Strasbourg, 14th May 2025 **T-PVS/Files(2025)2025-3_compl**

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

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Standing Committee
45th meeting
Strasbourg, 8-12 December 2025

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Bureau of the Standing Committee
Autumn 2025
Strasbourg

New complaint: 2025/3

Alleged destruction of aquatic habitats and fish in the Emerald Network site - Skhidnyi Svydovets - UA0000259 due to the construction of hydropower plants in the Teresva River basin (Ukraine)

- COMPLAINT FORM -

Document prepared by
ECOSPHERE

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Convention on the Conservation of European Wildlife and Natural Habitats

COMPLAINT FORM

NB: Complaint forms must be submitted in electronic word format, and not exceed 3 pages, including the first administrative page. A maximum 5-page report can be attached. The Secretariat will request additional information on a case-by-case basis.

Please, fill in this form and send it to the attention of:

Bern Convention Secretariat
Directorate of Democratic Participation
Council of Europe
F-67075 Strasbourg Cedex E-mail: Bern.convention@coe.int

First name: Oksana.

Surname(s): Stankiewicz-Volosianchuk

On behalf of (if applicable): NGO “ECOSPHERE”.

Town/City: Uzhhorod

County/State/Province: Ukraine, Zakarpattia oblast.

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Country: Ukraine

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Date : 26.02.2020

1. Please state the reason of your complaint (refer also the Contracting Party/es involved and the Articles of the Convention which might be violated).

We would like to draw your attention to the inadequate management of the Teresva River basin in the Carpathians, which creates impossible overall habitat, such as feeding and spawning conditions for the species protected by the Berne Convention. The Teresva River, which has the status of an ichthyological species management area in Ukraine and is part of the Emerald network in Ukraine – "Skhidnyi Svydovets" - UA0000259). Active construction of a cascade of small hydropower plants is planned here: from 6 to 8 channel-type facilities. The Teresva River is a small mountain river with a length of 56 km. Its network of tributaries is extensive and consists of 14 rivers and streams. Most migratory fish spawn here. This river is one of the few that is home to a self-regenerating population of Hucho Hucho. These hydroelectric power plants are planned to be built on a 40 km stretch. This means that every 500-700 meters there will be a retaining dam that will turn the river into a cascade of reservoirs. Four small hydroelectric power plants have already been built on its tributaries in the mountains. Despite the presence of fish passages at these hydropower plants, they do not fulfill their role. Two more small hydropower plants are planned for the tributaries. Today, the Teresva River is the standard of mountain rivers in the Carpathians. It is home to 12 species of the Red Data Book and 8 species of the Bern Convention (Resolution 6). Articles of Berne Convention which may be violated: 2, 3, 4, 5, 6, 7, 10. Please find detailed information in Annexes 1-4 of this complaint.

2. Which are the specific specie/s or habitat/s included in one of the Appendices of the Bern Convention potentially affected? (Please include here information about the geographical area and the population of the species concerned, if applicable)

These are species of fish that live in the Teresva River and its tributaries. This river and its tributaries are habitat, feeding and spawning sites: Hucho hucho (1105), Gobio uranoscopus (1122), Leuciscus souffia (1131), Barbus meridionalis (1138), Sabanejewia aurata (1146), Cobitis taenia (1149), Cottus gobio (1163), Eudontomyzon danfordi (4123). The following habitats have also been identified here: C1.222 – Floating Hydrocharis morsus-ranae rafts – Hydrocharis morsus-ranae; C2.18 – Acid oligotrophic vegetation of spring brooks; C2.19 – Lime-rich oligotrophic vegetation of spring brooks; C2.25 – Acid oligotrophic vegetation of fast-flowingstreams; C2.27 – Mesotrophic vegetation of fast-flowing streams; C2.28 – Eutrophic vegetation of fast-flowing streams; C3.4 – Species-poor beds of lowgrowing waterfringing or amphibious vegetation; C3.51 – Euro-Siberian dwarf annual amphibious swards (but excluding C3.5131 Toad-rush swards); C3.55 – Sparsely vegetated river gravel banks; C3.62 – Unvegetated river gravel banks; F9.1 – Riverine scrub; G1.11 – Riverine Salix woodland.

