Illegal Logging in Ukraine
Fact finding
Illegal Logging in Ukraine

Fact-finding study

REC GREY PAPER

by
Anatoliy Pavelko and Dmytro Skrylnikov

Coordination and editing by Cecile Monnier (REC)

Szentendre, Hungary
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<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>CIDA</td>
<td>Canadian International Development Agency</td>
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<tr>
<td>ENVSEC</td>
<td>Environment and Security Initiative</td>
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<td>FSC</td>
<td>Forest Stewardship Council</td>
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<td>IUCN</td>
<td>International Union for Conservation of Nature</td>
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<td>KEO</td>
<td>Carpathian Environmental Outlook</td>
</tr>
<tr>
<td>MAB</td>
<td>Man and the Biosphere Programme of the United Nations Educational, Scientific and Cultural Organization</td>
</tr>
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<td>MCPFE</td>
<td>Ministerial Conference on the Protection of Forests in Europe</td>
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<td>SDC</td>
<td>Swiss Agency for Development and Cooperation</td>
</tr>
<tr>
<td>SFC</td>
<td>State Forestry Committee of Ukraine</td>
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<tr>
<td>UNECE</td>
<td>United Nations Economic Commission for Europe</td>
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<td>WWF</td>
<td>World Wide Fund for Nature</td>
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</table>
Acknowledgements

The authors wish to express their particular gratitude to Mr. Volodymyr Tarasenko of the Ministry for Ecology and Natural Resources of Ukraine; and Mrs. Lyubov Polyakova of the State Committee of Forestry of Ukraine for their comments and advice during the preparation of the Fact-Finding Assessment and Diagnostic Audit for Ukraine.
Forestry in Eastern Europe is an important economic sector, and is also crucial from an environmental point of view. Illegal logging is often accompanied by transnational organised crime, breakdowns in institutional controls and ineffective institutions and it can increase tensions across borders and with the international community. The effects of illegal logging range from loss of habitat and biodiversity to erosion and land degradation, desertification and climate change, as well as social disruption, economic impacts and weakened governance structures.

The project “Illegal Logging in Ukraine: Governance, Implementation and Enforcement”, implemented under the Environment and Security (ENVSEC) Initiative, aims to identify concrete actions to be taken by key actors to address the existing legal, policy, implementation and enforcement gaps in order to reduce or eliminate illegal logging in Ukraine.

The project is financed by the Canadian International Development Agency (CIDA) under the ENVSEC Initiative.

The current report provides an overview of the state of play in the forestry sector as regards the scope and extent of illegal logging activities in the country. It should be read in conjunction with the Diagnostic Audit, produced under the same project, which describes the policy, legal and institutional set-up in Ukraine and evaluates the country’s capacity to address the issue of illegal logging.
Forestry in Ukraine is an important economic sector, and is crucial from an environmental point of view. Ukraine is characterised by quite low forest cover, although the extent varies greatly from region to region. The majority of forest lands are concentrated in the western (Carpathians) and northern parts of the country, where they play an important ecological and economic role and contribute to the social welfare of the population. The forests of the central, eastern and southern parts of Ukraine play mainly an ecological role but are also crucial for some branches of the economy, especially agriculture, as they contribute to the regulation of the water regime, protect soil from erosion and prevent desertification. It is therefore important to identify trends that have an adverse impact on forestry, thus affecting the ecological, social and economic welfare of the country. Illegal logging is one such trend.

There are general patterns that are important for an understanding of the current condition of forests in Ukraine:

- Almost all forests are state owned.
- The remainder are municipal and private forests, but their size and share in forestry structure is very small.
- The State Forestry Committee of Ukraine is the main central executive body in the sphere of forestry and manages the bulk of Ukrainian forests. There are other authorities that manage the forests assigned to them.
- Forests cover 15.7 percent of the territory of Ukraine, and the proportion is increasing.
- The average age of Ukrainian forests is 55 years, and becoming older. Old and virgin forests remain mostly in protected areas and remote territories in the mountains, which are difficult for loggers to access.
- The majority of Ukrainian forests are artificial and require intensive care.
- Up to 50 percent of forests are under special ecological forest management.
- Some forests are outside state control, especially those growing on neglected agricultural lands and those that are leased out for long-term use to private owners.
- There is a lack of reliable and aggregate data on forests and on the real volumes of illegal logging.

In the early 2000s, the government took measures to improve forestry efficiency, to increase forest cover in the country and to combat illegal forestry activity. The measures achieved some positive results, especially in preventing exports of illegal wood and combating small-scale illegal logging by local population. However, the problems still exist, driven by the high level of corruption, social and economic causes, weak legislation and the low capacity of the law-enforcement authorities.

The main types of illegal logging in Ukraine are:

- logging without permission;
- false declaration of volumes and values of harvested wood;
- logging outside the limits of cutting areas;
- obtaining logging authorisation through bribes;
- groundless sanitary cuttings; and
- the illegal occupation of forest lands for construction or mining, accompanied by logging.

Ukraine has established a relatively well developed legislative foundation for regulating forestry activity, which includes the Forest Code and other acts. Forestry is also regulated by sectoral legislation, for example environmental protection, administrative and criminal legislation etc.

One important problem in Ukraine is coordination between the various law enforcement authorities dealing with forest crime, which needs fundamental improvement. The capacity of law enforcement authorities and courts to combat illegal forestry practices is quite low and needs strengthening. Sanctions are mostly weak and illegal forestry activities rarely lead to an enforced court
The participation of civil society and local communities in the forestry sector remains largely symbolic in the absence of an efficient system for delivering information and holding public consultations.

**Recommendations**

The current system for combating illegal logging in Ukraine needs further improvement at all levels. Further efforts are also required at international level, including cooperation and coordination between forestry authorities and law enforcement authorities; networking between authorities and NGOs; and the sharing of experience. Based on the present study, we have developed generalised recommendations for improving the current situation:

- The system of state forest management should be improved by separating the policy-making, regulation and control functions from management and economic functions.
- A forest inventory should be compiled and supported by the necessary funds and technical tools.
- Alternative spheres of employment should be developed for people living near forest areas (tourism, recreation, green agriculture etc.).
- Control over exports and imports of wood and over the wood market in general should be improved.
- The licensing system should be made more transparent.
- Public participation in decision making should be enabled by establishing of system for delivering information and public consultations.
- Forests growing on reserve lands and neglected agricultural lands should be placed under management, and forest management by non-specialised authorities should be made more efficient.
- Legislation related to combating illegal logging should be improved.
- The capacity of law enforcement authorities should be strengthened.
- The system for monitoring and gathering data on illegal logging should be improved.
- Coordination between forestry authorities and law enforcement authorities should be improved.
- The sharing of experience and networking should be promoted at international level, and support should be given to bilateral, multilateral and international initiatives against illegal logging.

A more developed set of recommendations can be found in Chapter 4 of the Diagnostic Audit, produced in parallel with the current report.
Overview of the country’s forests

There are both scientific and legal definitions of the term “forest”. The many scientific definitions each focus on one particular feature of the forest, and scientific discussions still take place as to which is the most accurate. Ukrainian legislation also contains a definition of “forest”, which is used in the regulation of the different relations in the forestry sphere: A forest is a type of natural complex combining mostly tree and bush vegetation with corresponding soils, herbaceous vegetation, fauna, micro-organisms and other natural components, which are interrelated in their development and affect each other and the environment.

The forests of Ukraine are part of its national wealth and, according to their purpose and location, have water protection, general protection, sanitary and
hygiene, health, recreation, aesthetic, educational and other functions. They are a source of satisfaction for the needs of society in terms of forest resources. According to the State Forestry Committee of Ukraine (SFC), forests cover 15.7 percent of the territory of Ukraine. The total area covered by forests is 9.7 million hectares (ha). The total area specified for forestry is 10.8 ha. This includes areas with forest cover and non-forested lands (agricultural lands, water bodies and swamps, buildings, communication facilities, lands of poor quality etc.), which are provided according to legal requirements and used for the purposes of forestry.

The main species of forest trees are Scots pine (Pinus sylvestris), Pedunculate oak (Quercus robur), Norway spruce (Picea abies), European beech (Fagus sylvatica), silver birch (Betula pendula), black alder (Alnus glutinosa), European ash (Fraxinus excelsior), European hornbeam (Carpinus betulus), and silver fir (Abies alba). Coniferous forests occupy 42 percent of the total area, and hardwood broad-leaved forests 43 percent. The remainder are softwood broad-leaved forests.

