

*To: Ursula von der Leyen, President of the European Commission
Frans Timmermans, First Executive Vice-President for the European Green Deal
Valdis Dombrovskis, Executive Vice-President for an Economy that works for people
Josep Borrell, High Representative/Vice-President for a Stronger Europe in the World
Johannes Hahn, Commissioner for Budget and Administration
Paolo Gentiloni, Commissioner for the Economy
Olivér Várhelyi, Commissioner for Neighbourhood and Enlargement*

Subject: Environmental and social conditions of ‘RebuildUkraine’

Dear President, Vice-Presidents and Commissioners,

On behalf of 25 environmental organisations from Ukraine and across Europe that focus on biodiversity, forest and land issues, we are writing to ask that the crucial RebuildUkraine initiative and the Ukraine Solidarity Trust Fund incorporates strong environmental and social criteria.

In recent months, during the chaos created by this horrendous war, vested corporate interests have attempted to weaken Ukrainian environmental regulations, to the detriment of communities, the environment and climate. In response, four Ukrainian organisations working on forestry issues have proposed the attached criteria for the EU to take into consideration as part of efforts to set up and disburse the Ukraine Solidarity Trust Fund.

Ukraine can be rebuilt on greener and more sustainable principles., especially if the United Nations Sustainable Development Goals and the European Green Deal become the guiding policies for the post-war recovery programme and preparations for accession to the EU.

Situation in Ukraine

In March, Ukraine’s Parliament passed [Law No. 7144](#), cancelling an important environmental regulation that prohibits cutting timber in protected areas and forests from early April to mid-June, a critical time for animal breeding. Foresters had long opposed the law, and recently lobbied for its cancellation under the pretext of “[supporting the country’s defensive capabilities](#)”. Although it is indispensable for biodiversity conservation, the law was annulled as part of ongoing martial law. Since then, authorities have developed other legal amendments to simplify logging.

Ukrainian NGOs’ campaigning efforts had managed to thwart one of the proposed new legal acts intended to weaken environmental protection, but others remain a problem. For this reason, more than 30 Ukrainian NGOs have [called for Ukraine’s Parliament](#) to urgently pass seven critical environmental laws to help counter those “cynically using Russia’s invasion of their country to water down environmental controls”.

Among the laws that they want passed is one on [Timber Markets](#), which would reduce corruption during timber sales and allocate more funds to forest protection. A 2020 [investigation](#) by the organisation Earthsight highlighted the need for such a law, revealing how illegal timber from some of Europe’s last old-growth forests in the Ukrainian Carpathians was being used to make furniture giant Ikea’s most popular products.

The EU's own audits of the Ukrainian forestry sector, EU's Technical Assistance and Information Exchange (TAIEX), found an "ineffective system of law enforcement to tackle forest crime." In response, the EU called for increased transparency, and an end to the situation where the Ukrainian State Agency of Forest Resources (SAFR) polices itself. The report recommended that a separate, independent, agency be created to take on that role, so as to end conflicts of interest, and reduce corruption in the logging sector.

These reforms would ensure that wood sold by Ukraine's state-owned forest enterprises (for which the EU is the major market) does not contribute to illegal degradation.

We would welcome a call between environmental organisations in Ukraine and the European Commission to discuss these matters further.

Yours sincerely,



Hannah Mowat
Campaigns Coordinator, Fern

On behalf of the following organisations:

Patrick Ten Brink	<i>Secretary General</i>	European Environmental Bureau
Sylvain Angerand	<i>Campaigns Coordinator</i>	Canopée, France
Žymantas Morkvėnas	<i>Director</i>	Baltic environmental forum, Lithuania
Almuth Ernsting	<i>Co-director</i>	Biofuelwatch
Johanna Michel	<i>Deputy director</i>	Bruno Manser Fonds
Fenna Swart	<i>Director</i>	Comité Schone Lucht
Tara Ganesh	<i>Head of Timber Investigations</i>	Earthsight
Lisa Handy	<i>Director of Forest Campaigns</i>	Environmental Investigation Agency - US
Olena Kravchenko	<i>Executive Director</i>	Environment-People-Law
Siim Kuresoo	<i>Forest Program Coordinator</i>	Estonian Fund for Nature
Hannah Mowat	<i>Campaigns Coordinator</i>	Fern
Iris Del Sol	<i>Coordinator</i>	Free Svydovets Group
Dmytro Karabchuk	<i>Executive Director</i>	ForestCom
Evelyn Schönheit	<i>Environmental Scientist</i>	Forum Ökologie & Papier, Germany
Maarten Visschers	<i>Coordinator</i>	Leefmilieu, Netherlands
Sommer Ackerman	<i>Project coordinator</i>	Luonto-Liitto (Finnish Nature League)
Danielle van Oijen	<i>Coordinator International Forest Programme</i>	Milieudefensie - Friends of the Earth Netherlands
Olexandra Gubitska	<i>Executive Director</i>	Nashi Groshi Lviv
Camilla Sederholm	<i>Executive Director</i>	Natur och Miljö (The Finnish Society for Nature and Environment)
Hermann Edelmann	<i>Coordinator</i>	Pro REGENWALD, Deutschland
Jana Ballenthien	<i>Forest Campaigner</i>	Robin Wood, Germany
Frans Schepers	<i>Executive Director</i>	Rewilding Europe
Mykhailo Nesterenko	<i>Executive Director</i>	Rewilding Ukraine
Liina Steinberg	<i>Coordinator</i>	Save Estonia's Forests
Yehor Hrynyk	<i>Coordinator</i>	Ukrainian Nature Conservation Group