3. What might be the negative effects for the specie/s or habitat/s involved?

The transformation of a mountain river into a cascade of low-flowing water bodies will dramatically change the conditions of existence in this ecosystem. Today, the main factor that allows all the rare fish fauna to exist in the Teresva River is the fast flow. The fast flow ensures that the water quality is "excellent" in the upper reaches and tributaries and "good" along the entire length of the river (classified according to WFD-2000/60/EC). The cold waters, excellent aeration, free-flowing river and natural hydrological regime ensure the preservation of biodiversity, including rare species and rare riparian and channel habitats. The construction of dams will segment the river, slow the flow and radically change the hydrological regime. This will lead to a change in the habitat of aquatic organisms: native and rare rheophilic species will be replaced by species of standing and semi-standing water. The bottom of the river will silt up, nutrients will settle at the bottom, and water will evaporate more and be lost in summer. Algae, including unicellular algae, and bacteria will develop in the water. The water quality will deteriorate accordingly. Settlements in the Teresva River valley have no sewage treatment facilities. Some municipal wastewater ends up in the river. The rapid flow preserved the river's ability to cleanse itself. A

cascade of dams would level this ability. The hydroelectric project envisages the construction of fish passages in the dam body. In the vast majority of cases with hydropower plants in the Carpathians, such fish passages are not functional. In particular, at hydropower plants built on the tributaries of the Teresva River (Annex 2-3). Thus, migratory fish species, such as Hucho hucho, Leuciscus souffia, Barbus meridionalis and Eudontomyzon danfordi, will not be able to overcome the dams through these fish passages and spawn in their spawning grounds in the upper reaches of the river and tributaries. The change in the hydrological regime will harm habitats C2.18, C2.19, C2.25, C2.27, C2.28, C3.4. And such habitats as C3.51 (but excluding C3.5131), C3.55, C3.62 may disappear altogether. These were the conclusions of the experts who conducted the research as part of the environmental impact assessment procedure. However, this did not prevent the Ministry of Environmental Protection and Natural Resources of Ukraine from issuing a positive environmental opinion to the developer for 4 of the 6 hydropower plants. The EIA procedure for another 2 small hydropower plants was suspended by the Ministry due to lawsuits initiated by representatives of local communities whose homes will be flooded as a result of the rise in water levels due to the construction of the dams.

4. Do you know if potentially affected species or habitats also fall under the scope of other international Conventions, (for instance: RAMSAR, CMS, ACCOBAMS, Barcelona Convention, etc) or if the area has been identified as a NATURA 2000/Emerald network site?