The country’s timber resources (standing crop) are 1.8 billion cubic metres, and the annual crop change, that is, the average increase in the volume of the stand-

<table>
<thead>
<tr>
<th>REGION</th>
<th>TOTAL AREA (thousand km²)</th>
<th>FOREST COVER AS OF JANUARY 1, 2002 (thousand ha)</th>
<th>ACTUAL FOREST COVER (percentage)</th>
<th>OPTIMAL FOREST COVER (percentage)</th>
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<td>4.8</td>
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<td>7.0</td>
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<td>626.4</td>
<td>28.7</td>
<td>30</td>
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<tr>
<td>Mykolayiv</td>
<td>24.6</td>
<td>94.9</td>
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<td>33.3</td>
<td>195.3</td>
<td>5.9</td>
<td>9</td>
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<td>28.8</td>
<td>236.2</td>
<td>8.2</td>
<td>15</td>
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<td>20.1</td>
<td>731.7</td>
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<td>41</td>
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<td>Sumy</td>
<td>23.8</td>
<td>403.8</td>
<td>17.0</td>
<td>20</td>
</tr>
<tr>
<td>Ternopil</td>
<td>13.8</td>
<td>192.4</td>
<td>13.9</td>
<td>20</td>
</tr>
<tr>
<td>Kharkiv</td>
<td>31.4</td>
<td>372.7</td>
<td>11.9</td>
<td>15</td>
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<tr>
<td>Kherson</td>
<td>28.5</td>
<td>132.4</td>
<td>4.6</td>
<td>8</td>
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<tr>
<td>Khmelinskyy</td>
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<td>262.7</td>
<td>12.8</td>
<td>17</td>
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<tr>
<td>Cherkasy</td>
<td>20.9</td>
<td>319.3</td>
<td>15.3</td>
<td>16</td>
</tr>
<tr>
<td>Chernivtsi</td>
<td>8.1</td>
<td>237.8</td>
<td>29.4</td>
<td>33</td>
</tr>
<tr>
<td>Chernigiv</td>
<td>31.9</td>
<td>656.6</td>
<td>20.6</td>
<td>22</td>
</tr>
<tr>
<td>Ukraine, total</td>
<td>603.5</td>
<td>9,490.9</td>
<td>15.7</td>
<td>20</td>
</tr>
</tbody>
</table>

Note: AR Crimea includes Sevastopol city; Kyiv region includes Kyiv city
According to Article 10, forests in Ukraine can be
private property. Forest plots within farms with a
total area up to 5 ha can be bought or obtained
for free. These areas may be increased in the case of
legal inheritance.

Citizens and legal entities can own or create forests
on plots of degraded or unproductive land, with no
limits on their area (Article 12 of the Forest Code of
Ukraine). Forests created by citizens and legal entities
on plots of land that are their private property are
owned by these citizens and legal entities. At the same
time, there are no clear legal acts regulating the proce-
dure for creating forests on lands specified for other
types of activities (agriculture etc.). There is a need to
elaborate and put into practice new legal procedures
for such a change of land into new forest by legal act.

According to the SFC, there is no accurate informa-
tion on forest ownership structure. In fact, almost
all forests in Ukraine are state owned. The share of mu-
nicipal and private forests is very low and they were
only included in the Forest Code of Ukraine in 2006,
since which time there have been no forest inventories.
State-owned forests occupy 9.66 million ha, while
municipal forests cover 40,000 ha. The total area of pri-
vatley owned forests is negligible: such forests are only
in the development phase and their percentage is not
even specified by governmental authorities and experts.
The total area of private forests is predicted to increase.

Ukrainian forests are managed by a number of dif-
f erent authorities. The SFC is the central executive
body in the sphere of forestry and hunting and it di-
rectly manages 7.4 million ha of national forests. Other
forest management authorities include the Ministry of
Agrarian Policy (1.8 million ha); the Ministry of De-
fence (0.2 million ha); the Ministry of Emergencies (0.2
million ha); the Ministry of Environmental Protection
(0.1 million ha); the Ministry of Transport and Com-
munications (0.1 million ha); and other ministries and
organisations (0.2 million ha). There are 0.8 million ha
of forest located in reserve lands (undistributed land).

Discussions are taking place regarding the efficiency
of forest management under these different authorities.
Further information about the institutional framework
can be found in the Diagnostic Audit published in par-
allel with the present report.

As of 2010, protected areas cover 5.7 percent of na-
tional territory (or 6 percent if seas and water bodies
are included). Almost 60 percent of these protected
areas are under forest cover. Some 14.3 percent of
forests are under various forms of protected area man-
agement (according to the latest data from the SFC, as
### CHAPTER 2: INTRODUCTION

#### TABLE 2: List of areas under the highest level of protection (nature reserves, biosphere reserves, national parks) in Ukraine, 2008

<table>
<thead>
<tr>
<th>AREA</th>
<th>YEAR OF ESTABLISHMENT</th>
<th>TERRITORY (1,000 HA)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Nature reserves</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gorgany</td>
<td>1996</td>
<td>5.3</td>
</tr>
<tr>
<td>Dniprovo-Oriščiš</td>
<td>1990</td>
<td>3.8</td>
</tr>
<tr>
<td>Yelanetski Steppe</td>
<td>1996</td>
<td>1.7</td>
</tr>
<tr>
<td>Kazantyškiy</td>
<td>1998</td>
<td>0.4</td>
</tr>
<tr>
<td>Kanivsky</td>
<td>1923</td>
<td>2.0</td>
</tr>
<tr>
<td>Karadakzi</td>
<td>1979</td>
<td>2.9</td>
</tr>
<tr>
<td>Krymskiy</td>
<td>1923</td>
<td>44.2</td>
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<td>Luganskiy</td>
<td>1968</td>
<td>3.1</td>
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<td>Medobory</td>
<td>1990</td>
<td>261.3</td>
</tr>
<tr>
<td>Mys Martyan</td>
<td>1973</td>
<td>0.2</td>
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<td>Opukškiy</td>
<td>1998</td>
<td>1.6</td>
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<tr>
<td>Poliškiy</td>
<td>1968</td>
<td>20.1</td>
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<td>Rivneškiy</td>
<td>1999</td>
<td>42.3</td>
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<tr>
<td>Roztoččyýa</td>
<td>1984</td>
<td>2.1</td>
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<tr>
<td>Ukrainški Stepoviy</td>
<td>1961</td>
<td>2.8</td>
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<tr>
<td>Cheremškiy</td>
<td>2001</td>
<td>3.0</td>
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<tr>
<td>Yaltinskiy Girško-Lisoviy</td>
<td>1973</td>
<td>14.5</td>
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<tr>
<td><strong>Biosphere reserves</strong></td>
<td></td>
<td></td>
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<tr>
<td>Askaniya-Nova</td>
<td>1898*</td>
<td>33.3</td>
</tr>
<tr>
<td>Dnunyskiy</td>
<td>1976*</td>
<td>49.7</td>
</tr>
<tr>
<td>Karpatškiy</td>
<td>1968*</td>
<td>53.6</td>
</tr>
<tr>
<td>Chomomorskiy</td>
<td>1927*</td>
<td>89.1</td>
</tr>
<tr>
<td><strong>National Parks</strong></td>
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<td></td>
</tr>
<tr>
<td>Azovo-Svycarskiy</td>
<td>1957*</td>
<td>52.1</td>
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<td>Veluškiy Lug</td>
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<td>1989</td>
<td>40.7</td>
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<td>Skolivški Beskydy</td>
<td>1999</td>
<td>35.3</td>
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<td>Syaty Gory</td>
<td>1997</td>
<td>40.4</td>
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<td>Užanskiy</td>
<td>1999</td>
<td>39.2</td>
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<td>Shatskiy</td>
<td>1984</td>
<td>49.0</td>
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<td>Yavorivškiy</td>
<td>1998</td>
<td>7.1</td>
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</table>
of January 2010 some 15.4 percent of forests managed by the SFC are protected). Up to 50 percent of forests are under special ecological forest management. Today, 10 areas under the highest level of protection (natural reserves and national parks) are managed by the SFC: six nature reserves (Dniprovsko-Orilsky, Medobory, Poliskiy, Rivnenskiy, Cheremskiy and Yaltynskiy); and four national parks (Galytskiy, Gomilshanskiy, Skolivski Beskydy and Shatskiy). The SFC has approved the transfer of nine of these (all except Skolivski Beskydy National Park) under the management of the Ministry of Environmental Protection of Ukraine in order to concentrate protected areas under one specialised authority.

