

Strasbourg, 22 August 2012  
[files08e\_2012.doc]

**T-PVS/Files (2012) 8**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

32<sup>nd</sup> meeting  
Strasbourg, 27-30 November 2012

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**Other complaints**

**THREAT TO THE BOTTLENOSE DOLPHIN  
(*TURSIOPS TRUNCATUS*) IN UKRAINE**

***REPORT BY THE NGO***

*Document prepared by  
The Kiev Ecological & Cultural Center*

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рахунок 26007301901 в АК Промінвестбанк (ЗАТ) м. Кисва, МФО 300012, ЗКПО 24363925

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№ \_\_\_\_\_

від \_\_\_\_\_

**Kyiv, June 5, 2012**

Dear Ms d' Alessandro,

In response to your request, we present a list of Ukrainian dolphinarium flagrantly violating the Bern Convention as well as Ukrainian nature protection laws.

1. Kharkiv dolphinarium "Nemo," 35, Sumska St., Kharkiv – it has 4 bottlenose dolphins while possessing no permissions for their acquisition and keeping issued by the Ministry of Ecology and Natural Resources of Ukraine (hereinafter, Ukrainian Ministry of the Environment).
2. Kyiv dolphinarium "Nemo," 9, Akademika Hlushkova St., Kyiv – it has 4 bottlenose dolphins while possessing no permissions for their acquisition and keeping issued by the Ukrainian Ministry of the Environment.
3. Donetsk dolphinarium "Nemo," 1-D, Stadionna St., Donetsk – it has 4 bottlenose dolphins while possessing no permissions for their acquisition and keeping issued by the Ukrainian Ministry of the Environment.
4. Odessa dolphinarium "Nemo," Lanzheron beach, Odessa – it has 10 bottlenose dolphins while possessing no permissions for their acquisition and keeping issued by the Ukrainian Ministry of the Environment.
5. Berdiansk dolphinarium "Nemo," Makarova St., Berdiansk, Zaporizhia oblast – it has 4 bottlenose dolphins while possessing no permissions for their acquisition and keeping issued by the Ukrainian Ministry of the Environment.
6. Dolphinarium, "Podillia" sanatorium, town of Khmilnyk, Poltava oblast– it has 4 bottlenose dolphins while possessing no permissions for their acquisition and keeping issued by the Ukrainian Ministry of the Environment.

In this connection, we kindly ask you to take action as needed and put direct pressure on the Government of Ukraine so as to ensure Ukraine's compliance with the provisions of the Bern Convention in relation to the protection of bottlenose dolphins.

Please keep us informed of the results of your intervention.

Yours respectfully,

Vladimir Boreiko,

Honored Protector of Nature of Ukraine,

Director of the Kyiv Environmental and Cultural Center

Київський еколого-культурний центр  
Kiev Ecological & Cultural Center



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№ \_\_\_\_\_

від \_\_\_\_\_

Dear Ms d' Alessandro,

We have to write to you in connection with a flagrant breach by Ukraine of the 1979 international Convention of the Conservation of European Wildlife and Natural Habitats (the Bern Convention), which was ratified by Ukraine in 1996. This Convention is being flagrantly breached with regard to the protection of the bottlenose dolphin.

Pursuant to the Convention, the bottlenose dolphin (*Tursiops truncatus*) is a strictly protected species (as it is included in Appendix II). It is prohibited to hunt or otherwise kill it, as well as to deliberately capture and keep it (Article 6 of the Convention).

However, several hundred bottlenose dolphins, as well as common and Azov dolphins, perish annually in Ukrainian fishermen's nets, as the nets are not equipped with any scaring devices to keep bottlenose dolphins away from them. Moreover, between 50 and 100 representatives of the above-mentioned three dolphin species get killed by Ukrainian poachers fishing sturgeons, getting caught on poachers' sharp "anti-sturgeon" hooks placed on the sea bottom. About 70 bottlenose dolphins are illegally kept in Ukraine's 14 commercial dolphinariums. According to the results of an inspection conducted by law enforcement officers, no documents on the origin of the dolphins are available at these dolphinariums, which means that all these animals were acquired from poachers or smugglers. Moreover, deliberate keeping of bottlenose dolphins is prohibited by the Bern Convention, which was ratified by Ukraine; however, Ukraine fails to comply with the Convention's provisions applicable to the bottlenose dolphins as well as to the two other species – the common dolphin and the Azov dolphin.

In view of the above, we kindly ask you to demand from the Government of Ukraine that the legislation of Ukraine be brought in compliance with the requirements of the Bern Convention with regard to the preservation of the bottlenose dolphin and other dolphin species; that it be prohibited in Ukraine to keep bottlenose dolphins in commercial dolphinariums; and that Ukrainian fishing enterprises be compelled to equip the fishing nets they place in the Black Sea with special devices to scare bottle-nosed and other dolphins away from the nets.

Yours sincerely,

Vladimir Boreiko,

Director of the Kiev (Kyiv) Environmental and Cultural Center

August 31, 2011