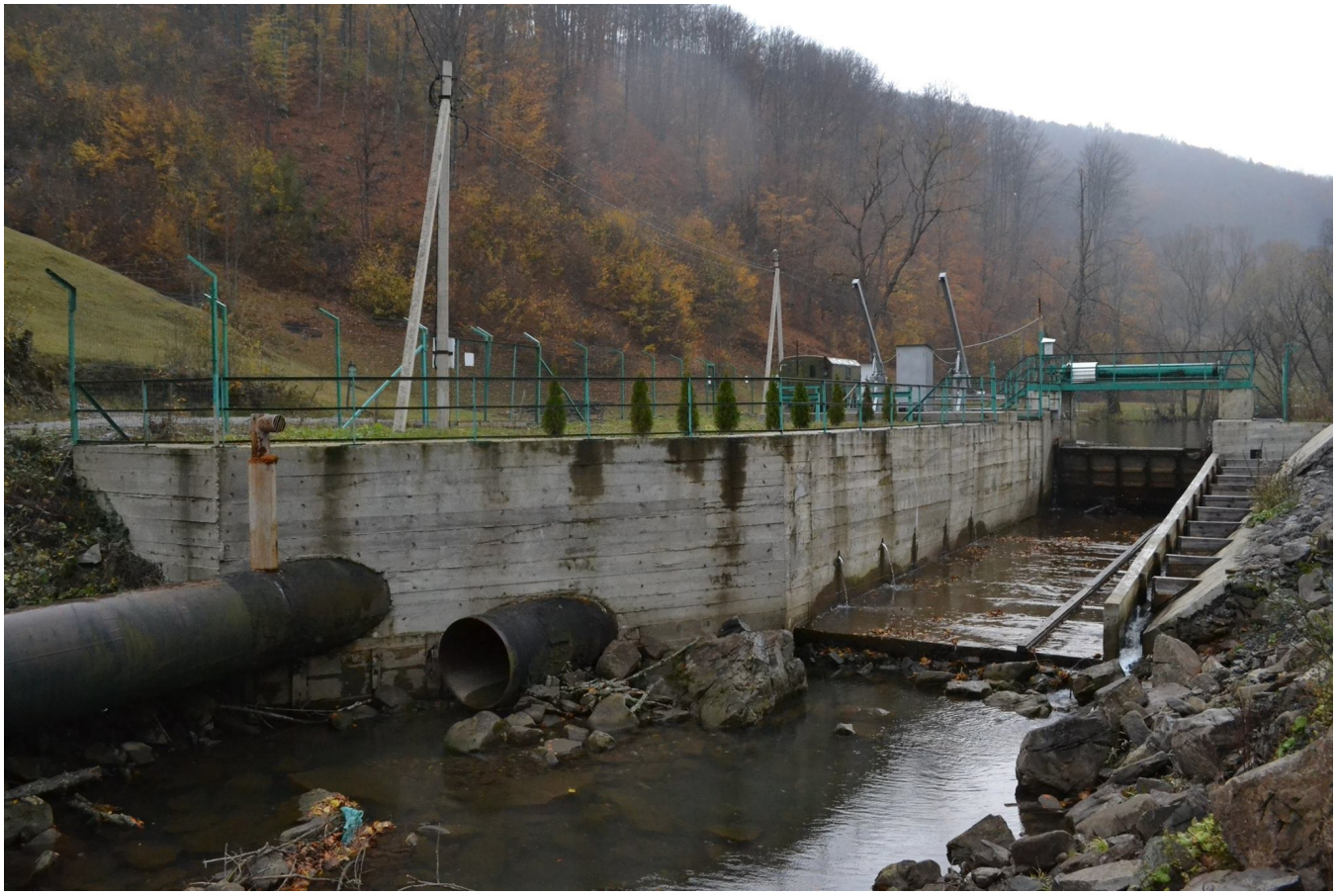
This territory is an area of the Emerald network in Ukraine - “Skhidnyi Svydovets” - UA0000259