It is important to remember that the territories of these protected areas and their share out of the country’s total territory do not reflect the full extent of ecosystem protection. In fact, the economic zones of the national parks are used for various types of logging, and in practice their protection is based on the general provisions of Ukrainian environmental legislation (like any other forest area). Intensive sanitary cuttings, including clear cuttings, constitute an enormous threat to forests under special protection. Sanitary and other types of cutting, which are permitted only to a limited extent in protected areas, are being carried out on sound wood on the basis of false sanitary conclusions according to which the wood was damaged. According to the SFC, sanitary and other types of cutting which are carried out in protected areas in accordance with their legal status support normal conditions of forests.

Forestry, the Wood Industry and Economic Development

Forestry and the wood industry play an important role in the economic development of Ukraine. The significance of the forestry sector is greater in the economies of the Carpathian (where the forestry cluster is the fourth biggest branch of the economy) and northern regions of Ukraine than in the southern and eastern regions.

The following statistics illustrate the economic contribution of the forestry sector:

- The share of forestry in 2007 was approximately 0.1 percent of GDP (State Committee of Statistics).
- The weight of the forestry cluster (including forestry, wood processing, the pulp and paper industry and other forest- and wood-related activities) within Ukrainian industry was 3.6 percent in 2007 (Swiss-Ukrainian Forest Development Project in Zakarpattya — FORZA).
- The share of forestry, agriculture and hunting in GDP in 2008 was 8.56 percent (according to ActionDataGroup).
- The volume of products, works and services produced by the forestry sector in 2008 is estimated at UAH 3,382.7 million (0.36 percent of GDP).
- The total number of people employed in the forestry sector in 2008 was 83,000, that is, approximately 0.4 percent of the total workforce (State Committee of Statistics).
- In the Carpathian region, 52,000 people are employed in the forest economic sector (according to FORZA).
- The annual average harvested volume of marketable timber in Ukrainian forests is 15 million m$^3$ (16.9 million m$^3$ in 2007; 15.7 million m$^3$ in 2008; and 14.2 million m$^3$ in 2009) (12.5 million m$^3$ in forests managed by the SFC), including an average of 6.4 million m$^3$ (7.1 million m$^3$ in 2007; 7.0 million m3 in 2008; and 6.7 million m$^3$ in 2009) from final felling (5.6 million m$^3$ in forests managed by the SFC).

Forests also provide resources and income for other sectors such as pulp and paper production, furniture production, primary wood processing, wooden products, joinery, energy from wood, waste wood products, and non-timber forest products (including tourism). The efficiency of forestry and the efficiency of these economic sectors are closely linked.
International commitments affecting the forestry sector

Ukraine has signed many international legal acts aimed at environmental protection: those that cover forest protection are listed below.

National legislation and policies related to forestry

In addition to the international legal acts listed above, which are part of Ukrainian legislation, Ukraine has a national legal framework for forestry and forest protection. The list of legal acts is provided in the table below.

There are several programmes related to the sustainable use of natural resources, mostly adopted in the form of laws. One of the most complex policies, which covers almost all types of natural resources, is the Regulation of the Parliament of Ukraine on the Main Directions of the State Policy of Ukraine on Environmental Protection, the Use of Natural Resources and Ecological Safety, dated March 5, 1998, No. 188/98-BP.

In the sphere of forestry, the main legal instrument is the Forest Code of Ukraine and the main policy instrument is the State Specific Programme on the Forests of Ukraine for the Years 2010 to 2015.

The goal of the State Specific Programme on the Forests of Ukraine for the Years 2010 to 2015 is to specify the main areas for the balanced development of forestry, with the aim of strengthening the ecological, social and economic functions of forests. The programme aims to:

- increase forest cover;
- increase the resources and ecological potential of forests and ensure that forestry activities are carried out according to the principles of sustainable forest development;
- improve the resistance of forest ecosystems and improve forest protection;
- ensure the reproduction, protection and rational use of game fauna;
- ensure the rational use of forest resources;
- increase the efficiency of forest management; and
- improve the scientific and professional background of forestry development.

However, some of the applied plans and some of the actions taken under such policies deviate from these principles. For example, in 2009 the Cabinet of Ministers of Ukraine allocated UAH 25 million to the SFC to buy 10 sets of wood processing equipment, making it possible to produce fuel chips from the processing of debris, windfall timber and other so-called low-quality timber. According to the authorities, the removal of dead wood is a necessity in artificial forest ranges (single-species, even-aged forests). The SFC also encourages the collection and processing of unmarketable wood from forests in protected areas. However, the removal of dead wood constitutes a potential threat if carried out excessively, and is in strict contradiction to the principles of improving the resistance of forest ecosystems and forest protection. It could lead to Ukrainian forests becoming unstable and vulnerable ecosystems, thus endangering biological diversity. The Instruction of the Cabinet of Ministers of Ukraine on the Approval of a Concept for the Reform and Development of Forestry (2006) specifies the main problems and the main directions for the development of forestry in Ukraine. The main problems include:

- the shortcomings of the financial and economic system for the development of forestry, and the taxation system that does not take into consideration the long period of forest growth;
- the involvement of several authorities in forestry management;
- the combining of forestry and wood processing functions at forestry enterprises;
- the absence of economic incentives for the introduction of nature-friendly technologies;
- the considerable volume of illegal logging; and
- the increasing anthropogenic impacts on forest ecosystems.

The main tasks include:

- developing criteria (indicators) for efficient forest management;
- increasing the forest coverage of territories up to a scientifically justified level;
• increasing the resources and ecological capacity of forests;
• preserving the biodiversity of forest ecosystems;
• increasing the resistance of forest ecosystems to adverse environmental factors, growing anthropogenic impacts and climate change;
• using forest resources efficiently in the market environment;
• improving financial and economic systems;
• developing self-sufficient and profitable forestry in suitable forested regions;
• helping to solve the social and economic problems of local communes; and
• improving the legal protection of forest guard personnel.

**International Support to the Forestry Sector**

Ukraine participates in many international initiatives, programmes and projects aimed at forestry development, sustainable forest management, biodiversity protection etc.
## Table 5: National forestry-related legislation

