

Biodiversity in the rear of Ukraine

What has changed in nature protection in 2022-23?

Ukrainian Nature Conservation Group (UNCG)
uncg.org.ua uncg.ua@gmail.com

Text: Yehor Hrynyk, Kateryna Harbarchuk, Petro Tiestov

Layout: Maksym Shamin

Images: Ukrainian Nature Conservation Group (UNCG)

Published: November 2023, available in Ukrainian and English

Summary

Few people have not heard about how Russia's full-scale invasion of Ukraine is leading to the destruction of nature. Thousands of hectares of destroyed forests and steppes, the drained Kakhovka Reservoir, massive deaths of domestic and wild animals - the footage of these environmental crimes has spread around the world.

However, the impact of the war on Ukraine's biodiversity goes far beyond the regions where the fighting is taking place. The country's economic decline, mass emigration, and numerous other factors caused by the war are affecting Ukraine's nature hundreds of kilometers away from the front line.

For example, problems with budget revenues have forced Ukraine's leadership to seriously consider increasing wood harvesting. In 2022-23, the government initiated numerous legislative changes aimed at removing environmental restrictions on logging. Some of these attempts were successful, while others were put on hold due to public opposition or are currently under review.

In addition, most of the state forests have been taken over by the state enterprise "Forests of Ukraine", which explicitly declares its intention to significantly increase wood harvesting and is taking many practical steps to do so. In particular, it is actively building new forest roads to cut down previously inaccessible old-growth forests.

The search for new budget revenues forced the government to revise legislation that limited deforestation. As a result, in 2022-23, it became easier to convert forests into land for construction, agriculture, or various infrastructure projects.

The situation is similar with the preservation of grasslands. Large areas of agricultural land in Ukraine are mined or occupied. Therefore, the state is looking for opportunities to compensate for these losses by converting steppes and meadows into arable land, thus destroying the remnants of unique natural ecosystems. This happens both at the level of legislation and at the level of management decisions in local communities.

The full-scale Russian invasion has also affected protected areas, both existing and planned for creation. Existing protected areas, which have historically suffered from a lack of funding, have faced an even more difficult financial situation. The situation has also worsened due to the mobilization of many protected area employees into the Ukrainian Defense Forces.

The creation of new protected areas, which was not very active in the pre-war years, has become even more problematic due to a lack of political will in the highest levels of government. In 2022, about 50,000 hectares of land were granted protected status, just 0.085% of Ukraine's land area. As a result, the share of protected areas in Ukraine remains critically low - only about 7%.

The full-scale Russian invasion also had a negative impact on the environmental civic movement. On the one hand, many environmental activists were forced to emigrate or joined the ranks of the Defense Forces. On the other hand, the state restricted or closed access to many of the tools necessary for the work of the public sector.

In particular, since 2022, public access to the environmental impact assessment (EIA) procedure has been significantly limited. As a result, the procedure has finally turned into a formality and does not fulfill its objectives. Access to many other resources or documents, such as forest maps, cadastral maps, results of environmental inspections, etc., is closed or limited. In many areas - even those far from the front line - visits to forests are prohibited. Most of these restrictions have nothing to do with security issues during the war.

Monitoring compliance with environmental legislation also remains problematic. The State Environmental Inspectorate is virtually paralyzed, both due to its own shortcomings and the position of the relevant ministry. As a result, large-scale violations, such as illegal logging (including illegal logging "with documents") or illegal plowing, remain extremely common, and illegal timber from Ukraine continues to be exported to the EU.

Therefore, a full-scale Russian invasion jeopardizes large areas of wilderness - old-growth forests, steppes, meadows, undisturbed wetlands - in Ukraine's deep rear.

Without environmental safeguards - numerous environmental reforms (including the ones related to the European integration), the creation of new protected areas, and access to environmental information - Ukraine's recovery during and after the war will be "green" only on paper. Unfortunately, we do not currently observe the political will to actually protect Ukraine's biodiversity. Changing this situation requires coordinated work of all stakeholders, including Ukraine's partner countries.

And most importantly, all the problems described above have been exacerbated by Russia's full-scale aggression against Ukraine in 2022. The sooner Ukraine is able to restore peace on conditions that will exclude any future aggression by Russia, the sooner it will be able to fully focus on the conservation and restoration of Ukraine's wild nature.

Therefore, paradoxically, military and economic support for Ukraine is to some extent a priority environmental measure.

Table of contents

1. Introduction

2. Forests

2.1. Forest degradation

2.2. Deforestation

3. Grasslands (steppes, meadows)

3.1. Prerequisites for grassland degradation

3.2. Legislative changes in the management of grasslands

4. Protected areas and the Emerald Network

4.1. Protected areas

4.2. Emerald Network

5. Environmental civic movement

5.1. The environmental movement during the war

5.2. Environmental impact assessment

6. Other issues

6.1. State environmental control

6.2. Biodiversity monitoring

7. What will happen next? Prospects for wildlife in the coming years

1. Introduction

On February 24, 2022, with the beginning of the full-scale Russian invasion, the state of affairs in Ukraine changed radically in many areas. Biodiversity protection is no exception. Over the past year and a half, hundreds of media outlets have covered how forests, rivers, or steppes are being destroyed or damaged in the course of the fighting. Few people have not seen photos of trees mangled by explosions or the bottom of the drained Kakhovka reservoir.

However, there is another, lesser-known side to the problem. The Russian invasion also affects the biodiversity of Ukraine's "rear" regions. The economic decline and loss of territory caused by the war have significantly changed the way Ukraine uses natural resources. In some places, the consequences of these changes are already evident, while in others, changes are only emerging. **The impact of the war on nature goes far beyond the territories where the fighting is taking place.**

In this text, we will try to briefly describe some of the key changes and trends in the protection of Ukraine's "rear" biodiversity since the beginning of the full-scale Russian invasion in 2022. Understanding these trends is important for both a truly Green Recovery of Ukraine and for Ukraine's successful accession to the European Union.

We deliberately do not cover the problems of nature protection near the front line and in the occupied or de-occupied territories. On the one hand, a lot has been written about this issue, but on the other hand, there is no reliable data on the direct impact of hostilities on nature.

In addition, even before the full-scale invasion, there was little objective information about biodiversity protection in Ukraine. The situation has become even worse: over the past year and a half, the public has lost access to many previously public data on the processes behind the scenes. Therefore, many of the conclusions in this text are based on indirect evidence and generalizations. Unfortunately, we do not have better data yet.

And finally, the Russian invasion is destroying nature. Both on the front line and far beyond it. Paradoxically, the elimination of any military threat from Russia is now perhaps the highest priority environmental protection measure.

