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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

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

Bureau of the Standing Committee
8-10 April 2025
Strasbourg

New File: 2024/02

**Deforestation in an Emerald Network site (UA0000338) in
Kyiv Region
(Ukraine)**

- COMPLAINANT REPORT -

*Document prepared by
Viktoriiia CHECHENKOVA, on behalf of the Residents of Fastyv District, Kyiv Region*

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

Name: Support Markhalivka

On behalf of:

the Residents of Fastyv District, Kyiv Region

Address: Ukraine, Fastyv District of Kyiv Region, village Markhalivka, street Komsomolska

20a Town/City: village Markhalivka

County/State/Province: Fastyv District of Kyiv Region

Postcode: 08633

Country: Ukraine

Website: <https://www.instagram.com/markhalivka/>
https://www.facebook.com/p/Support-Markhalivka-61557935170719/?locale=it_IT

Date: 25.08.2024

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

In the forest which is the integral Ukrainian part of the Emerald Network of Areas of Special Conservation Interest, located on the territory of Kyiv Region, the mass illegal logging and other methodical destruction on natural resources is carried out. These violations are caused by the implementation of the National Military Memorial Cemetery project

Violations: articles 4, 5 of the Convention

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

The species included in Annexes #1 and #2 of the Bern Convention are affected:

- plants: Pulsatilla patens (Annex № 1);
- AVES: Bombycilla garrulus, Carduelis carduelis, Chloris [Carduelis] chloris, Ficedula albicollis, Ficedula hypoleuca, Dendrocopos medius, Dendrocopos minor, Picus viridis, Luscinia megarhynchos, Luscinia svecica, Muscicapa striata, Parus caeruleus, Parus major, Parus montanus, Phoenicurus phoenicurus, Sitta europaea, Spinus [Carduelis] spinus, Troglodytes troglodytes (Annex № 2);
- MAMMALIA (CHIROPTERA): Barbastella barbastellus, Nyctalus leisleri, Nyctalus noctula, Pipistrellus nathusii, Plecotus auritus (Annex № 2);
- Habitats: G3.42 Central European forests with Pinus sylvestris (the list of habitats, Bern Convention Resolution № 4).

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

Currently, as a result of the subject logging, about 20 hectares of valuable forest is destroyed. This forest is the part of the Emerald Network of Europe (number UA0000338 Pryirpinnya and Chernechy Forest total area 6094,7 hectares). In total, 266 hectares of the Emerald Network of Europe are planned for further deforestation. 18 species of birds, 5 species of mammals (bats) and 1 specie of plants will be destroyed as a result of such barbaric actions. They all are included in relevant Annexes of the Bern Convention (for the detailed list please ref clause 2 above).

At the same time and as a result of these illegal actions, the part of the forest which is included in the list of habitats Resolution #4 of the Bern Convention (G3.42 Central European forests with Pinus sylvestris).

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, UNESCO site? Are there pending procedures within another international institution?

The subject area where the deforestation is taking place belongs to NATURA 2000/Emerald Network

At the same time the species of mammals listed in clause 2 of this form (MAMMALIA) are subject to the Agreement on the Conservation of European Bat Population (EUROBATS), concluded under the Convention on the Conservation of Migratory Species of Wild Animals (CMS, Bonn Convention).

5. Have you attempted to address this issue with the relevant local and national authorities? Please describe. Are there any pending procedures at national level regarding the object of your complaint?

Representatives of the local community has repeatedly appealed to the representatives of the users of subject land plots on which the destruction of valuable species and habitats takes place: Fastiv District military administration of the Kyiv Region; Kyiv Region military administration; the Ministry of the Environment Protection and Natural Resources; the Cabinet of Ministers of Ukraine; numerous appeals and applications were submitted demanding to stop the destruction of valuable species and habitats; pickets were held.

However, the above-mentioned state bodies did not take any appropriate measures aimed at stopping illegal actions.

At present, the environmental organizations have filed 3 lawsuits in court addressed different authorities demanding to cancel unlawful decisions and stop the destruction of valuable species and habitats.

At the same time, the representatives of environment organizations have proposed alternative options of potential location of the National Military Memorial, which do not contain valuable species and habitats:

- a plot of about 100 hectares in the area of the Bercovets cemetery, city of Kyiv;
- a plot of about 250 hectares of vacant land in the area of the National Complex “Expocenter of Ukraine”, city of Kyiv.

However, these options were rejected without any reasonable arguments and explanations.

6. Any other information (existence of an Environmental Impact Assessment (EIA), size of projects, maps of the area, etc) (for large files, please add a separate annex document, as mentioned in the above instructions)

The construction project, resulting in mass deforestation, involves the development on a plot of 266-hectare size which is a part of the Emerald Network.

For the needs of design and construction of the National Military Memorial Cemetery, the Ukrainian authorities abolished the mandatory requirement for an environmental impact assessment, which is commonly carried out when making decisions on activities that may have a severe impact on the environment (Law of Ukraine #3505 of 08.12.2023)