<table>
<thead>
<tr>
<th>Legislation</th>
<th>Year of Adoption/Ratification</th>
<th>Legal Status</th>
<th>Scope</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution of Ukraine</td>
<td>1996</td>
<td>Constitution</td>
<td>Article 50 guarantees the right to a safe and healthy environment and to compensation for damage caused by violation of this right. The constitution guarantees the right to free access to information about environmental conditions and the dissemination of such information. This information may not be kept confidential.</td>
</tr>
<tr>
<td>Forest Code of Ukraine</td>
<td>1994</td>
<td>Law</td>
<td>Forestry, forest land, ownership, forest management etc.</td>
</tr>
<tr>
<td>Criminal Code of Ukraine</td>
<td>2001</td>
<td>Law</td>
<td>Criminal responsibility for the destruction or damaging of forests and illegal forest cuttings.</td>
</tr>
<tr>
<td>Code of Ukraine on Administrative Violations of the Law</td>
<td>1984</td>
<td>Law</td>
<td>Includes administrative responsibility for violation of the right of the state to forest ownership; damaging of protective forests; illegal use of state forest land; violations of the order of use of forests, timber and resin; illegal cutting; damaging and destruction of forest trees; violations of fire safety measures in forests.</td>
</tr>
<tr>
<td>Law of Ukraine on the Moratorium on Clear Cuttings on Mountain Slopes in Fir-Beech Forests of Carpathian Region</td>
<td>2000</td>
<td>Law</td>
<td>Establishes a moratorium on final fellings in some types of forests in Lviv, Zakarpattya, Ivano-Frankivsk and Chernivtsi regions; a 10-year moratorium for clear cuttings in fir-beech forests; limitation of areas for gradual cuttings; and enlargement of protected areas. Requires use of environmentally safe tools for wood transportation in mountain forests.</td>
</tr>
<tr>
<td>Law of Ukraine on Animals</td>
<td>2001</td>
<td>Law</td>
<td>Protection of wild animals and their habitats.</td>
</tr>
<tr>
<td>Law of Ukraine on Natural Protected Areas of Ukraine</td>
<td>1992</td>
<td>Law</td>
<td>Defines legal grounds for organisation, protection and efficient use of protected areas of Ukraine, and restoration of their natural complexity.</td>
</tr>
<tr>
<td>Law of Ukraine on the State Programme for the Development of the National Environmental Network of Ukraine for the Years 2000 to 2015</td>
<td>2000</td>
<td>Law</td>
<td>Development of protected areas and natural landscapes; increase in forests of Ukraine; preference to restore natural landscapes.</td>
</tr>
<tr>
<td>Regulation of the Parliament of Ukraine on the Main Directions of State Policy of Ukraine on Environmental Protection, Use of Natural Resources and Ecological Safety</td>
<td>1998</td>
<td>Regulation of the Parliament of Ukraine</td>
<td>Describes the main ecological problems of Ukraine, strategic directions and means of environmental policy.</td>
</tr>
<tr>
<td>State Specific Programme for the Forests of Ukraine for the Years 2010 to 2015</td>
<td>2009</td>
<td>Decree of Cabinet of Ministers of Ukraine/Policy</td>
<td>Determines main directions for the balanced development of forestry for the years 2010 to 2015.</td>
</tr>
<tr>
<td>LEGISLATION</td>
<td>YEAR OF ADOPTION/RATIFICATION</td>
<td>LEGAL STATUS</td>
<td>SCOPE</td>
</tr>
<tr>
<td>------------------------------------------------------------------</td>
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<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Order of Cabinet of Ministers of Ukraine on Approval of Rules for Final Felling in the Forests of Ukraine</td>
<td>1995</td>
<td>Rules, adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Rules for final felling and forest cuttings in all forests of Ukraine, except Carpathian mountain forests.</td>
</tr>
<tr>
<td>Order of Cabinet of Ministers of Ukraine on Approval of Rules for Final Felling in the Mountain Forests of the Carpathians</td>
<td>2008</td>
<td>Rules, adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Rules for final felling and forest cuttings in Carpathian mountain forests.</td>
</tr>
<tr>
<td>Decree on the Regulation of Issues on the Special Use of Forest Resources</td>
<td>2007</td>
<td>Decree of Cabinet of Ministers of Ukraine</td>
<td>Special use of forest resources and issuing of special permits for use of forest resources.</td>
</tr>
<tr>
<td>Rules for Enhancing Forest Quality Cadastre and Forest Inventory</td>
<td>2007</td>
<td>Rules adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Determine main demands for realisation of forestry activities aimed at enhancing the resistance and productivity of forest stands and preserving biodiversity.</td>
</tr>
<tr>
<td>Order for Maintaining State Forest</td>
<td>2007</td>
<td>Adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Defines procedure for maintaining state forest cadastre and state forest inventory.</td>
</tr>
<tr>
<td>Order on the Division of Forests into Categories and Allocation of Specially Protected Forest Lots</td>
<td>2007</td>
<td>Order adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Defines division of forests into categories, and terms and features for labelling forests as belonging to a specific category.</td>
</tr>
<tr>
<td>Regulation on the State Forest Guard</td>
<td>2009</td>
<td>Regulation adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Defines status and authority of the State Forest Guard.</td>
</tr>
</tbody>
</table>
The Swiss-Ukrainian Forest Development Project in Zakarpattya (FORZA), financed by the Swiss Agency for Development and Cooperation (SDC). The overall goal of the project is to achieve sustainable multi-functional forestry in the Carpathian region, along with adequate environmental management and improved living standards for the local population.

The European Neighbourhood and Partnership Instrument (ENPI) Forest Law Enforcement and Governance (FLEG) project, which is implemented in Ukraine by the World Bank, the World Conservation Union (IUCN) and the World Wide Fund for Nature (WWF). The FLEG project supports the government, civil society and the private sector in Ukraine in the development of forest management practices, including reducing the incidence of illegal forestry activities.

The Joint Czech-Ukrainian project “Transfer of Advanced Methods and Technologies of Forest Inventory and Monitoring (TechInLeS), which is directed towards the development and introduction of modern methods of forest monitoring and sample statistical methods of forest inventory; support to the forest inventory service; and the development of a normative base and general information system for Ukrainian forestry. The project was funded by the Czech Republic Development Cooperation Programme.

The Joint Czech-Ukrainian project “Tools for Regional and Management Planning for Ukrainian Forestry”, funded by the Czech Republic Development Cooperation Programme.

The Joint Netherlands-Ukrainian “Promoting Sustainable Forest Management in Ukraine”, funded by the Government of the Netherlands.


<table>
<thead>
<tr>
<th>LEGISLATION</th>
<th>YEAR OF ADOPTION/ RATIFICATION</th>
<th>LEGAL STATUS</th>
<th>SCOPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitary Rules in the Forests of Ukraine</td>
<td>1995</td>
<td>Rules adopted by decree of Cabinet of Ministers of Ukraine</td>
<td>Rules establishing sanitary requirements for forests and works carried out in forests. N.B.: according to these rules, dead wood, as well as damaged and diseased trees, must be removed from the forest. However, this contradicts the description of forestry as sustainable and supporting biological diversity, since the lives of many species and the health of ecosystems depend on the availability of dead wood and of trees that are considered diseased by the SFC.</td>
</tr>
<tr>
<td>Order of the State Forestry Committee of Ukraine on Approval of the Exploitable Age of Secondary Spruce Forests</td>
<td>2009</td>
<td>Order of State Committee of Forestry of Ukraine</td>
<td>Establishes exploitable age of spruce forests</td>
</tr>
<tr>
<td>Order of Cabinet of Ministers of Ukraine on Approval of the Concept of the National Environmental Policy of Ukraine for the Period until 2020</td>
<td>2007</td>
<td>Order of Cabinet of Ministers of Ukraine</td>
<td>Describes the main ecological problems of Ukraine and the main directions and means to overcome them.</td>
</tr>
<tr>
<td>Order of Cabinet of Ministers of Ukraine on Approval of the Temporary Order on Issuing of Certificates of the Origin of Wood used for the domestic market.</td>
<td>2005</td>
<td>Order of Cabinet of Ministers of Ukraine</td>
<td>Establishes order for issuing of certificates on the origin of wood and sawn wood for export. The certificate is obligatory for exports but is not used for the domestic market.</td>
</tr>
<tr>
<td>Instruction of Cabinet of Ministers on Approval of the Concept for the Reform and Development of Forestry</td>
<td>2006</td>
<td>Instruction of Cabinet of Ministers</td>
<td>Specifies the main problems of forestry, the main directions of forestry development, and the tasks and indices for development in the coming years.</td>
</tr>
</tbody>
</table>
• “Creation of Protective Forests on Lands Polluted by Radionuclides in Polissya”, to be funded by the Bio carbon Fund, the Government of Ukraine and the World Bank.

Activities related to sustainable forest management tend to receive little support from national funds (with the exception of some research in scientific institutions and universities and scientific conferences). This is due to the low level of political priority of the responsible authorities and the absence of any internal specific financial or economic instruments to support sustainable forest management. According to the SFC, funding targeted at sustainable forestry is provided annually. In addition, forestry enterprises use their own funds for the creation of sustainable forest management practices.

International initiatives related to sustainable forest management are the Convention on the Protection and Sustainable Development of the Carpathians (Carpathian Convention) and cross-border cooperation within biosphere reserves, including international biosphere reserves. Among the initiatives directed towards the development of sustainable forestry are the FORZA and FLEG projects (see above).

The Convention on the Protection and Sustainable Development of the Carpathians (Carpathian Convention)

Ukraine signed and ratified the Carpathian Convention in 2003 and 2004 respectively. The convention came into force in Ukraine in 2006. The Biodiversity Protocol to the Carpathian Convention was signed in 2008 and was ratified by the Parliament of Ukraine on September 4, 2009 through Law Nr. 1621-VI.

Pursuant to its obligations under the Carpathian Convention, Ukraine prepared a list of protected areas to be included within the Carpathian network of protected areas. A number of documents and publications have been prepared to promote the aims of the Carpathian Convention and sustainable development (see http://www.carpathianconvention.org/documents.htm).

Ukrainian representatives took part in the preparation of the Carpathian Environmental Outlook (KEO), which is the most complex research on the state of the environment in the whole Carpathian region, including the state of forestry and related ecological problems and achievements (http://www.carpathianconvention.org/documents.htm).

Ukraine is also involved in the preparation of the Protocol on Sustainable Forest Management to the Carpathian Convention.

Some of the projects carried out in Ukraine, such as FORZA, TechInLes, and “Promoting Sustainable Forest Management in Ukraine”, are in line with the aims of the Carpathian Convention.

United Nations Forum on Forests

Ukraine plays an active part in the work of the United Nations Forum on Forests (UNFF), which aims to ensure the rational use, preservation and sustainable development of all types of forests. Experts from the SFC participate in UNFF activities and assist in expert groups.