2. Forests

2.1. Forest degradation

Officially, forests cover about 16% of Ukraine's territory. They are unevenly distributed: the most forested regions are the "rear" regions - the swampy Polissya region in the north, on the border with Belarus, and the mountainous western part of the country - the Ukrainian Carpathians. 87% of Ukraine's forests are state-owned, and about 13% are communal. There are almost no private forests¹.

As elsewhere, the forestry industry in Ukraine actively uses forests for timber harvesting. In the pre-war years, the annual volume of harvesting was about 17-20 million cubic meters².

The forestry industry also harvests a significant share of timber illegally, some of which is not included in official statistics. According to some estimates, the volume of illegal and unrecorded timber can be measured in millions of cubic meters, and the lion's share of it is exported to the European Union³. Illegal logging "with documents" is also extremely common, such as illegal sanitary felling of healthy trees.

From an environmental point of view, a major problem in the protection of Ukraine's forests was unsustainable timber harvesting (both legal and illegal), which led to the degradation of forest biodiversity. The state's priority was harvesting rather than supporting other, equally important, ecosystem services of forests⁴. Therefore, the following practices were widespread:

- Conducting clearcutting (in 2021, almost half of the timber was harvested by clearcutting, which is the most harmful for forest biodiversity).
- Converting natural forests into plantations.
- Destruction of old-growth forests.
- Damage to rivers and streams during timber harvesting in the mountains.
- Destruction of habitats of rare species.
- Planting alien invasive trees in forests, etc.

Since February 2022, the situation with forest biodiversity protection has been changing, mostly for the worse. Due to the economic crisis caused by the Russian invasion, the state is looking for new sources of revenue. That is why, back in 2022, both the newly appointed Minister of Environmental Protection Ruslan Strilets and the then head of the State Agency of Forest Resources Yuriy Bolokhovets announced their intention to increase the volume of logging in the forests⁵. The increase in logging is justified not only by additional budget revenues, but also by the need to use firewood as fuel during the energy crisis.

In 2022, logging volumes did not change significantly. Officially, the forestry industry harvested about 16 million m³ of wood, which is slightly less than the pre-war figures. However, this does not mean that government agencies are not preparing the ground for an increase in logging. This is happening both at the level of legislation and at the level of the forest management system.

¹Report of the Head of the State Agency of Forest Resources of Ukraine for 2022 (https://forest.gov.ua/storage/app/sites/8/public_zvit/publicnii-zvit-za-2022.pdf)

²Data from the State Statistics Service of Ukraine (<https://ukrstat.gov.ua/>)

³Hrynyk, Yehor, Andrii Biletskyi, and Amanda Cabrejo le Roux. 2023. 'How corruption threatens the forests of Ukraine: Typology and case studies on corruption and illegal logging.' Working Paper 43 / Environmental Corruption Deep Dive Series, Basel Institute on Governance. Available at: baselgovernance.org/publications/deepdive1-ukraine

⁴Free Svydovets Group, 2021. "Trees cannot scream. How unsustainability and illegality are destroying the forests of the Ukrainian Carpathians". Available in English and Ukrainian at https://freesvydovets.org/en/#flipbook-df_2047/1/

⁵<https://www.facebook.com/ruslan.strelets/posts/3317803768532727>
<https://www.epravda.com.ua/columns/2022/07/25/689559/>

2.1.1. Legislative changes regarding forests

Back in March 2022, less than a month after the start of the great war, the Parliament of Ukraine abolished the "silence season" - a ban on logging in certain forests during the wildlife breeding season from April 1 to June 15 - without any public discussion. The reasoning for the abolition was "ensuring the defense of the state," but such arguments do not stand up to any criticism, as the silence season was canceled throughout Ukraine, not just in forests near the front line or the border⁶.

In April 2022, the State Agency of Forest Resources of Ukraine (SAFR) planned to simplify many types of logging, including sanitary logging, by lifting most environmental restrictions on such logging⁷. However, due to the active opposition of environmental NGOs, the draft resolution was left without consideration.

In July 2022, at the Ukraine Recovery Conference in Lugano, Switzerland, the Ukrainian government presented a plan for the "recovery" of Ukraine during and after the war. The event was aimed at finding potential investors for various projects in Ukraine. Regarding forests, the Ukrainian government presented such plans as the purchase of logging equipment, "renewal" (i.e., felling) of old forests, etc.⁸. There is no publicly available information on the practical implications of the presentation of such projects at the conference.

However, the most serious legislative changes are being prepared for 2023. In March, the SAFR published a draft of large-scale changes to the legislation governing logging⁹. The document provides for the removal or weakening of many environmental requirements for logging, which will create the basis for a significant increase in timber harvesting¹⁰.

Environmental NGOs opposed the adoption of the document in the SAFR's version. As of October 2023, the document was withdrawn due to active public opposition. However, in September, the SAFR published a new draft amendment to the logging legislation with fewer negative provisions for biodiversity, although still unacceptable¹¹.

Another initiative was the draft law No. 9516, registered in the Parliament at the end of July 2023¹². Its main goal is to abolish the environmental impact assessment (EIA) procedure for clear-cutting, which will significantly increase the volume of such logging. The draft law also provides for the loss of the Ministry of Environment's authority to approve forest management plans. As of the date of publication, the draft law is being prepared for consideration at a meeting of the relevant committee in the Parliament.

According to environmental NGOs, including the authors of this text, an increase in logging will lead to a proportional increase in the negative impact of timber harvesting on biodiversity. That is why it is extremely risky to increase logging volumes without legislative changes - the introduction of forest protection safeguards.

During 2022-23, there were some positive legislative changes, but they do not apply to timber harvesting. In particular, by amending the Rules of Forest Reproduction, the Cabinet of Ministers finally banned the planting of trees in steppes, meadows and swamps, a practice that has been widespread in Ukraine since the Soviet Union¹³.

2.1.1. Legislative changes regarding forests

In addition, in 2023, the Ministry of Environment banned the planting of 13 invasive alien tree species in forests, including *Robinia pseudoacacia*, *Quercus rubra*, *Gleditsia triacanthos* and other species¹⁴. This decision was more than timely, as the above-mentioned invasive trees have been widely used by forest industry and have massively penetrated various forest and grassland ecosystems.

However, the positive impact of the ban on planting alien invasive trees was not long-lasting. Already in October 2023, the Ministry of Ecology canceled the list of invasive trees at the request of the State Regulatory Service, allegedly due to violations of the regulations. Most likely, this was due to serious pressure from higher authorities, as the Ministry did not even take the opportunity to appeal the request in accordance with the procedure provided for by law.



