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Dear colleagues,

As you might remember, the Initiative Group Free Svydovets already submitted to Carpathian Convention Implementation Committee 9th meeting an Appeal regarding the huge recreational complex called Svydovets (hereafter “recreational complex “Svydovets”), building in Ukrainian Carpathians¹. The issue is still open and hot. Moreover, there are

¹ The complete text of the Appeal was published on European Wilderness Society’s website:

many activities regarding this issue happened during the recent time and we would like to update Carpathian Convention Implementation Committee on that and propose the number of steps in order to protect the unique Carpathians for our future generations.

Among such major activities are:

- a. Svydovets value.
- b. Violation of international environmental treaties signed by Ukraine.
- c. Appeal to Espoo Convention.
- d. Bern convention appeal.
- e. Report “Svydovets case”.
- f. Court sessions.
- g. Environmental Impact Assessment.
- h. Strategic Ecological Assessment of the Regional Strategy of Transcarpathian Oblast Development.
- i. Meeting with the Head of Transcarpathian Oblast State Administration.
- j. Working group in Transcarpathia
- k. Conservation and sustainable management of Svydovets.
- l. Media coverage and promotional events.
- m. Sustainable tourism alternative development.
- n. Climate change.
- o. Resolution.

a. Svydovets value.

There is a no doubt value of Svydovets massif. About 2/3 of the area is covered by high mountains with numerous rocks, lakes and swamps. There are at least 17 types of habitats discovered on the territory of Svydovets listed in Annex 1 of the EU Habitats Directive (1992). In addition, the planned construction threatens 17 habitat types that need special protection and are included in Resolution No. 4 of the Berne Convention. 42 species of plants are included in the Red Book of Ukraine. The Red Book of Ukraine (2009) includes 14 insect species that are widespread in the designated territory. In general, based on known materials 37 species of vertebrates from the Red Book of Ukraine (2009) were noted in the delineated territory, including 4 species of amphibians, 19 - birds, 14 – mammals. Among them brown bear and lynx. There are 9 highland ice aged lakes of 17 listed in whole Ukraine Carpathians. Svydovets water balance is critical for headwaters of transboundary Upper Tysa (Tisza) catchment.

b. Violation of international environmental treaties signed by Ukraine.

In the case of the huge recreational complex “Svydovets” building, it will violate four international environmental treaties signed by Ukraine:

1. Bern Convention on the Conservation of Wildlife and Natural Habitats;
2. Framework Convention for the Protection and Sustainable Development of the Carpathians (Carpathian Convention);

<https://wilderness-society.org/international-fight-for-svydovets-continues/>

and the post is made on the Carpathian Sustainable Tourism Centers’ website:

<http://cstp.center/carpathian-convention-implementation-committee-2018/>.

3. Convention on Environmental Impact Assessment in a Transboundary Context (ESPOO Convention);

4. Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

c. Appeal to Espoo Convention.

The Espoo Convention Committee continued to consider the information it had gathered on the construction of a large tourism complex in the Svydovets mountain range in Ukraine (EIA/IC/INFO/29)², close to the border with Hungary and Romania, further to information provided by Swiss NGO Bruno Manser Fonds on 28 November 2018.

Please let us remind you, that on 3 May 2018, Hungary officially declared itself as an affected Party under the Espoo Convention. An official letter was signed by the Department of Environmental Conservation of the Ministry of Agriculture of Hungary.

The ESPOO Report also states, that the Chair should also write to Romania inviting it to contact Ukraine without delay, for the purposes of entering into discussions under article 3 (7) of the Convention, and to update the Committee by 11 November 2019 on such discussions. 72. The Committee asked its Chair to write to Ukraine informing it of the views and intended actions of Hungary and Romania. The Chair should invite Ukraine to ensure efficient cooperation with Hungary, Romania and other Parties wishing to enter into discussions with it under article 3 (7) of the Convention, including an exchange of sufficient information on the proposed activity. In his letter, the Chair should stress that, according to article 3 (1) of the Convention, the Party of origin should notify the affected Parties as early as possible and no later than when it informed its own public about the proposed activity, should a transboundary impact be determined. 73. The Committee also invited the Chair to write to Bulgaria, Czechia, Serbia and Slovakia requesting them to provide, by 11 November 2019.

For the moment no Free Svydovets, nor Bruno Manser Fonds didn't receive an update on this issue.

d. Bern convention appeal.

These days an appeal to the Bern Convention about recreational complex "Svydovets" is being prepared. The reason for that, is that there are species protected by the Bern Convention, exist on the territory of the proposed recreational complex. Besides, this territory is also included to the Emerald Network.

e. Report "Svydovets case".