Collaboration within the framework of biosphere reserves

The initiative that served as the launching pad for the creation of biosphere reserves is the “Man and Biosphere” (MAB) programme of the United Nations Educational, Scientific and Cultural Organisation (UNESCO). This programme was established to contribute to minimising biodiversity loss through the use of ecological and biodiversity sciences in policy and decision making; promoting environmental sustainability through the World Network of Biosphere Reserves; and enhancing the linkages between cultural and biological diversity. There are four biosphere reserves in Ukraine:

• The Carpathian Biosphere Reserve, which consists mostly of forested areas.
• The Danube Biosphere Reserve, located outside the area where intensive forestry is carried out, but which also plays an important role in the protection of the flood-plain forests of the Danube delta.
• Askaniya-Nova and Chernomorskiy Biosphere Reserves, which are located in the south of Ukraine and do not represent considerable forest areas.

There are also initiatives to establish international biosphere reserves. Two have already been created:

• The East Carpathian Biosphere Reserve, which comprises Uzhanskiy National Park and Nadsyansk-y Region National Park in Ukraine; Bieszczadski National Park and the “Valley of San River” Regional Landscape Park in Poland; and the Poloniny National Park in Slovakia. This biosphere reserve protects rare and endangered species from the East Carpathians, including unique virgin forest stands. However, some problems have been encountered in establishing the joint structure to manage it.
• The Danube Delta International Biosphere Reserve has been established between Ukraine and Romania to protect the area’s biodiversity and landscapes.
Additional international biosphere reserves are being planned: Rozhtochhya Biosphere Reserve within the territories of Ukraine and Poland (Yavorivsky National Park, Rozhochy Nature Reserve and Ravske Roztochya Regional Landscape Park in Ukraine; and Rztochanski National Park and four regional landscape parks on the Polish side of the border); West Polissya International Biosphere Reserve between Ukraine, Belarus and Poland; and international biosphere reserves between Ukraine and Romania in the Carpathians, Ukraine and Hungary in the Zakarpattya region, and Ukraine and Russia around the Desna River.

Others initiatives

Ministerial Conference for the Protection of Forests in Europe (MCPFE)

• International Co-operative Programme on the Assessment and Monitoring of Air Pollution Effects on Forests, operating under the UNECE Convention on Long-range Transboundary Air Pollution.
• The European Forest Genetic Resources Programme (EUFORGEN), a collaborative mechanism among European countries to promote the conservation and sustainable use of forest genetic resources.
• Joint project with the Swiss Federal Scientific Institute for Forest, Snow and Landscape (WSL) to study the structure of the virgin forests of the Ukrainian Carpathians.

Ukrainian officials, representatives of NGOs and scientific institutions work in cooperation with the corresponding authorities, institutions and NGOs from other countries through visits, the sharing of experience, and studies. Collaboration, in the form of meetings, discussions, and scientific and information exchanges, is particularly active with Germany, Poland, Sweden, Switzerland, Belarus, Slovakia, Hungary, the Russian Federation and other countries belonging to the Commonwealth of Independent States (CIS).

Corruption Perception Index (CPI)
of Transparency International (TI)

The last available Corruption Perception Index (CPI) score for Ukraine, prepared by Transparency International in 2009, was 2.2. This placed Ukraine at number 146 out of the 180 countries surveyed.33

Main driver/causes of illegal logging

Volumes of illegal logging have been recorded since the beginning of 1990; these illegal activities have been prompted by the financial crisis, when the economy of remote areas was almost destroyed; and by new market conditions that saw the establishment of many private wood processing and trading companies.

Today, there are several causes of illegal logging, which can be divided into the following categories:

• Social: mainly due to unemployment and poverty in rural areas where forests are the most valuable and important resource. Poor social conditions represent the most common motive for illegal cutting. However, such logging is normally carried out on a small scale and mainly in order to satisfy the subsistence needs of the local population. One reason is that the price of legally provided firewood is considered unreasonably high by the local population.34 Small-scale logging to meet household needs is considered a tradition by local people and there is pressure on rangers to tolerate this activity.

• Economic: this is the most important motive for illegal logging in Ukraine and is often combined with social motives (as both are aimed at profit or cost savings). Illegal logging carried out for economic reasons has specific characteristics. Most importantly, it is carried out by people who are seeking to obtain money from the illegal activity not in order to survive and feed their families, but to make profits on a larger scale. This type of logging is therefore mostly carried out in a well-organised manner, on the basis of forged documents, and can affect a chain of related activities from forest cutting to the exporting of sawn timber or round wood. It may also involve support from corrupt officials and sometimes even from bribed scientists. It may also include logging in areas illegally occupied and excluded from forest land for the purposes of construction or mining. The low salaries officially paid to forest rangers are another economic reason for them to conceal small-scale cutting and assist companies that carry out illegal forest activities. Demand from outside the country for illegal wood also encourages the breaking of national laws.

• Legal and administrative:
  • Gaps in forest legislation, and the complicated and unclear legal aspects of forestry procedures.35
Local acceptance of illegal logging activities

In general, local populations living near forest areas are tolerant of unauthorised cutting carried out by local individuals or groups of local people. It is generally acknowledged among locals that the prices of wood and firewood are too high for them and that large volumes of wood are stolen by forest guards and forestry enterprises.

This view can partly be explained by the lack of clarity that surrounds logging requirements. Although these requirements are available to the public they are complicated and not accompanied by sufficient explanations. This problem is exacerbated by a lack of information on each specific type of cutting that is carried out, the responsible authorities, and the special procedures that should be followed when cutting. This leads to a lack of clarity about how to check who is carrying out the activities and how to obtain information (e.g. telephone numbers of the responsible authority, special information boards in the forest etc.).

Main achievements and main obstacles to sustainable forest management in Ukraine

Main achievements:
• Afforestation of poor-quality, eroded lands and of lands excluded from agricultural use in areas where the existence of forests is justifiable from an ecological and economic point of view.
• Gradual increase of territories under different protection status.
• Higher legal status (greater credentials) for the State Forest Guard.
• Use of “natural forestry” methods in some areas.
• Adoption of the Certificate of Origin of Wood, an official document that is obligatory for exports of round wood and sawn wood, and that is required by customs.
• Launch of forest certification under the Forest Stewardship Council (FSC).
• Development of a national forest inventory.
• Promotion of sustainable tourism.

Main obstacles:
• Almost all functions related to forestry – management, control, permissions – are concentrated in hands of the SFC. Normally such functions would be shared among different authorities to avoid conflicts of interest and abuse.
• There is a lack of comprehensive, reliable and verifiable data on forests, and a forest inventory is needed. A change in the legal status of forests led to the construction of barriers preventing access to forests for local people. Such barriers are illegal and have been established mostly by long-term temporary forest users (it is permitted to make contracts for up to 50 years). These forest users sometimes construct buildings and other structures (e.g. fences), set up various barriers preventing local people from entering the forests, and cause the fragmentation of ecosystems.
• There has been an increase in the volumes of sanitary and other regeneration cuttings relative to final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling. Only 43 percent of marketable wood is harvested from final felling.
• The decrease in forest stands, mostly affecting mature and over-matured stands, has led to a far lower proportion than normative (i.e. 50 to 60 percent of normal or optimal forest stands).
• The yield of round wood from final felling is 58 percent, and more than 35 percent of the volume of harvested wood cannot be processed (i.e. is used for firewood).
• Low demand for poor-quality wood has led to problems selling it.
• The volume of natural reforestation is low, corresponding to the commitment of forestry to artificial reforestation.
• Intensive sanitary cuttings and clearance has led to a low volume of standing and lying deadwood in Ukrainian forests. Although it is important to prevent forest fires, depending on the natural conditions of certain areas, too low a volume of deadwood leads to loss of biodiversity (destruction of biotopes of species connected with deadwood).

• Small, protected areas of local importance have been liquidated, often in violation of the law.

• Forest cutting has taken place in areas designated or eligible for protection.

• Illegal forest cutting.

• The classification of forest lands has been changed illegally, also on the initiative of SFC bodies, with subsequent cutting and real estate development (especially around major cities and resort areas).

• Illegal mining (of sand, amber etc.) is carried out in some forest areas.

• Issues have arisen in connection with the parcelling of poor and degraded agricultural lands and agricultural lands excluded from use. To carry out afforestation on agricultural lands excluded from use, forestry enterprises have to pay the costs of the loss of agricultural products. This represents huge amounts and forestry enterprises have neither sufficient money nor economic interests for such afforestation.

• Land allocation and the preparation of documents confirming the right to carry out forest cultivation activities are complicated procedures.

• There is no single forest inventory.

• Some parts of forests are outside state control.