Logging machinery destroys a stream in the Carpathian mountains

⁶The card of the draft law No. 7144 of 13.03.2022 is available at http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=73892

⁷Draft Resolution of the Cabinet of Ministers of Ukraine "On some issues of logging in the forests of Ukraine and forest inventory under martial law"

(<https://forest.gov.ua/regulyatorna-diyalnist/proekti-regulyatornih-aktiv/21042022-povidomlennya-pro-oprilyudnennya-proyektu-postanovi-kabinetu-ministriv-ukrayini-pro-deyaki-pitannya-provedennya-rubok-v-lisah-ukrayini-ta-inventarizaciyi-lisiv-v-umovah-voyenno-go-stanu>)

⁸The review is available at

<https://uncg.org.ua/luhanskyj-sorom-mindovkillia-zaplanuvalo-nyshchyty-pryrodu-pid-vyhliadom-ii-vidnovlennia/>. Unfortunately, the materials published by the government after the Lugano conference are no longer available online or have been changed.

⁹The draft resolution of the Cabinet of Ministers of Ukraine "Some issues of logging in the forests of Ukraine" is available at

<https://forest.gov.ua/regulyatorna-diyalnist/proekti-regulyatornih-aktiv/23032023-povidomlennia-pro-opryliudnennia-proiektu-posta-novy-kabinetu-ministriv-ukrainy-deiaki-pytannia-zdiisnennia-rubok-v-lisakh-ukrainy>

¹⁰<https://life.pravda.com.ua/columns/2023/06/28/255102/>

¹¹Draft Resolution of the Cabinet of Ministers of Ukraine "Some Issues of Close-to-Nature Forestry and Felling under Martial Law",

<https://forest.gov.ua/regulyatorna-diyalnist/proekti-regulyatornih-aktiv/11092023-povidomlennia-pro-opryliudnennia-proiektu-postanovy-kabinetu-ministriv-ukrainy-deiaki-pytannia-nablyzhenoho-do-pryrody-vedennia-lisovoho-hospodarstva-ta-provedennia-rubok-v-u-movakh-voiennoho-stanu>

¹²The card of the draft law No. 9516 of 20.07.2023 is available at <https://itd.rada.gov.ua/billInfo/Bills/Card/42333>

¹³Rules for forest reproduction as amended in December 2022 (<https://zakon.rada.gov.ua/laws/show/303-2007-%D0%BF#Text>)

¹⁴List of invasive tree species with a significant ability to spread uncontrollably, prohibited for use in the process of forest reproduction (<https://zakon.rada.gov.ua/laws/show/z0641-23#Text>)

2.1.2. Management changes in forests

In 2023, another management change took place. By this time, 73% of Ukrainian forests were under the coordination of the SAFR and directly managed by more than 150 state forestry enterprises (SFEs).

However, in early 2023, contrary to the State Forest Management Strategy of Ukraine until 2035, most state forestry enterprises were merged into a single state enterprise "Forests of Ukraine". The purpose of this merger, as declared by the authorities, is to increase the efficiency of forest management in Ukraine.

In practice, the public communication of the State Enterprise "Forests of Ukraine" indicates the "economic" priority of the new enterprise and neglect of the ecological role of forests. The management of the enterprise declares its intentions to "renew" forests, build large-scale new forest roads to cut down previously inaccessible forests, etc.¹⁵. In fact, such a management reform has become another prerequisite for further increasing the volume of logging in Ukraine.

It is important that in the 9 months of operation of the State Enterprise "Forests of Ukraine" (the first three quarters of 2023), unsustainable forestry practices, as well as illegal logging in violation of environmental legislation, have not disappeared and, in our subjective opinion, have not even decreased. We are talking about both illegal logging without permits and illegal logging "with documents." **Wood from Ukraine continues to be largely unsustainable and often illegal.**

For example, in 2022, before the creation of the State Enterprise "Forests of Ukraine", about 44% of Ukraine's timber was harvested by clearcutting. In the first half of 2023, this figure increased to almost 50%¹⁶.

Another example is protected areas, which are one of the most effective tools for protecting forest biodiversity. According to official statistics, about 17% of Ukraine's forests were under some sort of protection in 2022.

Until 2023, the creation of new protected areas in forests was difficult, though not impossible due to opposition from foresters. With the creation of the State Enterprise "Forests of Ukraine", the situation has deteriorated significantly. In nine months - from November to July 2023 - the company agreed to reserve no more than 700 hectares of forests - out of more than 36 thousand hectares proposed for protection during this period. That is, in 9 months, about 0.007% of Ukraine's forests received protected status!

The transparency and digitalization declared by the State Enterprise "Forests of Ukraine" also remains mostly declarative. Field research by the authors of this text shows that illegal logging "with documents" remains extremely common. In many cases, representatives of the SE "Forests of Ukraine" unreasonably deny access to documents and information.

Moreover, in 2023, the Ukrainian government adopted a resolution on the digitalization of logging permits, claiming that such changes would add transparency to the forestry industry¹⁷. However, such statements are far from the truth: all proposals of environmental NGOs to the content of the document were rejected.

As a result, the public is still unable to track the movement of wood from the place of logging to the place of processing and export - the forest industry remains relatively opaque. Moreover, without access to forest maps, even publicly available documents are meaningless - the public cannot determine where logging has taken or will take place.

¹⁵<https://e-forest.gov.ua/kozhen-kilometr-novoi-lisovoi-dorohy-zabezpechuie-ponad-1-mln-hrn-nadkhodzen-do-biudzhetu-shchoroku/>

¹⁶Consolidated data from the electronic register of logging tickets on the portal of the LIAC (<https://stat.ukrforest.com/pages/forest-ticket>). The figures above take into account harvesting throughout Ukraine, including forests outside the management of the SE "Forests of Ukraine", but the data remain representative, as the SE "Forests of Ukraine" has the largest share of timber harvesting among all forest users

¹⁷Resolution of the Cabinet of Ministers of Ukraine of May 12, 2023 No. 483 "On the Implementation of a Pilot Project on the Issuance of a Special Permit for the Special Use of Forest Resources (Logging Ticket) and a Certificate of Origin of Timber and Timber Products Made from It in Electronic Form" (<https://zakon.rada.gov.ua/laws/show/483-2023-%D0%BF#Text>)

2.1.2. Management changes in forests

Another problem is the ban on visiting forests, which is also introduced in those forests that are located at a considerable distance from the border and the combat zone. At the same time, de facto foresters have no objections to the presence of mushroom pickers or tourists in the forest, but consider scientific research in these areas to be illegal, which leads, among other things, to the lack of approval for the creation of protected areas for biodiversity conservation.

Thus, one of the key challenges in the protection of forest biodiversity as of 2023 is the planned increase in logging caused by the full-scale Russian invasion. This will result in a proportional increase in the negative impact on forest biodiversity and other forest ecosystem services, as well as an increase in illegal logging.