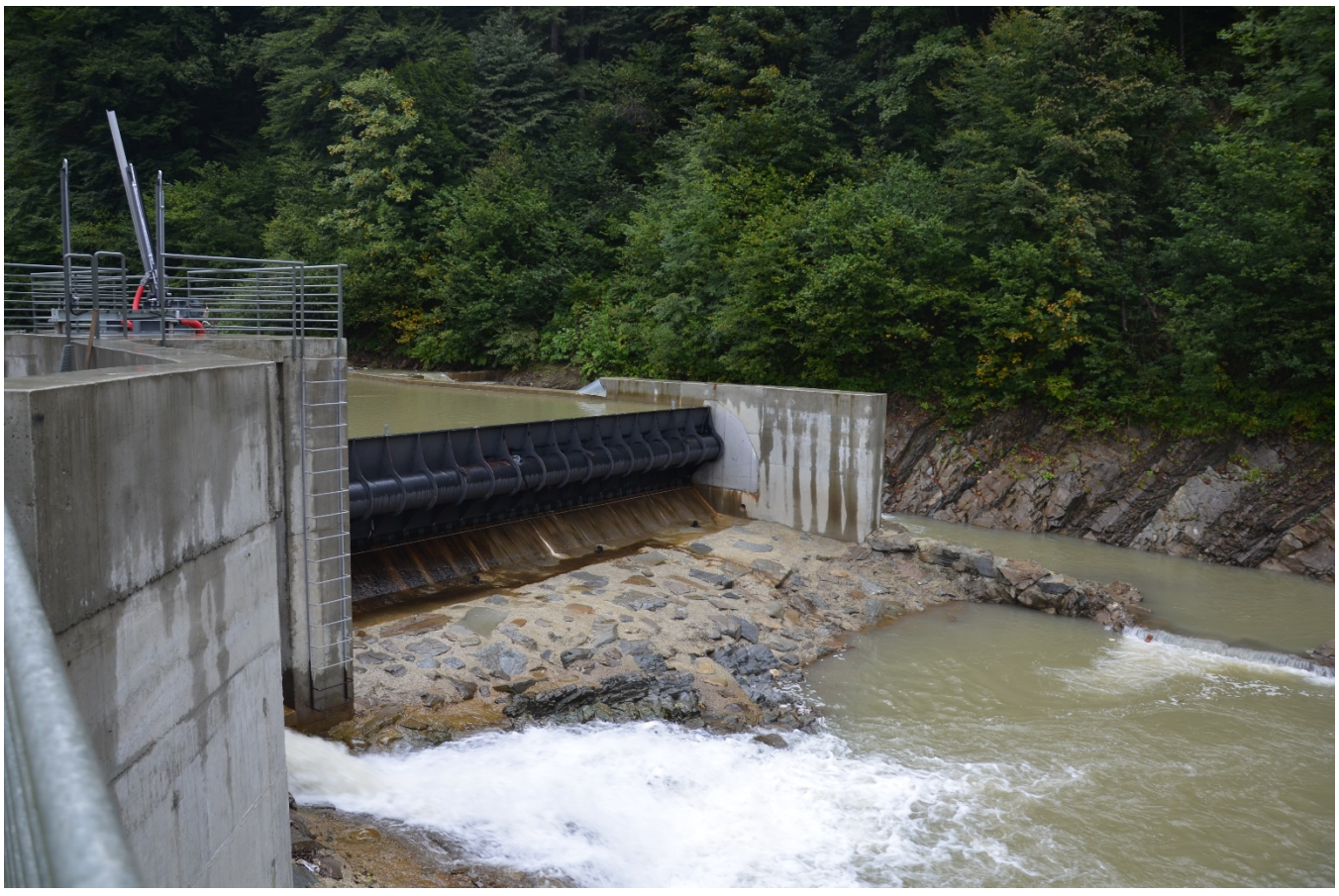
5. Do you know if there are any pending procedures at the national or international level regarding the object of your complaint?