• Afforestation and deforestation are not subject to state environmental expertise.
Chapter 3: Definitions of illegal logging

One of the most widely recognised definitions of illegal logging is provided by the UNECE. Illegal logging can be said to take place when timber is harvested, transported, bought or sold in violation of national laws. The harvesting procedure itself may be illegal, including corrupt means of gaining access to forests, extraction without permission or from a protected area, the cutting of protected species, or the extraction of timber in excess of agreed limits. Activities considered to be types or elements of illegal logging, as proposed by the UNECE, are:

- the logging of protected species;
- the duplication of felling licenses;
- girdling or ring-barking to kill trees so that they can be legally logged;
- making contracts with local entrepreneurs to buy logs from protected areas;
- logging in protected areas;
- logging outside concession boundaries;
- logging in prohibited areas such as steep slopes, riverbanks and water catchments;
- removing under- or over-sized trees from public forests;
- extracting more timber than authorised;
- reporting high volumes of extracted wood in forest concessions to mask the fact that part of the volume declared is extracted from within non-authorised boundaries;
- logging without authorisation; and
- obtaining logging concessions through bribes.

There is no direct definition of illegal logging in the legislation of Ukraine.

Article 246 of the Criminal Code of Ukraine refers to responsibility for the illegal cutting of trees and bushes in forests that causes serious damage, and for such actions in protected areas or forests under special protection. The Code of Ukraine on Administrative Violations of the Law creates responsibility for the following violations:

**Article 64:** Violation of the established order of use of the timber cutting fund, the logging and removal of wood, and the procurement of oleoresin.

**Article 65:** The illegal cutting, damaging and demolition of forest plantations and growth; the illegal cutting and damaging of trees and bushes; and the destruction or damaging of forest plantations, seedlings and transplants on forest seeding plots and plantations, and of growth of natural origin on plots intended for reforestation.

**Article 65-1:** The demolition or damaging of field shelter forest belts.

**Article 66:** The destruction of growth in the forest.

**Article 67:** Forest use in contradiction to the purpose and requirements of the felling order.

**Article 68:** Violation of the rules for reforestation or forest improvement, or of rules for the use of mature wood.

The definition of illegal logging that is used in practice in judicial matters is set out in the Regulation of the Plenum of the Supreme Court on Court Practice in Environmental Crime Cases and Other Violations of Environmental Law, No. 17, dated December 10, 2004 (Paragraph 2 of Part 9). In particular, the logging of trees and bushes is recognised as illegal when carried out without a permit; with a permit but in violation of the law; in a timeframe other than that specified in the permit; in territories other than those specified; in quantities exceeding the limitations set; or of tree species not specified in the permit or the cutting of which is prohibited.
Volume and type of illegal logging

All types of illegal logging — as specified in the national legislation and according to the international definition — can be found in Ukraine.

No authority in Ukraine collects or processes data on volumes of illegal logging, illegal exports of wood, or understatements of wood from available sources.

Information on volumes of illegal forest cutting can be obtained from two sources: the SFC, and mass media, the law enforcement authorities of Ukraine, and the State Ecological Inspection and its territorial bodies.

The SFC uses the term “unauthorised cuttings” and publishes statistics on these cuttings. According to the SFC, the volume of such “unauthorised cuttings” in 2008 was 20,100 m$^3$, which was 2,200 m$^3$ more than in 2007. Between 2003 and 2007, volumes of “unauthorised logging”, according to the SFC, were gradually decreasing. According to UN ECE estimates, the total volume of unauthorised cutting was 83,800 m$^3$ in 2003.53

The SFC mainly records cases of illegal logging carried out by local people and involving fairly small volumes.

Gathering data on volumes of other types of illegal logging is a complicated process. This includes logging carried out by organised groups, often with the assistance of permanent forest users, in violation of different national laws and with the aim of selling timber or sawn wood. Such types of illegal logging include:

- understating the volume and quality of the wood that has been logged according to the legal documents, leading to an underestimation of the costs of the wood and a corresponding loss to the state, while corrupt businesses and officials make a profit through bribery;
- violation of logging regulations, including logging outside cutting areas, cutting trees other than those specified, groundless sanitary cuttings, cuttings in former protected areas that have lost their status as a result of corruption, and cuttings in lands reserved for protection and even in protected areas);54;
- logging that does not correspond to legally issued documents (the logging and removal of a larger volume of wood than that specified in the permit);
- the burning of forests to be logged later in the form of sanitary cuttings according to legally issued documents; and
- the illegal logging of wood under the control of Forest Guard officials.55

Such crimes are registered by the Ministry of Internal Affairs, the Security Service of Ukraine, the Prosecutor’s Office and the State Ecological Inspectorate. However, the volume of illegal logging is not reflected in the available statistical data, mainly because these authorities do not collect information on volumes of illegally cut wood. It is therefore very difficult to estimate the volume of such cuttings. Data obtained from enforcement authorities and the media prove the seriousness of the problem and suggest that the volume of such cuttings is far higher than the volumes mentioned in the official reports of the SFC.

Cases of illegal logging activities in the Zakarpattya, Lviv and Kharkiv regions

In October 2009, the State Ecological Inspectorate carried out planned checks on an enterprise and uncovered a number of violations, including the illegal cutting of trees in the forests and within cutting areas in the Zakarpattya region. As a result, administrative proceedings were undertaken against 28 people for the violation of ecological legislation; and UAH 35.239 million were claimed in compensation for damage to natural resources.

Cases arising from the abuse of an official position were initiated by the Prosecutor’s Office of Zakarpattya region against the officials of one of the state enterprises in Ty-achiv district, where losses from the illegal cutting of 1,131 m$^3$ of wood totalled UAH 1.9 million. A case was also initiated against a member of a village council in Perechyn district, a forest ranger by profession, who organised a criminal group to carry out the illegal logging of 635 m$^3$ of...
In September 2007, the Prosecutor’s Office of Zakarpattya region opened a criminal case against an entrepreneur accused of money laundering and, in particular, of falsifying shipping documents. As a private entrepreneur engaged in exporting sawn wood, he had smuggled 764 m³ of wood worth UAH 593,000 through Vynogradiv Customs between October 2006 and August 2007. The defendant had purchased wood from various sources without the required documentation and had submitted false documents regarding the origin of the wood to the Regional Administration of Forestry and Hunting in order to obtain legal certificates of wood origin.

In 1999, following a decision of the Lviv Regional Council, more than 10 protected areas in the region, covering 4,000 ha (mostly forests), lost their protected status. Extensive cutting was then carried out in these locations. In particular, the decision affected Kornalovychi, an area that had been protected since the 1970s, which comprised more than 700 ha of oak forest and was home to many rare species of animals and plants included in the Red Book of Ukraine. The territory of this protected area was cut by a third in 1997 and its protected status was annulled two years later, leading to the cutting of ancient oaks. Scientists recognised that valuable forest had been cut and the regional council restored protected status to just 100 ha of the forest.

In Volodymyrivskiy protected area, the unique flood-plain lakes containing relict fauna have been drying out because trees in the protective zone were removed when the forest was harvested right up to the water’s edge on the pretext of sanitary cuttings. Cuttings are also carried out in territories reserved for the establishment of Slobozhanskiy National Park in the Kharkiv region.


The main volume of Ukrainian oak timber (more than 90 percent) is logged in forests managed by the SFC. In 2007, the planned harvesting volume of sawn oak wood was 420,000 m³. However, within 11 months Ukraine had exported 850,000 m³ of sawn oak wood. The main exporters of the most valuable sawn oak are small companies and private entrepreneurs, units that are particularly difficult to control.57

Sanitary cuttings carried out in Ukrainian forests deserve particular attention. Volumes of so-called formation and sanitation cuttings are high (approximately 57 percent of the total volume of harvested marketable wood between 2003 and 2007)58 and often the most valuable trees are affected. There are several reasons for this, which are in contradiction to the Law:

- A large proportion of Ukrainian forests fall under different types of protection regime and final felling is prohibited in these territories. Forestry enterprises carry out sanitary cuttings to guarantee the profitability of their economic activity and to bypass the limitations of the protective regime.
- Sanitary cutting is more profitable than final felling, because forestry enterprises do not pay taxes on wood logged as a result of sanitary cuttings (with the exception of clear sanitary cuttings and forest regeneration felling59).
- In sanitary cutting, it is sometimes possible to log the most valuable, sound wood along with the weak trees. According to the SFC, there is an urgent need to carry out sanitary cuts in the secondary spruce forests of the Ukrainian Carpathians. However, according to World Bank experts, the main volume of sanitary cutting was carried out in the oak forests in the Ukrainian plains60 (there is great demand for oak wood and prices are very high).