What are the solutions? Increasing the volume of logging and even maintaining it at the level of 2022 is impossible without introducing effective safeguards to protect biodiversity. They should include:

- Radical increase in the area of protected forests (to at least 10% of forests under strict protection), primarily at the expense of forests older than 100 years and habitats of rare species.
- Introduce legislative restrictions on logging in the most vulnerable forests (riparian, wetland, highland, isolated etc.).
- Introduce legislative restrictions on clear and shelterwood felling.
- Moratorium on the construction of new forest roads in the Carpathian Mountains, etc.



Sanitary clearcut in the Carpathians

2.1.2. Deforestation

Another significant problem in the protection of Ukraine's forests is deforestation - the conversion of forests into non-forest land. This problem has two main dimensions. First, deforestation affects those forests that officially have forest status (declared as “forests” in the land documentation).

Prior to the full-scale invasion, it was common practice to illegally provide forests for construction without the necessary approvals from the authorities. This practice often occurred during management changes, such as changes in forest ownership, when it was necessary to update forestry and land documents - it is much easier to "lose" certain forest plots when updating documents.

It is currently impossible to estimate the extent of illegal deforestation for construction before the full-scale Russian invasion. However, a significant management change in 2023 - the merger of more than 150 state forestry enterprises into one enterprise, the State Enterprise "Forests of Ukraine" (see above) - is likely to lead to an increase in negative trends. During the re-registration of land documentation for the SE "Forests of Ukraine", some forest plots may simply be "lost" and not transferred to the newly created enterprise.

Another problem with officially recognized forests is their legal destruction for infrastructure projects. Before Russia's full-scale invasion, this practice took place throughout Ukraine. It was fueled by the fact that it was much easier to allocate land for a project if the project was planned in forests.

For example, the project of a new ring road around Kyiv envisaged construction of the road mostly through forest, although there was an alternative possibility to build the road on private and communal agricultural land. However, in this case, it was necessary to obtain numerous approvals from many land users instead of just one approval for building a road through the forest¹⁸. Obviously, the priority was given to the less environmentally friendly but simpler alternative.



Self-sown forest which will be destroyed in order to build a solar power plant

¹⁸<https://uncg.org.ua/budivnytstva-dorohy-sumnivnoi-neobkhdnosti/>

2.1.2. Deforestation

Russia's full-scale invasion has greatly exacerbated this problem. The destruction of Ukrainian infrastructure by Russia and the huge state budget deficit are forcing the authorities to facilitate deforestation. Therefore, since February 2022, the Ukrainian parliament has adopted a number of legislative changes, including:

- Abolishment of the need for an environmental impact assessment for projects that involve the restoration of infrastructure damaged during hostilities¹⁹. The authorities have not established any more detailed criteria for such projects, so virtually any project - including one involving deforestation - can now be implemented without an environmental impact assessment at the discretion of the authorities.
- Simplification of the conversion of forests into land for the construction of technical and electronic communications facilities²⁰.
- Exemption of large investment projects from paying compensation for deforestation to the budget, thus making such projects more profitable²¹.

Important changes have also occurred with unaccounted for forests in Ukraine. According to various estimates, up to 500,000 hectares of forests in Ukraine do not have the legal status of forests and are not protected by the state. The lion's share of them are so-called "self-sown forests", i.e. naturally afforested agricultural lands²².

Until 2022, the preservation of self-sown forests, which are important for biodiversity conservation and climate change prevention, was not widely supported by the authorities. However, as a result of active campaigns by environmental NGOs, in 2022, the parliament passed draft law No. 5650, which introduced the term "self-sown forests" into the legislation and provided legal mechanisms for their protection²³.

As a result, over the past year and a half, several thousand hectares of self-sown forests have already received the official status of "forest" and are now under state protection. Nevertheless, the legislation for the preservation of such forests remains far from ideal. There are still no financial and legal mechanisms that would make the protection of small-scale self-sown forests profitable for private and municipal land users (as an alternative to deforestation for further agriculture)²⁴.

The main threat to self-sown forests is their uprooting and subsequent conversion to arable land. In the context of a full-scale Russian invasion, the destruction of self-sown forests can only get worse: the Ukrainian authorities have stated their intention to use more agricultural land in the "rear" regions as compensation for the large areas of agricultural land that cannot be used due to occupation, pollution or mining .

Currently, there is no reliable data on the scale of deforestation - there is no state accounting of forests, especially those that do not have official forest status. However, it is most likely that we are talking about the loss of thousands of hectares of forests annually. This is especially cynical given that during the war, Ukraine continues to operate the state program "Green Country", which aims to create new forests.

Thus, the second key problem in the context of a full-scale war is deforestation, which may be exacerbated by problems in the agricultural and energy sectors, as well as by the risks of losing forests when land is transferred to the newly created State Enterprise "Forests of Ukraine". The ways to solve this problem may be as follows:

- Proper inventory of unaccounted for forests and their subsequent transfer to forest users.
- Simplification of forest management in self-sown forests by private and municipal landowners.
- Introduce an environmental impact assessment for any project involving deforestation.

¹⁹The Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Environmental Activities and Civil Protection for the Period of Martial Law and the Reconstruction Period" of 15.03.2022

²⁰The Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on Ensuring Conditions for the Restoration and Development of Electronic Communication Networks" of 16.08.2022

²¹Draft Law No. 8138 of 19.10.2022, which provides for the exemption of large investment projects from forestry production losses

²²Ecology-Law-Human, 2020. "Unrecorded forests of Ukraine. Analytical note".
<http://epl.org.ua/eco-analytics/neoblikovani-lisy-ukrayiny-analitychna-zapyska/>

²³Draft Law No.5650 "On Amendments to Certain Legislative Acts on Forest Conservation"
(https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=72200)

²⁴For more information, please visit <https://uncg.org.ua/chy-takij-klasnyj-zakon-5650-iak-pro-noho-pyshut/>

²⁵<https://recovery.gov.ua/project/program/grow-value-adding-sectors-of-economy?page=3>

3. Grasslands (steppes, meadows)

3.1. Prerequisites for grassland degradation

More than 70% of Ukraine's territory - the central, eastern and southern parts of the country - belongs to the steppe and forest-steppe natural zones. Historically, grassy natural ecosystems - grasslands, mainly steppes and, in wetter areas, meadows – were widespread in the area.

Ukrainian grasslands are crucial for biodiversity conservation and climate change prevention. A hectare of grassland absorbs up to 3 tons of CO² per year²⁶. About 30% of all species listed in the Red List of Ukraine are found in the steppes. There are many other ecosystem services provided by grasslands²⁷.

