

Strasbourg, 9 April 2021  
[files44e\_2021.docx]

T-PVS/Files(2021)44

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

41<sup>st</sup> meeting  
Strasbourg, 30 November – 3 December 2021

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**Other complaint: 2020/3**

**Presumed threat to Emerald site  
“Bugzkyi Gard National Nature Park”  
(UA0000040)  
(Ukraine)**

**- REPORT BY THE GOVERNMENT -**

*Document prepared by  
the Ministry of Environmental Protection and Natural Resources of Ukraine*

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№ \_\_\_\_\_ від \_\_\_\_\_ 20\_\_ р.

Dear Ms. STICKER,

Ministry of Environmental Protection and Natural Resources of Ukraine (hereinafter –the Ministry) presents its compliments to the Secretariat of the Bern Convention and in response to the letter of December 11, 2020 as to the complaint 2020/03: Other complaint: Presumed threat to Emerald Network site «Bugzkyi Gard National Nature Park» (UA0000040), has the honour to inform the following.

Within the Emerald Network site «Bugzkyi Gard National Nature Park» (UA0000040) there are unique natural complexes that combine the river canyon, granite outcrops, remnants of virgin steppes, gully forests, which are characterized by significant species richness and many rare species of flora and fauna. Regional Landscape Park «Granitno-Stepove Pobuzhzhya» and National Nature Park «Buzkyi Guard» were created to preserve them.

At the same time, by the Order of the Cabinet of Ministers of Ukraine dated 13.07.2016 № 552-r the Programme of Hydropower Development of Ukraine for the period up to 2026 was approved. It provides the continuation of construction of Tashlytska Pumped-Storage Power Plant (PSPS) and raising the level of Oleksandrivske Reservoir to 20,7 m.

According to the Law of Ukraine «On the Nature Reserve Fund of Ukraine» (hereinafter - the Law), the nature reserve fund is protected as a national heritage, in respect of which a special regime of protection is established. National Nature Parks and Regional Landscape Park are part of Nature Reserve Fund of Ukraine.

**Ms. Ursula STICKER,  
Secretary of the Bern Convention  
Directorate of Democratic Participation  
Council of Europe  
F-67075 Strasbourg Cedex  
FRANCE**

The planned activities could have a negative impact on the territory of about mentioned parks, in particular on the areas that are part of the core zone and the recreation zone of the National Nature Park «Buzkyi Guard».

According to Articles 16 and 21 of the Law, within the core zone any economic and other activities that could disrupt the natural processes and phenomena or pose a threat of harmful effects on its natural complexes is prohibited. Any activity within the recreation zone that leads or may lead to the deterioration of the natural environment and reduction of the recreational value of the territory of the National Nature Park is prohibited.

Considering the above mentioned, in 2020 negotiations were held at the State level about the implementation of the project «Completion of the construction of Tashlytska PSPS» in order to avoid negative impact on the Emerald Network site «Bugzkyi Gard National Nature Park» (UA0000040) and ensure Ukraine's meeting obligations under the Bern Convention and under the Association Agreement with the EU in part of long-term conservation of natural habitats and species of natural fauna and flora that are subjects to special protection in Europe.

As a result of these negotiations, the investment project «Completion of the construction of Tashlytska PSPS» is excluded from the list of priority investment projects for the State, which are approved by the Order of the Cabinet of Ministers of Ukraine dated 16.12.2020 № 1581 (<https://zakon.rada.gov.ua/laws/show/1581-2020-%D1%80#Text>).

The Ministry avails itself of this opportunity to renew the assurances of its highest consideration.

Yours sincerely,

**Iryna STAVCHUK**  
**Deputy Minister**  
**for European Integration**