



**COMPLAINT FORM**

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Directorate of Democratic Governance, Culture and Diversity

Council of Europe

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**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).**

A threat of damage to the objects of protection of the Emerald network sites in Ukraine –UA0000029 «Sviati Hory», UA0000073 «Iziumska Luka Regional Landscape Park», part of UA0000019 «Ukrainskyi Stepovy Nature Reserve», and UA0000219 «Riznykivskyi». On December 18, 2018 the Cabinet of Ministers of Ukraine gave its permission to allow a new investor enter into a Product Sharing Agreement with envisages extraction of hydrocarbons (including by freaking) right on the territories of the abovementioned Emerald network sites and on the territories adjacent to them.

Articles of the Bern Convention, which might be violated: 2, 3, 4, 5, 6, 7, 10.

**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)**

On the Emerald area UA0000029 «Sviati Hory» and UA0000073 «Iziumska Luka Regional Landscape Park» are under protection:

Emerald species (from SDF):

P 1477 *Pulsatilla patens*, P 1805 *Jurinea cyanooides*, P 1902 *Cypripedium calceolu*, P 2081 *Silene cretacea*, P 2098 *Paeonia tenuifolia*, P 4068 *Adenophora lilifolia*, P 4095 *Stipa zaleskii*, P 4098 *Iris humilis* ssp. *Arenaria*, I 1014 *Vertigo angustior*, I 1060 *Lycaena dispar*, I 1078 *Callimorpha quadripunctari*, I 1083 *Lucanus cervus*, I 1088 *Cerambyx cerdo*, I 1923 *Mesosa myops*, I 4026 *Rhysodes sulcatus*, I 4028 *Catopta thrips*, I 4030 *Colias myrmidone*, F 1130 *Aspius aspius*, F 1134 *Rhodeus sericeus amarus*, F 1141 *Chalcalburnus chalcoides*, F 1145 *Misgurnus fossilis*, F 1149 *Cobitis taenia*, F 2484 *Eudontomyzon mariae*, A 1188 *Bombina bombina*, R 1220 *Emys orbicularis*, B A021 *Botaurus stellaris*, B A022 *Ixobrychus minutus*, B A023 *Nycticorax nycticorax*, B A026 *Egretta garzetta*, B A027 *Casmerodius albus*, B A029 *Ardea purpurea*, B A030 *Ciconia nigra*, B A031 *Ciconia ciconia*, B A038 *Cygnus cygnus*, B A060 *Aythya nyroca*, B A068 *Mergus albellus*, B A072 *Pernis apivorus*, B A073 *Milvus migrans*, B A075 *Haliaeetus albicilla*, B A080 *Circus gallicus*, B A081 *Circus aeruginosus*, B A082 *Circus cyaneus*, B A084 *Circus pygargus*, B A089 *Aquila pomarina*, B A090 *Aquila clanga*, B A092 *Hieraaetus pennatus*, B A094 *Pandion haliaetus*, B A097 *Falco vespertinus*, B A098 *Falco columbarius*, B A103 *Falco peregrinus*, B A119 *Porzana porzana*, B A120 *Porzana parva*, B A122 *Crex crex*, B A127 *Grus grus*, B A131 *Himantopus himantopus*, B A151 *Philomachus pugnax*, B A154 *Gallinago media*, B A166 *Tringa glareola*, B A170 *Phalaropus lobatus*, B A177 *Larus minutus*, B A193 *Sterna hirundo*, B A195 *Sterna albifrons*, B A196 *Chlidonias hybridus*, B A197 *Chlidonias niger*, B A198 *Chlidonias leucopterus*, B A215 *Bubo bubo*, B A222 *Asio flammeus*, B A224 *Caprimulgus europaeus*, B A229 *Alcedo atthis*, B A231 *Coracias garrulus*, B A234 *Picus canus*, B A238 *Dendrocopos medius*, B A242 *Melanocorypha calandra*, B A246 *Lullula arborea*, B A272 *Luscinia svecica*, B A307 *Sylvia nisoria*, B A320 *Ficedula parva*, B A321 *Ficedula albicollis*, B A338 *Lanius collurio*, B A339 *Lanius minor*, B A397 *Tadorna ferruginea*, B A404 *Aquila heliaca*, B A429 *Dendrocopos syriacus*, B A511 *Falco cherrug*, M 1337 *Castor fiber*, M 1352 *Canis lupus*, M 1355 *Lutra lutra*, M 2021 *Sicista subtilis*, M 2635 *Vormela peregusna*.

Emerald Habitat types (from SDF):

C1.222, C1.223, C1.225, C1.34, C1.67, C2.33, D5.2, E1.13, E1.2, E1.9, E2.2, 6.2, F3.247, 9.1, G1.11, G1.21, G1.22, G1.414, G1.7, G1.A1, G3.4232, H2.6.

On the Emerald area UA00000219 «Riznykivskiyi» and part of UA0000019 «Ukrainskyi Stepovy Nature Reserve» are under protection:

Emerald species (from SDF):

P 2081 *Silene cretacea*, I 1052 *Hypodryas maturna*, I 1060 *Lycaena dispar*, I 1078 *Callimorpha quadripunctaria*, I 4013 *Carabus hungaricus*, I 4028 *Catopta thrips*, B A031 *Ciconia ciconia*, B A072 *Pernis apivorus*, B A073 *Milvus migrans*, B A081 *Circus aeruginosus*, B A082 *Circus cyaneus*, B A084 *Circus pygargus*, B A089 *Aquila pomarina*, B A092 *Hieraaetus pennatus*, B A097 *Falco vespertinus*, B A098 *Falco columbarius*, B A215 *Bubo bubo*, B A222 *Asio flammeus*, B A224 *Caprimulgus europaeus*, B A242 *Melanocorypha calandra*, B A246 *Lullula arborea*, B A255 *Anthus campestris*, B A307 *Sylvia nisoria*, B A338 *Lanius collurio*, B A339 *Lanius minor*, B A379 *Emberiza hortulana*, B A397 *Tadorna ferruginea*, B A403 *Buteo rufinus*, B A404 *Aquila heliaca*, B A429 *Dendrocopos syriacus*, B A533 *Oenanthe pleschanka*.

Emerald Habitat types (from SDF):

E1.13, E1.2, F3.247, G1.7, H2.6.

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

Without any environmental assessment of the proposed activity the Cabinet of Ministers allowed extraction of hydrocarbons (including by fracking). The territory designated for the proposed activity covers the areas of the largest concentration of biodiversity in the Eastern part of Ukraine. Four Emerald network sites are situated there. All species and habitats, for preservation of which the Emerald sites have been created, are in their natural state and not disturbed. Infrastructure development and pollution will worsen the living conditions of the SDF habitats and plants, as well as destroy the habitats of animals' species for the protection of which the Emerald sites have been created.

**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?**

Yes, large parts of the territory of the sites also are the territories of wetlands of international importance, within the framework of the Ramsar Convention. Almost all bird species listed in SDF are listed in the Bonn Convention.

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

No

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

Please see attached the map of the above-mentioned Four Emerald network sites within the oil and gas field approved for development. The total area of the sites is about 55,000.