Annex 1: Environmental and social conditions for RebuildUkraine

General:

- Participation of Ukrainian environmental NGOs in the planning and monitoring/evaluation phases of RebuildUkraine
- Allocation of at least 10 per cent of funds for biodiversity conservation;
- Ensuring effective control over the impact of EU-funded activities on biodiversity and climate, including appropriate environmental impact assessments of funded projects following the environmental and social standards of the European Investment Bank and applicable Ukrainian legislation.

Environmental law enforcement:

- Adoption of the draft law #3091 “On the state environmental control” to ensure effective environmental law enforcement;
- Allocation of funds for full-scale launch of the reformed environmental control governmental body in Ukraine.

Forests:

- Reforming forest governance structure, including the division of jurisdictions according to the TAIX expert mission’s conclusions;
- Reforming forest management legislation to promote sustainable closer-to-nature forest management (effective deadwood management, promotion of natural regeneration, restriction of clearcuts, conservation of old-growth natural and riparian forests, etc);
- Reforming forest financing and taxation systems to support sustainable forest management and conservation of forests (provision of state financing for forest users managing forest protected areas or other protected forests);
- Development of an efficient system of protected zones to ensure conservation of rare species and habitats as envisaged by Law #2351;
- Adoption of draft law #4197- on the transparent wood trade to reduce illegal wood trade and therefore increase the amount of funds available for sustainable forest management;
- Ensure traceability of wood: include data on the wood harvest location into the wood export certificates and ensure public online access to the certificates issued, as well as to the certificates for timber transport and processing;
- Implementation of a national programme for identification and preservation of naturally afforested agricultural lands (including activities to promote forest management on naturally afforested areas);
- Adoption of a legal requirement for any deforestation-linked projects to undergo an environmental impact assessment;
- Phased cessation of governmental preferences to producers of woody biomass for energy generation which originates from forests.

Protected areas:

- Adoption of the draft law #4461 “On the Emerald Network territories” which incorporates relevant European legislative norms (Birds and Habitats Directives) and envisages the procedure for Emerald Network impact assessment;
- Establishment of new protected areas (including new protected areas on the highlands of the Svydovets and Borzhava ridges, conservation of the identified virgin forests, establishment of “Chornolisskyi” and “Slovechansko-Ovrutskyi” national parks, enlargement of “Dermansko-Ostrozkyi” and “Verkhovynskyi” national parks etc.) by 2024;
- Allocation of additional funds from the state for management of protected areas according to their specific needs;

- Establishment of a separate governmental agency in charge of protected areas.

Grasslands:

- Prohibition of ploughing of natural steppes and meadows, as well as riparian areas and steep hills, and use of natural grazing by wild and semi-wild herbivores wherever possible, as recommended by [the EU-funded GrazeLIFE project](#);
- Establishment and implementation of a national action plan (as per the proposed EU Nature Restoration Law) for the restoration of croplands into grasslands, steppes and meadows, with adequate public funding and financial incentives for landowners and users such as the abolition of the land tax for non-cropland areas;
- Prioritisation of a possibility to purchase degraded croplands for the purpose of establishing protected areas over other possible uses;
- Prohibition of afforestation of non-forest natural ecosystems (steppes, meadows).

Peatlands:

- Gradual decrease in peat extraction with subsequent prohibition of peat extraction in 2025;
- Establishment and implementation of a national action plan (as per the proposed EU Nature Restoration Law) for the restoration of peatlands degraded by drainage, cultivation and afforestation, with adequate public funding and financial incentives for landowners and users such as the abolition of the land tax for non-cropland areas.

Rivers:

- Development and adoption of river restoration targets in line with European Green Deal and the EU Nature Restoration Law;
- Development the tools and instruments for civil society participation in river restoration;
- Follow the EU Blue Economy principles for the development and rebuilding of the water infrastructure.

Biodiversity:

- Support the development of a national biodiversity strategy that is aligned with the EU's biodiversity strategy and the (still emerging) post-2020 Global Biodiversity Framework;
- Support the transition of Ukraine's agricultural sector towards alignment with the EU's Farm to Fork strategy and goals to decrease pesticide use and expand ecological infrastructure in agricultural landscapes to at least 20 per cent;
- Improve forest and ecosystem monitoring that prepares Ukraine for the alignment of data analysis and implementation of new EU ambitions in this field.