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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

40th meeting
Strasbourg, 1-4 December 2020

Other complaints

**Logging threats to the Black Tysa River in
Emerald Network site "Marmaroski ta
Chyvchyno-Hryniavski Hory" (UA0000117)
(Ukraine)**

- COMPLAINT FORM -

*Document prepared by
ECOSPHERE, Ukraine*

**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".

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Web site: www.ekosphaera.org

Date : 26.02.2020

Electronic Signature

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 Black Tisza 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 Black Tysa River, which has the status of an ichthyological species management area in Ukraine and is part of the Emerald network in Ukraine - "Marmaroski ta Chyvchyno-Hryniavski Hory" (UA0000117). Improper logging practices at Yasinya State Forestry Enterprise destroy and sludge spawning grounds, pollute water and fish spawn. Due to the fact that skidding machinery travels across the river and neglecting of bridges, the river is regularly polluted with fuel and lubricants. Skidding of wood is carried out by forestry on the tributaries of the Black Tisza River and along the Black Tisza riverbed. Because of this, the river is silted by soil. After skidding, coniferous wood remains in the water, decomposing, changes the acidity of the water, which adversely affects the composition of the aquatic organisms, which are the forage base of protected species. Articles of Bern Convention which may be violated: 2, 3, 4, 5, 6, 7, 10. Please find detailed information in Appendices 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 Black Tisza River and its tributaries. This river and its tributaries are habitat, feeding and spawning sites: Hucho hucho (1105) and Zingel streber (1160).

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

Hucho hucho (1105) and Zingel streber (1160) fish species are only able to live and reproduce in clean running water. Any change in the chemical (pollution, acidity) or physical composition of the water (change in transparency, the amount of suspended particles in the water) have a very negative impact on the population of these fish species. Also important is the authentic composition of the aquatic organisms, which are the forage base for these fish species. However, it is this component of the river ecosystem that is the first to undergo dramatic changes. Due to the change in the chemical composition of the water and the water shocks that result from the drifting of the wood, the species and quantitative composition of the hydrobiontos change. Logs, trees, branches and bark that are often left in a broken channel affect the chemical composition of the water and the formation of sediment, making the spawning grounds for salmon and carp species unavailable. Scientific studies of these phenomena prove that a complete recovery of the river after such intervention during logging requires 10-15 years (Annex 5).

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 - "Marmaroski ta Chyvchyno-Hryniavski Hory" (UA0000117)

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

The Yasinya State Forestry Enterprise is the holder of a diploma that obliges the enterprise to protect the Black Tisa River from its origins and for the next 39.3 km. This Yasinyan state forestry enterprise is protecting the Black Tisza River and is obliged to preserve it and to comply with the environmental

requirements of the Ukrainian legislation when using natural resources. Thus, the Yasinya State Forestry Enterprise violates a number of Laws of Ukraine: 26 of the Law of Ukraine "On the Nature Reserve Fund of Ukraine", Art. 40 of the Law of Ukraine "On Environmental Protection", Art. 19 of the Forest Code of Ukraine, Art. 80 of the Water Code of Ukraine, Art. 41 of the Law of Ukraine "On Land Protection", paras. 32-33, 42-43 Rules of felling of the main use in the mountain forests of the Carpathians.

There is currently no separate Emerald Network of Ukraine law in Ukraine, so activities in the Emerald Network are not clearly regulated. However, in this case, existing national legislation is sufficient to ensure that the Black Tisza River is protected.

We ask the Standing Committee to conduct an on-the-spot inquiry and to investigate this case and to adopt a recommendation for Ukraine:

1. The State Environmental Inspectorate shall inspect the activity of the Yasinya State Forestry in the Black Tisza River Basin and suspend logging until the forestry is provided with cable crane for forest logging in the mountains.

2. The Department of Ecology and Natural Resources of the Zakarpattia Regional State Administration should oblige the Yasinya State Forestry Enterprise to constantly monitor the populations of Hucho hucho and Zingel streber with the participation of hired experts and publish its results on its website.

3. The Department of Ecology and Natural Resources of the Zakarpattia Regional State Administration shall develop and approve the provisions on the ichthyologic reserve "Black Tisa".

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| 6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc) |
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The Yasinya state forestry avoids carrying out environmental impact assessments / Environmental Impact Assessment (EIA) on continuous logging that it conducts in the Black Tisza River basin. For this purpose, fellings are assigned to areas up to 1 ha. According to the Ukrainian legislation, solid felling of up to 1 ha is not subject to environmental impact assessment. The situation is illustrated in [Appendices 1-5](#).