The report "Svydovets case"³ was researched between June 2018 and June 2019 by the Bruno Manser Fonds (BMF), in collaboration with the European Cooperative Longo mai and the Free Svydovets Group, Ukraine. The "Svydovets case" report contains arguments, which confirm that LLC "Skorzonera" is a driving force behind the implementation of the

² The recent report is available here:

https://www.unece.org/fileadmin/DAM/env/eia/documents/ImplementationCommittee/45th_Session/Documents/1_918449E.pdf

³ Report is available here: https://freesvydovets.org/wp-content/uploads/2019/08/report_the_svydovets_case.pdf

destructive ski resort (recreational complex) project in the Ukrainian Carpathians. Meanwhile, examples from other countries show that local people and the environment do not benefit from huge ski resorts. And one of such examples is Bulgarian Pirin national park.

Recently Free Svydovets is also conducting on the investigation of illegal logging, including old-growth forests, on the territory of the proposed recreational complex.

f. Court sessions.

Lack of transparency and the mingling of public and private interests in the Svydovets project prevent a critical public debate about the planned mega recreational complex. In 2017 three members of the Lopukhovo Village in Ukraine (affected by recreational complex area) filed a lawsuit against the decision of the Tyachiv and Rakhiv District State Administrations named ‘On approval of the detailed plan of the territory of the tourist and recreational complex "Svydovets" outside the settlements Yasinya, Chorna Tysa and Lopukhovo’. Recently the Svydovets case is in cassation of Supreme court of Ukraine. The case is open but not scheduled yet.

g. Environmental Impact Assessment.

As we already informed, on March 18th, 2018 Transcarpathian Oblast State Administration started the procedure of Environmental Impact Assessment for the creation of the new mega vacation-touristic complex “Svydovets” (Registration number 2018314288)⁴. Comments and proposal for the first stage of procedure were submitted and published (including publishing in the EIA Open Register), but the EIA Report is not issued yet.

In meantime our experts are preparing the EIA report on the Recreational complex “Svydovets”. The field studies for the number of biota groups, like flora, birds, bats, amphibians/reptiles, invertebrates, vertebrates, habitat types and vegetation communities have been completed. The reports for listed biota groups are drafted. The hydrological assessment is still in progress, however demands additional funding.

h. Strategic Environmental Assessment of the Regional Strategy of Transcarpathian Oblast Development.

During the recent elaboration of the Regional Strategy of Transcarpathian Oblast Development for 2021 – 2027 years, Report on its Strategic Ecological Assessment was prepared⁵. Recreational complex “Svydovets” is considered as an Off-schedule Strategic Investment Project. Recreational complex threats to nature, as mentioned above.

i. Meeting with the Head of Transcarpathian Oblast State Administration.

In July 2019, Free Svydovets representatives had a meeting with the newly appointed Head of Transcarpathian Oblast State Administration, Bondarenko. Ukrainian Parliamentarians also joint the meeting. It was clear that Mr. Bondarenko supports the building of the Recreational complex “Svydovets” and doesn’t recognize its threats.

⁴ Registration of Ecological Impact Assessment: <http://eia.menr.gov.ua/places/view/288>

⁵ Draft report in Ukrainian is available here: https://carpathia.gov.ua/sites/default/files/imce/191018_pstr-rsr-seo.pdf.pdf

j. Working group in Transcarpathia.

In September 2019 Head of Transcarpathian Oblast State Administration announced the creation of the Working Group on Recreational complex “Svydovets”. Initiative Free Svydovets submitted a letter with the proposal to join this group. As of 06 of December the respond is not received.

k. Conservation and sustainable management of Svydovets

In its answer-letter, the former Ministry of Ecology and Natural Resources of Ukraine, issued in August, 2019, confirms the national and international value and conservational necessity of this area. The Ministry also approved the creation of the Landscape Reserve of the State importance “Central Svydovets” with the approximate area of 3,35 thousand ha. Recently Transcarpathian Oblast State Administration is dealing with this issue.

The second possible option is an accession of the Svydovets area to the Carpathian Biosphere Reserve (CBR). After the number of meetings, the CBR administration expressed support on its expansion for the Svydovets Range. During the recent CBR Scientific-Technical Council meeting, they noted in the report “as possible conservation measures in feasibility study”. Abovementioned alternative Impact Assessment Report, that is recently under finalization, will contribute to the substantiation of Svydovets area accession to the CBR.

l. Media coverage and promotional events

The website Free Svydovets <https://freesvydovets.org/en/> and its Facebook page are functioning and informing about recent related updates. The interest in the topic significantly increased from different mass media. There were a number of publications, even New York Times journalist group visited an area and wrote a broad article, called “A Disgraced Ukrainian Oligarch’s Bizarre Ski Resort Plan”⁶.