In the 19th and 20th centuries, most of Ukraine's grasslands were plowed and used for agricultural purposes. An accurate inventory of steppes and meadows in Ukraine has never been carried out, but according to some estimates, no more than 3% of the historical steppe area remains uncultivated. They have mostly been preserved in places inconvenient for plowing (for example, in landscape depressions) and in protected areas.

Agriculture has been and remains the main reason for the disappearance of Ukrainian grasslands. According to official statistics, about 70% of Ukraine's territory is agricultural land (arable land, pastures, hayfields), of which over 80% is arable. Ukraine is among the top 3 countries with the highest plowed area, and every year the amount of arable land is increasing. This is mainly due to the destruction of the remnants of grasslands.

Until the full-scale Russian invasion in 2022, the state did not pay enough attention to the preservation of grasslands. Most of them were not part of protected areas, so they could be legally or semi-legally plowed. The existing legal restrictions on plowing (e.g., coastal protection zones) were poorly formulated and usually not enforced in practice.

The destruction of grasslands (as well as self-sown forests) was facilitated by the land reform that lasted until 2021. It resulted in the transfer of state agricultural and reserve lands to communities. As a rule, these were also the remnants of Ukrainian grasslands.

After receiving land in their ownership, most communities began to lease it. Naturally, this has become the main source of revenue for local budgets. And since traditional livestock farming with grazing has almost collapsed in Ukraine, grasslands are usually leased for conversion to arable land.



Steppe in Dnipropetrovsk region

²⁶https://ec.europa.eu/eip/agriculture/sites/default/files/fg_grazing_for_carbon_starting_paper_final.pdf

²⁷A description of some of the ecosystem services is available at https://uncg.org.ua/wp-content/uploads/2020/09/EcoPoslugy_web_new.pdf

3.1. Prerequisites for grassland degradation

The existing mechanisms of state control over land protection are ineffective. Even the few restrictions on plowing of grasslands that exist in the legislation are regularly violated. There are widespread cases of plowing up riparian protection strips, floodplains of small rivers, plowing on steep slopes, plowing up protected grasslands, etc. Offending farmers are only rarely brought to justice.

Given the tiny area of uncultivated grasslands, it is important to plan for the restoration of areas disturbed by plowing in addition to preserving existing biodiversity hotspots. At the European Union level, the EU Biodiversity Strategy 2030 was adopted, with the goal of returning at least 10% of arable land to the grassland it originally was²⁸.

In 2002, Ukraine adopted the Order "On the Procedure for the Conservation of Depleted Agricultural Land," but this document was advisory for local governments, so no conservation was actually carried out. In 2013, the Order was canceled altogether²⁹.

As of the beginning of 2022, there were no tools in the legislation that would force landowners to conserve degraded and unproductive land, especially with the subsequent restoration of grasslands. In January 2022, the Resolution "On Approval of the Procedure for Land Conservation" was adopted, but the decision to conserve land is again left to the owners or users of the land³⁰.

Another serious problem is unreliable land documentation. Grasslands are often listed as "arable land" in land documentation. Unfortunately, government agencies do not keep an open register of land types, so the public does not know how many grasslands have received the official status of "steppe" during land management.

Numerous small rivers in Ukraine are also partially or completely unrecorded in land documentation and the Water Cadastre, so no riparian protection strips are allocated around such rivers. As a result, riparian meadows or unaccounted forests are often not legally protected from plowing and other destructive activities.

Land managers also often ignore the existence of restrictions on plowing land, such as riparian protection strips, and such restrictions as steep slopes or small river floodplains are not listed in the list of restrictions on use. Therefore, even the introduction of legislative restrictions on plowing up grasslands does not prevent it from being plowed up, and government agencies (including the State Cadastre Service) are not working to solve this problem³¹.



Steppe in Mykolaiv region

²⁸EU Biodiversity Strategy for 2030: Bringing nature back into our lives
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0380>

²⁹<https://zakon.rada.gov.ua/laws/show/z0117-03#Text>

³⁰Resolution No. 35 of 19.01.2022 "On Approval of the Procedure for Land Conservation"
<https://zakon.rada.gov.ua/laws/show/35-2022-%D0%BF#Text>

³¹Resolution of the Cabinet of Ministers of Ukraine No. 1051 dated 17.10.2012 "On Approval of the Procedure for Maintaining the State Land Cadastre (Annexes 2-63 to the Procedure)" <https://zakon.rada.gov.ua/laws/show/1051%D0%B1-2012-%D0%BF#Text>

3.2. Legislative changes in the management of grasslands

It is not easy to assess the impact of a full-scale Russian invasion in 2022 on the preservation of grasslands. State statistics and records of agricultural land are inaccurate and do not allow for any reliable assessment of the dynamics of grassland destruction.

General trends are problematic. On the one hand, about 1/3 of Ukraine's agricultural land is currently occupied, on the front line, mined or contaminated with explosives. Together with the difficult economic situation, this forces the state to expand the use of agricultural land in the "rear" regions of Ukraine.

For example, at the Ukraine Recovery Conference in Lugano (Switzerland) in 2022, one of the projects presented by the Ukrainian authorities was the "return of agricultural land to economic circulation" - that is, even more active plowing of grasslands to compensate for the economic losses caused by the Russian invasion³².

Even earlier, in March 2022, a law was passed that allegedly allowed vacant communal land plots to be leased for a one-year period under a simplified procedure, without the development of land documentation, in order to ensure food security³³. Given that the vacant plots are mostly grasslands or unaccounted forests, this means their further destruction.

On the other hand, this process may be counterbalanced by a decrease in demand for agricultural products from Ukraine due to limited export opportunities. It is currently impossible to objectively assess such impacts.

Among the negative trends in the preservation of grasslands in 2022-2023 was the adoption by the Cabinet of Ministers of a resolution imposing a partial moratorium on business inspections under martial law. As a result, in 2022, the State Environmental Inspectorate and the State Cadastre Service stopped monitoring compliance with land and environmental legislation. At the end of 2022, these regulations were amended again, but there is still no adequate control over compliance with the law³⁴.

Also, in May 2022, a provision came into force allowing local communities to make decisions on controlling the use and protection of land. This looks like a good managerial change, as the land manager will be responsible for its preservation and proper use, and will be held liable in case of violations³⁵. However, not many communities have yet made the decision to control.

In 2022-2023, the government repeatedly tried to amend the legislation to simplify development projects (draft laws No. 8178, No. 8178-1, No. 9466, No. 9627). The point of the changes is to allow agricultural land to be converted into residential or industrial land without restrictions. Fortunately, none of these draft laws has been adopted yet.

However, there were some changes in land issues in 2023. In particular, the government approved the draft law No. 7588, which provides for the abolition of the right of permanent use of state-owned agricultural land. Instead, the right of lease is introduced for such land, which can be sold at land auctions and fill local budgets³⁶. Similarly, such changes may extend the transformation of grasslands into arable land.