As a result of intensive sanitary cuts and other intermediate felling, there is a low proportion of mature forests (i.e. a considerable deviation from normal forest stand density).

<table>
<thead>
<tr>
<th>YEAR</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of cases (x 1,000)</td>
<td>15.5</td>
<td>14.7</td>
<td>12.9</td>
<td>13.8</td>
<td>12.1</td>
<td>10.2</td>
</tr>
<tr>
<td>Volume of cut wood (x 1,000 m³)</td>
<td>40.2</td>
<td>30.4</td>
<td>28.0</td>
<td>24.7</td>
<td>17.9</td>
<td>20.1</td>
</tr>
</tbody>
</table>

**SUMMARY:**

### Forests stand density in Ukraine

- Forest stand density and the volume of wood stock in young forests are close or higher than the corresponding figures for normal forests (tree area ratio > 1).
- In the pole stage, forest characteristics are close to those of normal forests (tree area ratio = 1).
Starting from the ripening forest stand (young timber stage), a dramatic reduction in stock in real forest stands versus normal forest stands can be observed. Mature forest stands are too sparse due to different types of cutting related to “improvement”. As a result, the tree area ratio falls to < 0.7 for the majority of mature forest stands. Such forests are degraded and must be subject to forest renewal.61

Even after intensive sanitary cuts and other intermediate felling, the proportion of fuel wood out of all wood harvested by final felling is very high (around 30 percent).62 The proportion of fuel wood in the structure of marketable wood normally ranges from 2 percent (spruce) to 12 percent (aspen).63, 64

Forest enterprises usually have all the necessary documentation for sanitary cutting, but these documents are sometimes issued on non-scientific grounds without taking ecological aspects sufficiently into account. It is not difficult for forestry enterprises to obtain the necessary “scientific” basis for these documents, since the majority of forest science in Ukraine depends on the SFC. Furthermore, according to the legislation in force there is no need to provide scientific justification for carrying out sanitary cutting, except in the territories of protected areas.

Exports and imports of illegal timber

There is a general lack of statistics on exports and imports of illegal timber. Information on attempts to export illegal timber is occasionally leaked to the mass media, revealing the existence of a black market for the harvesting and selling of wood. Such activities result in substantial losses for the state in both economic and ecological terms. Ukraine mostly imports products derived from wood, making it difficult to estimate the level of illegal imports. In addition, Ukraine mostly imports wood from Russia, and neither the Russian authorities nor experts consider Ukraine as a major importer of illegal Russian wood.

Illegal exports of timber

According to available data, during 2008 Ukraine exported almost 2.4 million m³ of wood, including 960,000 m³ of low-quality wood. It is estimated that, due to illegal transfers, the loss to state forestry enterprises reaches an annual UAH 0.5 billion (around EUR 46 million). In Zakarpattya region, the Security Service of Ukraine estimated that illegal exports of timber represented UAH 4 million in 2006.65

Information published by the Customs Authority of Ukraine and the Security Service of Ukraine shows that the most popular methods for exporting illegal timber are the falsification of certificates of wood origin and shipping documents66, and understating the value of wood. In addition, the lack of wood experts in the Customs Authority and corruption on the part of customs officials creates opportunities for the production of fake customs declarations for batches of freight.

Cases of illegal trade in timber

On November 9, 2009, Uzhgorod Customs Office informed West Information Corporation of the confiscation of 85 m³ of timber that had been illegally exported from Ukraine. They also declared that, during the previous four years, volumes of firewood exports had dramatically increased. In 2005, gross exports of firewood through Uzhgorod Customs were 7,000 tons, while the equivalent exports through the same customs channel during 2009 rose to 56,600 tons.

Another case under investigation by the Security Service of Ukraine illustrates some of the problems encountered in the forestry sector and their transboundary effects. As a result of investigations into international shipping freight flows, the Security Service of Ukraine exposed the traffic of high-quality wood disguised as low-quality wood. Forestry enterprises in almost all regions of Ukraine, the customs, as well as shipping and brokerage companies played a part in the crime. The wood was exported through five seaports to Turkey and Bulgaria. The so-called Capricorn case emerged after the Security Service of Ukraine checked the customs documentation for a consignment of wood to be loaded on a ship called the Capricorn, and noticed a difference between the actual quality of the wood (according to experts’ conclusions) and the quality specified in the customs declarations. The total cost of the uncovered marketable wood that was not included in the declaration was UAH 328,000. The value of one consignment of wood for illegal export, which was stopped by the Security Service of Ukraine in 2008, was UAH 600,000. Among the documents confiscated during the criminal investigation was a contract with a company from Great Britain for the supply of wood worth EUR 100,000.67

At present there is no comprehensive information regarding the volume of exports and imports of illegal timber.
timber. The state authorities need to collect data about all cases of illegal exports and imports of wood from all sources and authorities in order to prepare centralised statistical data.

Others types of forestry-related violations of the law

Illegal occupancy of forest lands. This problem occurs mainly near large cities and resort areas, and the situation is most difficult in the Kyiv, Lviv and Kharkiv regions, the Crimean Peninsula and some other resort areas. Forests are mostly occupied for the construction of homes (cottages) and other buildings.

Lease of forests for long-term use. Although such leases are generally based on legally issued documents, new leaseholders often break the law by constructing houses and buildings on the leased lands, illegally cutting trees and illegally restricting local people’s access.

Illegal mining in forest lands. This activity can be widely observed in most regions of Ukraine and relates to the extraction of minerals of local importance (sand etc.) and amber by organised groups. It is exacerbated by the lack of efficiency on the part of the Ministry of Internal Affairs in preventing and investigating such crimes, and by the weakness of the judiciary system. The illegal mining of amber is a particularly significant problem in Polissya (northern Ukraine).

Illegal logging in the Chernobyl exclusion zone. In May 2008, the Security Service of Ukraine uncovered incidents of the illegal logging, removal and sale of radioactive contaminated timber (together with metal scrap and spare parts for cars) from the Chernobyl exclusion zone. The criminal groups involved included employees of law enforcement authorities, drivers, security agents, decontamination agents and traders.

Impacts of illegal logging

Article 1 of the Forest Code of Ukraine states that the forests of Ukraine are a national asset and, according to their location, have mostly water protective, protective, sanitary and hygienic, health, recreational, aesthetic and educational functions and meet the needs of society in terms of forest resources.

Current forestry practices have a controversial impact on the environment and ecosystems. On the one hand, forest cover in Ukraine is considered to be insufficient in terms of ecological function (positive impacts on climate, soil and water resources) thus state programmes have been developed in order to increase forested areas. On the other hand, the adverse impacts of illegal forest cuttings and other legal and illegal practices, as presented below, have been described in scientific research.

As there is no general information on volumes of illegal logging in Ukraine, it is impossible to calculate the total losses involved. There are no real estimates of financial impacts, although investigations and confirmed cases suggest a very high figure (e.g. loss of EUR 46.3 million due to illegal exports of timber).

Analysis of methods to combat illegal logging and their efficiency

Ukrainian legislation provides for criminal, administrative, civil and disciplinary responsibility for the various types of illegal activities referred to under the combined term “illegal logging”.

List of legal acts containing requirements for felling and logging


Perpetual forest users and owners of forests (in the case of private forests) are the first stage in the protection of forests from illegal logging. According to Part 2 of Article 14 of the Forest Code of Ukraine, citizens and legal entities that are private forest owners are obliged to:
• carry out forestry activities according to forest survey documents and according to the Forest Code;
• protect forests;
• follow the rules and norms for the use of forest resources;
• carry out forestry activities and use forest resources in a way that does not cause damage to the environment...and provide favourable conditions for the protection and restocking of the forests;
• keep basic forest records, and provide statistical reports and information on the state of forests and the use of forest resources according to the law; and
• protect typical and unique natural complexes and objects, rare and threatened animals and plants and plant complexes in order to contribute to building up the ecological network according to nature protection legislation.

Part 2 of Article 19 of the Forest Code of Ukraine describes the rights of perpetual forest users and their duty to:
• protect forests;
• follow the rules and norms for the use of forest resources;
• carry out forestry activities according to the forest survey documents; use forest resources in such a way as to preserve their health and protective fun-
sections; and create favourable conditions for their protection and restocking;

- keep basic forest records;
- follow land-use regulations established by legislation; and
- protect typical and unique natural complexes and objects, rare and threatened animals and plants and plant complexes in order to build up of the ecological network according to nature protection legislation.71

One major problem is that the corpora delicti of illegal logging according to the Criminal Code of Ukraine and the Code of Ukraine on Administrative Violations of the Law coincide, creating the risk of the assignment of more lenient penalties.72

This results in a lack of adequate penalties for illegal logging, making it easier for loggers to continue their activities without facing severe consequences. Therefore, it is crucial to have strong legal frameworks and effective enforcement mechanisms to combat illegal logging.