The number of visits was conducted by Ukrainian and International groups to the Svydovets mountain range, to see and discover its uniqueness and value.

On 16th of March, 2019 one of the villages of Rakhiv rayon that would be affected by the ski resort (recreational complex), called Yasinya, gathered together the international group. Ukrainian and foreign scientists and experts, as well as different level authorities and local inhabitants met. They measured the benefits and disadvantages of the presence of such recreational complex in the area. Similar cases from other countries were reviewed. Furthermore, alternative development of the region, as well as the next steps were discussed.⁷

Round table to present the report “Svydovets case” and discuss further relevant steps took place on 18th of June, 2019 in Kyiv. Scientists, parliamentarians, Ukrainian and foreign NGOs, representatives of the Ministry of Ecology and Natural Resources of Ukraine participated in the round table.

⁶ An article can be found here: <https://www.nytimes.com/2019/11/03/world/europe/ukraine-kolomoisky-zelensky-ski-resort.html>

⁷ Detailed report is here: <https://wilderness-society.org/ski-resort-or-low-impact-tourism/>

In July 2019 NGO Eloltava and Free Svydovets organized the Green Camp on Svydovets. During the camp, participants jointly explored this beautiful Carpathian area and brainstormed regarding effective public campaigns.

m. Sustainable tourism alternative development.

During last years, Initiative Group Free Svydovets and other supporters of the area putting a lot of efforts to support regional development around Svydovets. Alternative earnings and low-impact tourism strategies have been developed jointly with the local population.

Owners, supporting business and stakeholders of already existing in Rakhiv region of Transcarpathia ski resort “Drahobrat” recently joint their efforts. Their aim is to make “Drahobrat” more ecologically friendly, towards sustainable tourism development. This also includes branding, promotion, local products development and waste management. Local guides and mountain rescue groups are also supporting these initiatives.

n. Climate Change.

Unfortunately local decision-makers are still not considering seriously issue of climate change in their decisions, but regarding Recreational complex “Svydovets” the situation is critical.

The area is already suffering from climate change impacts (floods, intensive precipitation, droughts, mudflows etc.), therefore the building of the huge recreational complex and accompanying infrastructure will further influence the frequency and strength of these disasters. Besides avalanches frequency is very high on Svydovets.

With rising temperatures and shifting precipitation patterns, building a new recreational complex, offering skiing in such a low altitude is neither a sustainable nor profitable effort. Even Austrian ski resorts, mostly located in altitudes between 1500 m and 3000 m, increasingly struggle. The irregular and decreasing snowfalls make artificial snow production necessary for most ski resorts to operate. However, the high amounts of water necessary to guarantee operational resorts all winter often lead to empty water reservoirs already in January. As a result local water shortages needed more often. Soil compaction causing erosion and a change of vegetation are other consequences of the preparation of slopes.

o. Resolution.

Considering all abovementioned we would like to stress the international importance of the monitoring on Recreational complex “Svydovets” development, as it concerns not only Ukraine but also other, especially Carpathian Countries.

We are sorry for not able to submit this Appeal before the 20th of November, as it was announced according to procedures of Carpathian Convention. But considering the importance of this issue we would like to ask you kindly to consider it during the 10th meeting of the Carpathian Convention Implementation Committee, inform relevant parties and undertake other relevant steps.

We also would like to ask the Secretariat of the Carpathian Convention and its Parties to consider and communicate an issue of Svydovets threats and to:

- Consult Ukraine on non-admission of further violence of the Carpathian Convention Protocols;

- Cooperate with other related international environmental treaties (e.g. ESPOO Convention, Bern Convention);
- Develop recommendations about conditions of ski resorts or recreational complexes building in the Carpathians in accordance with the Protocols of Carpathian Convention;
- Consider an issue of recreational complex “Svydovets” building on coming Carpathian Convention Working Groups meetings, as it has relevance to the number of these Working Groups (Climate Change, Biodiversity, Forest Management, Sustainable Tourism, Sustainable Agriculture and Rural Development);
- Support, initiate and advice alternative to huge recreational complex sustainable regional development projects in the region;
- Support the initiative to initiate the process of drafting the Sustainable Energy Protocol to the Framework Convention for the Protection and Sustainable Development of the Carpathians

We would be grateful to receive your written answer to this Appeal as well as place this Appeal among working documents of the CCIC meeting.

For further information please contact us: +380673201969 or free.svydovets@gmail.com

Kind regards,
Initiative group FREE Svydovets