There have been some positive changes. The adoption of the draft law No. 5650 (Law 2321-IX) allowed to restrict the plowing of some grasslands, but the effect of the law is extremely limited and applies only to a small part of grasslands on state or communal lands that are lucky enough to be listed in the documents as "pastures" or "hayfields". It should be reminded that most of the grasslands are listed as "arable land" in land documentation, meaning that legally these grasslands do not exist at all, nor do restrictions on their destruction.

³²<https://recovery.gov.ua/project/program/grow-value-adding-sectors-of-economy?page=3>

³³Law of Ukraine No. 2145-IX "On Amendments to Certain Legislative Acts of Ukraine on Creating Conditions for Ensuring Food Security under Martial Law" <https://zakon.rada.gov.ua/laws/show/2145-20#n6>

³⁴CMU Resolution No. 303 of 13.03.2022 "On Termination of State Supervision (Control) and State Market Supervision Measures under Martial Law" <https://zakon.rada.gov.ua/laws/show/303-2022-%D0%BF#Text>

³⁵Law of Ukraine "On State Control over Land Use and Protection" <https://zakon.rada.gov.ua/laws/show/963-15#Text>

³⁶The card of the draft law 7588 of 25.07.2022 is available at <https://itd.rada.gov.ua/billInfo/Bills/Card/40111>

3.2. Legislative changes in the management of grasslands

In summary, the full-scale Russian invasion has likely accelerated the destruction of Ukraine's remaining grasslands. Their preservation requires the following steps:

- Inventory of grasslands and their subsequent reflection in land documentation.
- Establishing a legal ban on plowing up any grassland, regardless of ownership.
- Introduce effective state control over the preservation of grasslands.
- Significant expansion of the area of protected grasslands.
- To oblige owners and managers of degraded, low-productive lands and lands used in violation of the law to conserve them and restore to the state of grasslands.
- Resume inspections of the State Environmental Inspectorate and the State Cadastre Service during martial law.



Erosion due to plowing of slopes in Lviv region

4. Protected areas and the Emerald Network

4.1. Protected areas

In Ukraine, there are seven different categories of protected areas designed for nature conservation. These are various nature or biosphere reserves, national parks, wildlife sanctuaries, etc. The total area of protected areas in Ukraine is about 7% of the country's territory³⁷.

State strategic documents set a goal to increase the area of protected areas in Ukraine to 15% of the country's area³⁸. However, in practice, this goal is unrealistic, as the creation of new protected areas is extremely slow.

In 2022, only 51,000 hectares were protected in Ukraine, which is 0.01% of the country's total area³⁹. As in other countries, the creation of protected areas is possible only with the consent of landowners and land users. It is extremely difficult to obtain such consent.

Even for state-owned lands, such as forests, the creation of new protected areas is almost non-existent due to the lack of political will of the state leadership, as the Russian invasion has obviously changed state priorities.

Given all the threats to forests, grasslands, and wetlands described above that the Russian invasion poses, it can be expected that most areas of valuable wildlife will not wait for protected status.

A vivid example of the situation is the “Black Forest”, one of the most valuable forest areas in Central Ukraine, where the creation of a national park has not been taking place for decades. As a result, most of the old-growth forests of the “Black Forest” have already been lost.

Another example is one of the most valuable mountain ranges in the Ukrainian Carpathians, Svydovets. Despite significant threats from forestry and plans to build a mega ski resort, protection of the area has been in limbo for years.

In addition to the problems with the creation of new protected areas, the war has caused numerous problems for existing protected areas (note that this text does not address the catastrophic problems for protected areas in the occupied territories or near the front line).

The main one is the problem of financing. Even before the full-scale invasion, Ukraine's protected areas were characterized by underfunding, which directly affected the quality of their work. Many national parks and reserves had almost no qualified personnel to ensure effective conservation of protected nature. The lack of equipment and transportation was also a problem.

In 2022-23, the state did not cut spending on protected areas. However, inflation - 26.6% in 2022 - reduced the real income of protected areas⁴⁰. For example, in 2023, the average salary of employees in protected areas was less than 9 thousand hryvnias (about 222 euros) per month, which is obviously uncompetitive and often less than the average salary in the regions.

³⁷ Information and analytical materials of the Ministry of Environment
(<https://wownature.in.ua/wp-content/uploads/2021/05/Dovidka-PZF-2020-V3.0-.pdf>)

³⁸ State Strategy for Regional Development for 2021-2027 (<https://zakon.rada.gov.ua/laws/show/695-2020-%D0%BF#Text>)

³⁹ <https://uncg.org.ua/plan-ukrainy-iz-zapovidannia-tsinnykh-pryrodnykh-terytorij-do-2030r-vykonanyj-na-3-5/>

⁴⁰ <https://www.epravda.com.ua/news/2023/01/10/695830/>

4.1. Protected areas

This resulted in attempts by protected areas to earn money in a not very sustainable way⁴¹. For example, in 2023, the management of the Verkhovyna National Park decided to carry out clearcutting of mountain forests to create firebreaks⁴². At the same time, there has not been a single fire in the national park over the past 5 years, as it is a remote part of the Carpathian Mountains.

The staffing issue also remains problematic: insufficient funding, lack of motivated staff, political pressure, and sometimes questionable appointments by the Ministry of the Environment lead to the fact that heads of protected areas are interested in solving their own financial issues rather than conservation.

In addition, the mobilization of men into the ranks of the Ukrainian Defense Forces also affected the employees of protected areas, further reducing their ability to actually protect nature.

Thus, the lion's share of Ukraine's protected areas are protected only on paper - for example, biosphere reserves have a "zone of anthropogenic landscapes" in which the law sets almost no restrictions. Therefore, underfunding, exacerbated by the Russian invasion, along with staffing problems, could lead to the destruction of many of Ukraine's valuable protected areas.

What are the solutions?

The problem of creating new protected areas, primarily on state-owned land, could be easily solved with the now absent political will of countries' leadership.

The problem of underfunding is unlikely to be solved in a time of war, but part of the funding for protected areas could come from international assistance projects.



A sign on the border of a core zone of Holosiivskyi National Park in Kyiv

⁴¹ Insider information obtained by the authors of this text

⁴² <https://uncg.org.ua/verkhovynskyj-natspark-khoche-zarobyty-na-prodazhi-derevyny/>

4.2. Emerald Network

The Emerald Network is the equivalent of the Natura 2000 network for countries that are not members of the European Union but have ratified the Bern Convention.

In Ukraine, the Emerald Network has been actively developing over the past decade. As of 2023, about 12% of Ukraine is part of the Emerald Network - these areas have been approved by the Bern Convention's Standing Committee. Importantly, in many cases, the Emerald Network territories overlap with protected areas designated under national legislation⁴³.