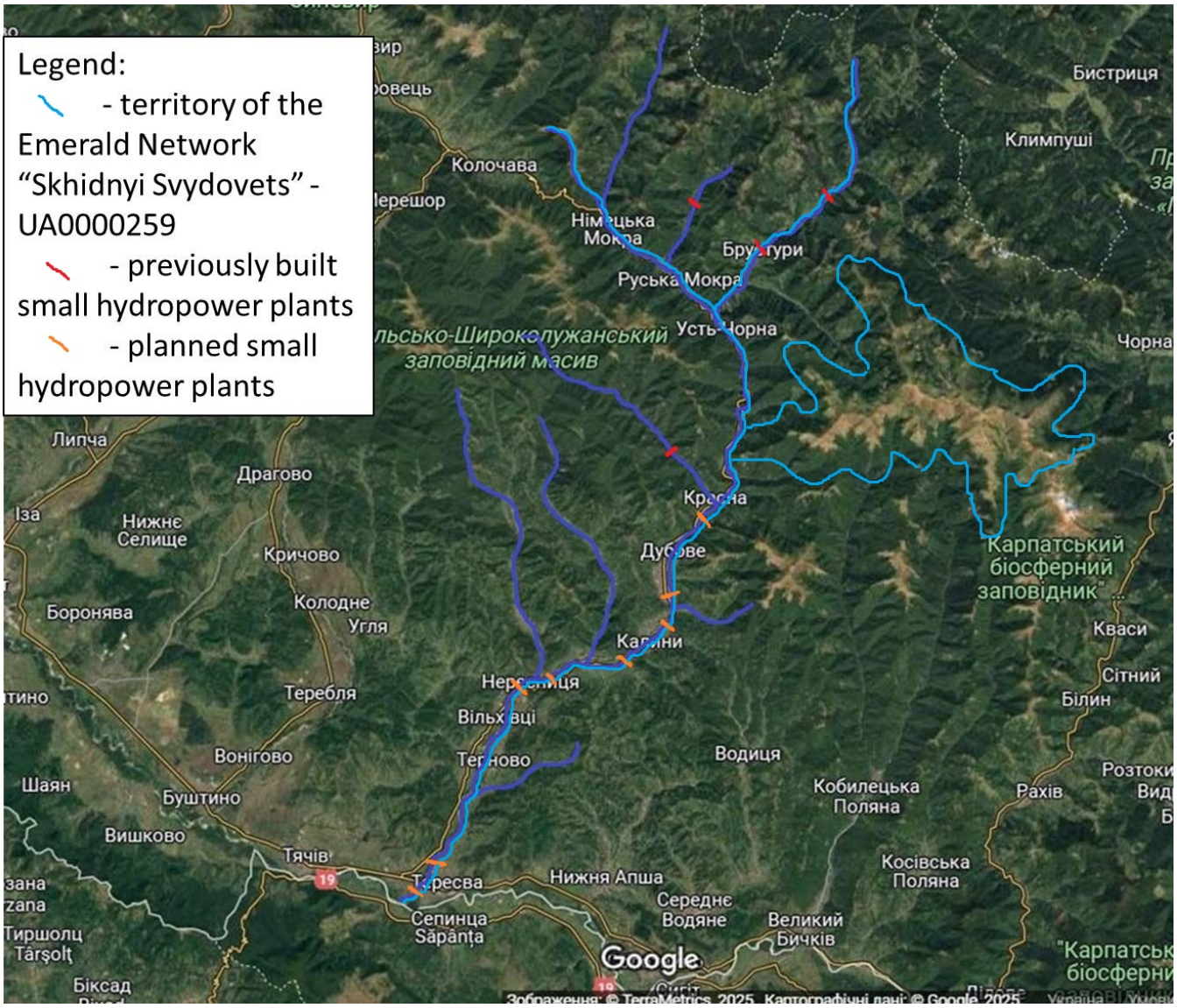
At the national level, a lawsuit over the construction of 2 hydroelectric power plants in the village of Kalyny is underway. The trial was initiated by the villagers whose houses will be flooded if the dams are built. In the village of Neresnytsia, the deputies of the Neresnytsia village council decided to ban the construction of 2 small hydropower plants under pressure from a group of residents whose houses would also be flooded. The Ministry of Environmental Protection of Ukraine issued positive environmental conclusions for these 2 small hydropower. The Ministry did not take into account all the construction risks identified in the EIA report. Currently, the developer has filed a lawsuit against the Neresnytsia village council to overturn the ban. Ukraine has no independent judiciary, so court decisions are unpredictable. The relevant Ministry, which is supposed to protect the Emerald Network sites, makes decisions to destroy them.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc)

The environmental impact assessment report for one of the hydropower plants in Kalyny village (the EIA reports are almost identical) contains 1233 pages of text in Ukrainian. This is Annex 1. Map and photos are in Annexes 2-4.






Legend:
- territory of the Emerald Network “Skhidnyi Svydovets” - UA0000259
- previously built small hydropower plants
- planned small hydropower plants
Бистриця
Климпуші
Колочава
Руська Мокра
Усть-Чорна
Чорна
Липча
Драгово
Нижнє Селище
Кричово
Колодне
Угля
Боронява
Теребля
Вонігово
Буштино
Шаян
Вишково
Тячів
Тересва
Нижня Апша
Середнє Водяне
Великий Бичків
Селинца
Săpânța
Тиршолц
Târşolţ
Біксад
Водиця
Кобилецька Поляна
Косівська Поляна
Рахів
Сітний
Білин
Кваси
Карпатський біосферний заповідник
Google

Annex

Environmental impact assessment report: "New construction and operation of mini hydroelectric power plant No. 2 in the village of Kalyn, Tyachiv district, Transcarpathian region, on the Teresva river with a total installed capacity of up to 999 kW" Type of mini hydroelectric power plant - run-of-river