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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

39<sup>th</sup> meeting  
Strasbourg, 3-6 December 2019

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**Complaints on stand-by**

**Presumed threat to Emerald site “Black Sea  
Biosphere Reserve” (UA0000017) from military  
trainings (Ukraine)**

**- REPORT BY THE COMPLAINANT -**

*Document prepared by  
the Ukrainian Nature Conservation Group (UNCG), Ukraine*

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- August 2019 -



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№ 316/ 2019

06.08.2019

**To: Mrs. Iva OBRETENOVA  
Secretary of the Bern Convention  
Head of the Biodiversity Unit  
Directorate of Democratic  
Governance  
Directorate General II  
Council of Europe**

**EXPLANATION OF THE PERCEIVED THREAT TO THE EMERALD SITE «BLACK SEA BIOSPHERE  
RESERVE» (UA0000017) FROM THE TESTING OF WEAPONS (UKRAINE)**

Dear Mrs. Iva OBRETENOVA,

In 2018 we provided you the information about the fact that the Armed Forces of Ukraine conduct tests of new powerful weapons and ammunition within the most valuable and protected part of the Emerald site «Black Sea Biosphere Reserve». This territory is an area of the Emerald network in Ukraine - «Black Sea Biosphere Reserve» (UA0000017), and belongs to Ramsar sites (YAGORLYTSKA BAY, TENDRIVSKA BAY). As a biosphere reserve the area was designated in 1983 under the UNESCO «Man and Biosphere» program.

No negative activities were held after our previous letter. On the other hand, the authorities did not make any decisions to ensure that further negative impacts are impossible.

Kind regards,



Oleksii Vasyliuk, UNCG

- January 2019 -



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Despite the media coverage and discussions within the specially created working group at the Ministry of Environment of Ukraine, on April 5, 2018 (at the beginning of the breeding season of birds), the Armed Forces of Ukraine conducted training within the strictly protected area of the Black Sea Biosphere Reserve. This is despite of the fact, that any stay of unauthorized persons on this territory, any activities and even flights over the territory below 2000 meters are prohibited. Mentioned military training caused a series of explosions on areas, covered by natural habitats and birds colonies. The loud noise caused by the explosions spread for tens of kilometers and covered the entire territory of the reserve. Such activity is qualified as «Intentional destruction or damage of the territories under the protection of the state and objects of the nature reserve fund» according to Article 252 of the Criminal Code of Ukraine. The staff of the reserve found the locations of bombardments and drafted the act of detected damage, which allows to estimate damage to the soil, flora and fauna. The total amount of damage calculated by the state protection service of the reserve is equivalent to 400 000 EUR.

It should be noted, that in 2017 illegal military trainings were carried out twice in other parts of this reserve. We are afraid that the described situation is the start of a shameful practice of conducting military trainings on the nature protected areas and areas of the Emerald network. We want to make it impossible to conduct military trainings on the nature protected areas in the future.

After the Convention appealed to the Ministry of Ecology and Natural Resources (MENR) on the issue, MENR initiated negotiations with the Ministry of Defence (MD). This process was transparent, but ineffective. MENR invited civil society and military to the special working group meetings, but this had no consequences. Firstly, no MD decision-makers were present on the negotiations. Only some MD workers were present, but this was not their competence. Also several MD legal advisers attended the meetings, but only to make sure the negotiations do not threat MD plans. Secondly, MENR key personnel never expressed an official opinion that The Armed Forces of Ukraine destroy Black Sea Nature Reserve.

Such opinion was only stated by the Nature Reserve key personnel, National Academy of Science and several NGOs. The staff of the Nature Reserve also developed a note on the actual damage, published in a special scientific digest (which is attached below in a shortened version).

Therefore, **the threat still exists**. The Ministry of Defense expresses its public position: testing of ammunition (missile launchers) will be conducted within the Black Sea Nature Reserve in future.

## Appendix

### The note composed by the Black Sea Nature Reserve

The Black Sea Biosphere Nature Reserve of the National Academy of Science of Ukraine (BSNR) is one of the oldest and most valuable Ukrainian protected areas. Established in 1927, it was included into the World Network of the Biosphere Reserves. In 1975 Tendriv bay and Yahorlyk bay received protection as Ramsar sites. The BSNR is the unique genetic and cenotic reserve of the North-Western Black Sea region aquatic complexes.

During 2017-2018, natural complexes of the BSNR strictly protected zone regularly suffered from shelling with different weapons. As a result, fires and surface damages occurred. Such shelling especially damaged Bili Kuchuhury cape on Tendra isle and “Yahorlytskyi Kut” zone.

The surveys of such illegal shelling revealed, that the soil, flora complexes and geomorphological structures of the strictly protected zone of Tendra isle (Bili Kuchuhury cape) were severely damaged during May 2017-April 2018. GIS data from Sentinel-2 helped to identify, that the shelling was conducted three times as a minimum: in May 2017, December 2017 and in early April 2018.

The fauna of the Reserve was negatively impacted within the breeding season (which is legally prohibited in Ukraine).

The actual estimated damage due to the illegal shelling in 2017-2018 on Tendra isle is 12 693 257,48 UAH (some 400 000 EUR).

As a result of shelling in “Yahorlytskyi Kut” on 19 April, 2018, two shell craters occurred. The estimated damage to protected species and their habitats is 1 362 634,47 UAH (some 42,500 EUR).

Yahorlytskyi Kut is a nesting place for *Haliaeetus albicilla* (L.), protected by the Red List of Ukraine and Berne Convention.

In addition, several important species migrate through the Reserve, including *Grus grus* (L.), *Anthropoides virgo* (L.), *Ciconia nigra* (L.), *Otis tarda* (L.), which are included into the Red List of Ukraine. The place serves for wintering of *Anser anser* (L.) *A. albifrons* (Scopoli), and two species of the IUCN Red List: *A. erythropus* (L.) and *Rufibrenta ruficollis* Pallas.

Tendriv bay and Yahorlyk bay with most of the peninsula are included to the Ramsar list of wetlands of international importance (the Ramsar Convention was ratified by Ukraine in 1996).

The Tendriv and Yahorlyk bay coastlines (near Yahorlytskyi Kut) are one of the most important places for waterfowl and coastal birds within the non-nesting season. Some of this species are included into the Red List of Ukraine. Such species include *Pelecanus onocrotalus*, *Platalea leucorodia*, *Haematopus ostralegus* and endangered *Asio flammeus* and *Numenius phaeopus*. It is also important to mention, that the peninsula is a place for *Circus cyaneus*, *Haliaeetus albicilla*, and *C. macrourus*, *C. pygargus*, *Falco peregrinus*, *Pandion haliaetus* are observed/

Kind regards,  
Oleksii Vasyliuk, UNCG