The key problem for the conservation of Emerald Network species and habitats in Ukraine is currently the lack of national legislation. Ukraine has committed to introduce legislation on the Emerald Network by 2019 as part of the EU-Ukraine Association Agreement.

In 2021, the draft law "On the Emerald Network Territories" was even put to a vote in parliament, but did not pass the first reading⁴⁴. As of 2023, the draft law has not been adopted, mainly due to serious opposition from business - mining, agriculture, forestry, and hunting industries.

In a time of war, the likelihood of adopting truly powerful legislation on the Emerald Network is negligible. It is much more likely that a purely declarative law will be adopted, which will not ensure nature conservation, but will allow us to formally put a "plus" next to this European integration commitment.

Even if the legislation is adopted in the most environmentally friendly form, it is unlikely that during the war and post-war reconstruction Ukraine will have sufficient resources to develop quality management plans for such a large area of Emerald Network sites. Thus, in the short to medium term, the Emerald Network is unlikely to be an effective tool to contribute to a truly green and sustainable reconstruction of Ukraine.

⁴³ <http://emerald.net.ua/>

⁴⁴ Draft Law of Ukraine No. 4461 dated 04.12.2020 "On the Emerald Network Territories" (https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=70592)

5. Environmental civic movement

5.1. The environmental movement during the war

In recent years, it has been the environmental civic movement that has driven the main achievements in the field of biodiversity protection in Ukraine. The full-scale Russian invasion has significantly undermined the ability of NGOs and activists to influence environmental processes.

On the one hand, as shown above, threats to Ukraine's wildlife have become more widespread. On the other hand, the capacity of civil society has decreased.

On February 24, 2022, representatives of the environmental civic movement, like millions of other Ukrainian citizens, were forced to relocate or stand up for Ukraine with arms. Subsequently, many representatives of the social movement went abroad or focused on volunteer work. Unfortunately, environmental activists became victims of Russian troops at the front.

Another significant problem is the general decline in the attention of Ukrainian society to environmental issues, which is quite expected. In such conditions, it is more difficult for activists to create the public outcry necessary to eliminate threats to wildlife.



Environmental activists support the ban on the use of invasive tree species in forestry

5.1. The environmental movement during the war

The Ukrainian authorities have also contributed to the diminished capacity of activists by using the war to close access to many previously available tools and sources of information. For example, since the beginning of the full-scale Russian invasion:

- Access to information on inspections conducted by the State Environmental Inspectorate is closed.
- Public participation in the environmental impact assessment (EIA) procedure is unreasonably limited, as discussed below.
- Access to forest maps is closed, making it impossible to use any forest-related documents.
- Entrance to forests in regions far from the areas of hostilities (Kyiv, Kirovohrad, Vinnytsia, Cherkasy and other regions) is unreasonably prohibited.
- Access to the Public Cadastral Map is closed.

There are widespread cases when public authorities unreasonably and illegally deny access to documents related to certain aspects of environmental protection that should be provided as part of access to public information.

Some of the initiatives aimed at excluding the public from decision-making were prevented. For example, in 2022, the Cabinet of Ministers of Ukraine submitted to the Parliament a draft law No. 8058 declaring "business deregulation"⁴⁵. If adopted, it would have allowed the Government to change any procedures related to doing business (logging, mining, etc.) without any publicity and opportunities for public discussion⁴⁶. After active public opposition, the draft law was withdrawn from consideration.

Nevertheless, significant obstacles to full public participation in decision-making remain. For example, the decision to rebuild the Kakhovka hydroelectric power plant was made by the Ukrainian government without any discussion.

⁴⁵ Card of the draft law No. 8058 of 19.09.2022 at <https://itd.rada.gov.ua/billInfo/Bills/Card/40514>

⁴⁶ <https://www.epravda.com.ua/columns/2022/10/28/693190/>

5.2. Environmental impact assessment

One of the most important environmental protection tools for the public until 2022 was the environmental impact assessment (EIA) procedure introduced in 2017 as part of the EU-Ukraine Association Agreement.

Ukrainian legislation defines a list of projects that are subject to mandatory EIA⁴⁷. These include logging, mining, various construction projects, etc. Information on each of these projects was public until 2022 and was placed in a register open to all citizens⁴⁸.

Despite such transparency, the key problem with EIA before the full-scale Russian invasion was the poor quality of decisions made by the authorities (the Ministry of Environment and regional state administrations) based on the results of the procedure. As a rule, if the public did not actively participate in the EIA of a project, such a project received a "green light" disregarding its environmental impact⁴⁹.

Since 2022, the situation has changed for the worse. In March, the parliament passed a bill that abolished the need for EIA for projects to rebuild Ukraine during martial law and the post-war reconstruction period⁵⁰. This provision creates huge opportunities for abuse, as the authorities have not established clear criteria for such projects or a timeframe for the "post-war reconstruction period."

Without any grounds, under the guise of "state defense," the Ministry of Environment has also restricted access to the Environmental Impact Assessment Register. Since 2022, citizens have not had free access to EIA documents - they can only be obtained through official written requests, and in many cases, authorities have unreasonably refused to provide EIA documents.

Moreover, at present, the Environmental Impact Assessment Register in many cases does not even allow to find out what activities and where exactly are being assessed. Thus, the EIA tool has remained available only to those activists who are engaged in EIA professionally, and not in all cases.

At the same time, the quality of decision-making on EIA by the Ministry of the Environment remained unsatisfactory, and regional authorities' decisions on EIA became even less biodiversity-friendly compared to the situation before 2022. For example, in 2022-23, a number of biodiversity-damaging projects (including the construction of small hydropower plants in the Carpathian Mountains) were given the green light, which had previously been unable to undergo the EIA procedure and had repeatedly received negative conclusions.

In other words, as of 2023, EIA in Ukraine is ineffective. At the same time, the EIA procedure remains perhaps the only mechanism that can ensure transparency and sustainability of projects aimed at rebuilding Ukraine.

What are the solutions?

- Improve the quality of decision-making on EIA by the authorities, in particular by establishing advisory expert commissions to advise the authorities, as provided for by law.
- Establish a clear list of projects aimed at increasing the state's defense capability that do not require an EIA to avoid any manipulations.
- Restore transparent and public access to all environmental impact assessment documents.

