



Brussels, 22 June 2020

**Subject: structural flaws of environmental policy in Ukraine**

Dear Prime Minister Shmyhal,  
Dear Chairman of the Verkhovna Rada Razumkov,

We, members of the European Parliament express our deep concerns regarding **three major problems** prevalent in Ukraine's environmental policy. These problems include the **environmental cost of the timber industry**, the **flawed execution of the Law on Environmental Impact Assessment (EIA)**, and the **lack of safety of environmental activists**. Providing home to some of the last old-growth and primeval forests in Europe, the preservation of Ukraine's ecosystems is of global significance and must be a priority of the political agenda.

Deforestation and illegal logging continue to pose a major threat to Ukraine's ecosystems and forest landscapes. According to estimates by the British NGO EarthSight published in 2018, 40% of the Ukrainian wood exported to the EU is harvested or traded illegally. While we welcome and support foreign and domestic investments into Ukrainian economy, the environmental cost caused by excessive logging and air pollution through the timber industry must be taken into account by the competent authorities.

Although the Law on EIA was adopted in 2017, the implementation still entails a multitude of loopholes. The implementation of the EIA is a key requirement of the EU-Ukraine Association Agreement (Annex 30). The current plan to build a new plant in Rivne Oblast by the Austrian wood-processing company Kronospan provides an example of the structural deficiencies of EIA in Ukraine. As you are aware, the area already suffers from harmful pollution by the chemical industry. Building the Kronospan's plant with the currently agreed conditions will further deteriorate the ecological situation and endanger the health of the local population. Unfortunately, on this matter, the competent authorities neither considered the position of civil society organisations nor commissioned an independent expert analysis to evaluate the concerns.

Thus, the following measures are advised to be developed for the proper implementation of the Law on EIA:

1. Establishment of EIA expert groups with involvement of independent experts to assist competent authorities in the decision-making process
2. Development of subordinate legislation on EIA including official guidelines for different project types
3. Securing high-quality EIA conclusion reports through the involvement of expert groups and civil society organizations



Finally, environmental NGOs and activists are repeatedly confronted with massive threats as a result of their work against illegal logging and environmental pollution. Furthermore, NGOs voicing public accusations against timber companies face legal harassments, commonly known as Strategic Lawsuits Against Public Participation (SLAPP). As a reaction to its critical statements regarding the EIA of Kronospan in Rivne Oblast, the NGO Ecoclub was taken to court by Kronospan for defamation.

We call on the Ukrainian government and lawmakers to urgently correct the shortcomings of the Law on EIA and to develop the above-mentioned measures in order to fulfil a fundamental requirement of the EU-Ukraine Association Agreement. Moreover, we highly recommend you to develop a legal framework in order to guarantee the security of environmental activists, journalists and civil society organizations along the lines of the upcoming EU anti-SLAPP directive.

Yours sincerely,

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