove and Mykolaivka	–	2 units	Replacement of 2 pumping stations in Lvivove and Mykolaivka
Beryslavska	16 artesian wells damaged by shallowing in Beryslav and villages: Novoberyslav, Shliakhove, Zmiivka	–	16 units	Planned drilling of 15 wells (10 in Beryslav, 5 in villages) after stabilization of security situation
Kalynivska	Water supply network in Kalynivske – 700 m	–	–	Planned replacement of 700 m water line in 2025
Khersonska	Water intake station No. 6 (BHC-6) – 1 unit	Partially – 1 unit	–	Funding insufficient for full restoration
	Artesian wells – 3 units	Partially – 3 units	–	–
	Sewage pumping stations (SPS) – 4 units	–	4 units	Funding required

**Appendix 5.** Status of the construction of three main water pipelines to eliminate the negative consequences of the destruction of the Kakhovka Hydroelectric Power Plant dam<sup>92</sup> (as of 17.01.2025).

Facility name	Pumping / electrical stations built	Trenches installed, km	Pipelines installed, km	Work completion status
Main pipeline Inhulets River – Southern Reservoir to supply Kryvyi Rih city, Dnipropetrovsk Oblast	3/3	25.9	93.59	Facility readiness – 99%: <ul style="list-style-type: none"><li>▪ installation work on switching chambers ongoing;</li><li>▪ pump station construction nearing completion;</li><li>▪ landscaping and land reclamation ongoing;</li><li>▪ water supply operating normally</li></ul>
Main pipeline Marhanets – Nikopol – Pokrov, Dnipropetrovsk Oblast	2/2	40.9	81.8	Facility readiness – 99%: <ul style="list-style-type: none"><li>▪ dispatching and automation of pumping stations ongoing;</li><li>▪ landscaping of the area underway;</li><li>▪ water supply operating normally</li></ul>
Main pipeline Khortytsia (DWSC2) – Tomakivka – Marhanets, Zaporizhzhia and Dnipropetrovsk oblast	6/6	77.9	155.8	Readiness 100%: <ul style="list-style-type: none"><li>▪ construction completed;</li><li>▪ water supply operating normally</li></ul>

92 Information on the status of the implementation of the construction projects of main water pipelines, 17.01.2025 —

# PERSONAL COMPOSITION OF THE AUTHOR’S GROUP FOR THE PREPARATION OF A SPECIAL REPORT OF THE AUTHORIZED REPRESENTATIVE OF THE VERKHOVNA RADA OF UKRAINE ON HUMAN RIGHTS

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