⁴⁷ Law of Ukraine "On Environmental Impact Assessment" (<https://zakon.rada.gov.ua/laws/show/2059-19#Text>)

⁴⁸ Unified Register of Environmental Impact Assessment (<https://eia.menr.gov.ua/>)

⁴⁹ <http://epl.org.ua/eco-analytics/vplyv-ne-dopustymyj-yak-pokrashhyty-otsinku-vplyvu-rubok-na-dovkillya/#>

⁵⁰ Amendments to the Law of Ukraine "On Environmental Impact Assessment" introduced by Law No. 2139-IX of 15.03.2022

6. Other issues

6.1. State environmental control

Even before the full-scale invasion, the work of the State Ecological Inspectorate (SEI), the main regulatory body in the field of biodiversity protection, was extremely problematic. Like other government agencies, the SEI suffered significantly from:

- Underfunding (until 2022, the average monthly salary of a SEI inspector was 300-400 euros);
- Corruption (there were widespread cases of SEI inspectors receiving bribes for ignoring certain violations);
- Insufficient material and technical base.
- Legislative restrictions on inspections (for example, a business could prevent the SEI from conducting an inspection by paying a fine of EUR 25, or the SEI could not conduct inspections without notice).

The problem has only gotten worse since the start of the full-scale invasion. Serious inflation (over 26% in 2022) and spending cuts have further exacerbated the problem of underfunding and insufficient equipment.

However, the main problem was the moratorium on business inspections imposed on March 13, 2022 by the Cabinet of Ministers of Ukraine⁵¹. As a result, scheduled inspections by the SEI were canceled. The government's decision left room for unscheduled inspections aimed at protecting the environment. However, during 2022-23, the SEI's regional offices repeatedly ignored requests from the public to conduct unscheduled inspections, citing an alleged ban on them or a lack of approval from the Ministry of Environment.

In 2023, the possibility of inspections by the SEI was restored, but only with the approval of the Ministry of Environment. However, the situation has not improved. In many cases, the SEI unreasonably refuses to conduct inspections. It is not uncommon for the Ministry of Environment not to approve inspections by the SEI or to ignore the SEI's requests altogether.

The official statistics are indicative. In response to our request, the SEI informed that since February 24, 2022, it has received 453 requests from citizens for unscheduled inspections. Only 39 of these appeals were approved by the SEI and the Ministry of Environment - less than 9% of all appeals received. At the same time, 104 appeals for approval of inspections from the SEI to the Ministry of Environment remained unanswered!

In fact, the work of the SEI is almost completely paralyzed in the context of a full-scale war, and there is no state environmental control. The situation is similar with inspections of another body, the State Cadastre Service, which is responsible for monitoring compliance with land legislation.

What are the solutions? Since 2020, the Ukrainian parliament has been considering draft law No. 3091, which aims to reform environmental control⁵². In 2021, this European integration bill even passed the first reading in parliament. However, opposition from disinterested businesses and the lack of political will to reform in times of war have put this bill on hold for now.

⁵¹ Resolution of the Cabinet of Ministers of Ukraine No. 303 of March 13, 2022 (<https://zakon.rada.gov.ua/laws/show/303-2022-%D0%BF#Text>)

⁵² Draft Law No. 3091 of February 19, 2020 "On State Environmental Control" (https://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=68186)

6.2. Biodiversity monitoring

One of the key and fundamental problems of nature conservation in Ukraine until 2022 is the lack of reliable data on biodiversity, i.e., the absence of systematic monitoring. Theoretically, this function was assigned to the National Academy of Sciences and the Ministry of Environment, but due to chronic underfunding and lack of motivation, no centralized data collection on the state and dynamics of biodiversity in Ukraine has been carried out. Of course, this directly affected the quality of management decisions.

With the start of the full-scale Russian invasion, the situation has become even more ambiguous. On the one hand, in March 2023, the Ukrainian parliament approved a framework bill that established general approaches to environmental monitoring, including landscape and biological diversity⁵³. In pursuance of this law, the Cabinet of Ministers of Ukraine is to develop a special procedure for conducting such monitoring, and this will be an important step in collecting reliable data on wildlife.

On the other hand, the possibility of implementing full-scale biodiversity monitoring in the context of war and post-war reconstruction seems unlikely. First and foremost, the lack of funds in the state budget (especially for activities that are so obscure to many officials) and the lack of qualified personnel due to the departure of many scientists and managers abroad will be a factor. The quality of biodiversity monitoring may also be affected by the procedure for its implementation, which is currently being developed by the Cabinet of Ministers.



Illegal logging of a virgin forest in the Carpathian Mountains

⁵³ The Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine on the State System of Environmental Monitoring, Information on the State of the Environment (Environmental Information) and Information Support for Environmental Management" (<https://zakon.rada.gov.ua/laws/show/2973-20#Text>)

7. What will happen next? Prospects for wildlife in the coming years

As the above demonstrates, Russia's invasion of Ukraine is having a negative impact on wildlife far from the frontline. Increased unsustainable and illegal logging, increased plowing of steppes and meadows, and lack of adequate control - all of this is happening or will happen in Ukraine in the coming years.

At the same time, there is a well-established opinion at the highest political level that Ukraine's reconstruction during and after the war should be "green" and based on the most sustainable practices. Ukrainian top officials, as well as officials of the EU and other partner countries, have stated that the reconstruction must be "sustainable."

Unfortunately, political statements about the "green" reconstruction of Ukraine are in stark contrast to the reality, where threats to wild nature are only growing. And civil society, weakened by the war and the actions of the Ukrainian government, is unable to advocate for biodiversity protection to a sufficient degree.

The Ukrainian government explicitly declares its intention to increasingly actively exploit Ukraine's raw material base, including increasing logging, mining, construction of additional water supply systems for agricultural purposes, etc.

A striking example of this situation is the Ukraine Facility, a four-year, €50 billion program to rebuild Ukraine, presented in 2023 in London at the Ukraine Recovery Conference. According to Ukrainian officials, "the program should ensure rapid recovery, development of the Ukrainian economy and support for strategic sectors, help implement powerful state transformations and accelerate European integration".⁵⁴

Without urgent implementation of safeguards that would prevent the destruction of biodiversity during the reconstruction of Ukraine, the reconstruction process (including the implementation of the above program) will turn into the destruction of the wildlife that is still present in Ukraine as of 2023.

Such safeguards are the creation of new protected areas and other reforms covered in more detail in the previous chapters of this text. However, there is currently no political will to implement them in Ukraine. There is also no dialog between the environmental movement and the government offices that make key decisions in the country.

But most importantly, all of the above problems have been exacerbated by Russia's full-scale aggression against Ukraine in 2022. The sooner Ukraine is able to restore peace on conditions that will exclude any future aggression by Russia, the sooner it will be able to fully focus on the conservation and restoration of Ukraine's wild nature.

Therefore, paradoxically, military and economic support for Ukraine is to some extent a priority environmental measure.

⁵⁴ <https://www.epravda.com.ua/columns/2023/08/7/702957/>