There are a number of steps in combating illegal logging:

- Prevention — mostly ensured by forest rangers and the Forest Guard.
- Detection — via inspections and checks and by NGOs and citizens.
- Investigation — by all law enforcement authorities plus the Main Control and Revision Office of Ukraine and NGOs that submit documents to the Prosecutor’s Office or to the court.
- Reduction — through certification and inspections.

Prevention – licensing, wood tracking

**Licensing practice**

The annual allowable cut for perpetual forest users and forest owners, along with felling permits, are practices that limit the harvesting of wood in the case of final felling.

The annual allowable cut is the calculated standard of the annual volume of wood harvested in the case of final felling, which provides the continued, non-exhaustive and complete use of mature wood stock, and which is used as a basis for planning its volume.

Proposals for volumes and locations of annual allowable cut are prepared by the State Forest Survey Organisation in accordance with the Journal on the Determination of Annual Allowable Cut for a Review Period. They are reviewed by representatives of the Autonomous Republic of Crimea, the SFC, the Ministry for Environmental Protection, local self-governments (on their consent), and other interested parties. Relevant documents, including feasibility studies on forest changes affecting licensed wood cutting, are submitted to the SFC and approved by Order of the Ministry for Environmental Protection. Perpetual forest users and forest owners are then informed about the authorised wood cutting and information on approved volumes of wood cutting is sent to the authorised bodies of the SFC, the Ministry of Environmental Protection, regional state administrations and production enterprises for use in their activities.72

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**TABLE 7: Environmental impact of current forest practices, including illegal logging (continued)**

<table>
<thead>
<tr>
<th>TYPE OF PRACTICE</th>
<th>IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cutting in areas destined for the future creation of protected areas.</td>
<td>Biodiversity loss.</td>
</tr>
<tr>
<td>Sanitary and others cutting, including clear sanitary cutting in some protected areas with low levels of protection and in zones of national parks and regional landscape parks where forestry is allowed.</td>
<td>Biodiversity loss, decreased forest resistance.</td>
</tr>
<tr>
<td>Non-compliance of sanitary cutting with the need to protect biodiversity and maintain the stability of ecosystems.</td>
<td>Biodiversity loss, decreased forest resistance and adverse impacts on ecological functions of forests.</td>
</tr>
<tr>
<td>Over-thinning of forests by sanitary and thinning cutting.</td>
<td>Decline in resistance and productivity of forest ecosystems; damaging of forests by wind, disease.</td>
</tr>
<tr>
<td>Cutting of trees for ski runs.</td>
<td>Biodiversity loss, fragmentation of ecosystems, intensification of erosion.</td>
</tr>
</tbody>
</table>

Other impacts can be observed through practices that more or less comply with existing regulations (or that at least do not contradict such regulations), but that are not justified by modern scientific research:
Felling tickets are similar to special permits (licences). Felling tickets are issued by the executive forestry bodies of the Autonomous Republic of Crimea and by regional bodies of the SFC for the harvesting of wood in final felling, based on properly approved annual allowable cut. Wood product accounting, the terms for forest use and the transportation of harvested wood, the terms and methods for the cleaning of cutting areas, and accounting of the natural regeneration of trees are established on the basis of these felling tickets. They are also used to record payments for the use of forest resources.

In order to obtain a felling ticket, forest owners and perpetual forest users must submit the following documents:

- request for the use of forest resources with felling;
- journal of the cutting area;
- field record list;
- evaluation list;
- plan for the management of the cutting area; and
- plan of the cutting area.

Felling ticket applications may be finalised within a month after the beginning of cutting undertaken with the consent of perpetual forest users, particularly if the trees concerned can fall on electric power lines or cause other accidents; are used in investigations and scientific research; or are located in forests damaged by natural disasters, disease or pests. As an exception, the SFC is authorised to change cutting areas if they are inaccessible (within the volume of the annual allowable cut) at the request of its bodies.

Felling tickets can be cancelled by a decision of SFC bodies, or at the request of the forest owner or perpetual forest user.

**Wood tracking**

Wood tracking begins at the licensing stage, followed by local inspections. Inspections are carried out by forest owners or perpetual forest users to check the accuracy and completion of logging, to detect trees left standing that were supposed to be cut, to detect wood that has not been removed, and to check the compliance of the logging with legislation. Inspections take place:

- in cutting areas not later than five days after cutting in the case of recording volumes of harvested wood, and not later than 15 days in the case of other types of recording;
- on the site of harvesting of secondary forest products not later than 20 days after expiration of the period specified for the removal of such products;
- on the site of oleoresin harvesting annually after the termination of the extraction period;
- not later than 15 days after expiration of the term established for the removal of wood; and
- in case of respite for the removal or harvesting of wood, not later than five days before expiration of the term for logging or wood removal. Inspection is repeated after expiration.

Quantities of harvested wood and secondary forest resources must be recorded. Cutting areas and sites where forest products are stored, specified in the felling tickets, must be inspected before their removal.

The results of the inspection are summarised in a document in which the volume of harvested wood, secondary forest products and other forest uses are specified.

In the event that the total volume of harvested wood exceeds that specified in the felling ticket by more than 10 percent, or the yield of commercial wood (round wood) exceed the specified volume by more than 15 percent, the forest owner or perpetual forest user must pay the normative price for the additionally harvested wood.

Trees in the cutting area are marked according to their purpose and value by the forest user (marketable wood, firewood).

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**Monitoring and early warning of environmental risks regarding forestry**

In Ukraine, an early-warning system, including the monitoring and assessment of natural and anthropogenic environmental risks to forestry, is operated by the Ministry of Emergencies of Ukraine. It comprises territorial and specialised divisions and departments of the Ministry of Emergencies, including hydro-meteorological survey and warning systems.

Ukrainian forests are frequently damaged by fire (a total of 3,316 forest fires occurred in 2008). The State Fire-Fighting Service of the Ministry of Emergencies, the Forest Security Department of the SFC, the fire-fighting services of specialised forestry enterprises managed by the Ministry of Agrarian Policy of Ukraine and other authorities are responsible for fire prevention and the protection of forests against fires.
In 2008, the SFC encompassed 307 forestry enterprises with 1,617 forest divisions and 272 forest fire-fighting stations. Over 20,000 officers of the State Forest Guard, managed by the SFC, carried out various activities for the protection of forests against fire. There were also 1,500 people employed as lookouts during the forest fire season.

Approximately 4 million ha of forests in the Autonomous Republic of Crimea and 12 regions were controlled by aerial observation by the Air Division of the Ukrainian State Base for the Protection of Forests of the SFC (planes, helicopters and very light aircraft were used for patrolling).

Ground observation for the protection of forests from fire was carried out at 557 fire observation points (including about 400 watchtowers, 25 of which were equipped with television observation systems).

Information on forest fires is delivered daily from forest ranger stations to the SFC. In the event of the risk of fire to an area larger than 5 ha and the need for additional forces to prevent emergencies, immediate notification must be sent to local bodies of the Ministry of Emergencies of Ukraine and to the SFC.

Other types of forest damage classified as natural disasters in the forests of Ukraine include pests and diseases. The total area of forests affected by pests and diseases in 2008 was 433,600 ha, but the trend is declining. At the same time, according to the SFC the drying out of secondary spruce forests grown on inappropriate sites in the Carpathians can be regarded as an emergency and a natural disaster.

According to the Ministry of Emergencies and the SFC, there are insufficient resources to address these issues. The main needs are for:

- new machinery and equipment (more than 60 percent of fire engines managed by the SFC are over 16 years old);
- financing for the aerial protection of forests;
- the timely exchange of outdated fire-extinguishing equipment;
- the maintenance of forest roads and fire water ponds;
- more active information campaigns aimed at the public;
- an end to agricultural burning; and
- better-quality investigations into the causes of fires and the punishment of perpetrators.

Ukraine also has a notification system covering natural and anthropogenic disasters, including emergencies related to forests and forestry.

The Ministry of Emergencies notify neighbouring countries about emergencies and receive information from the corresponding authorities of neighbouring countries on the basis of bilateral agreements. Ukraine has agreements with all neighbouring countries except Romania, with which it is currently developing an agreement.

There is also a system for notifications of emergencies, including natural disasters, in the Tisza River basin shared between Ukraine, Romania, Hungary and Slovakia. This system operates at regional level.

Since the Carpathian Convention specifies early warning as one of the important measures to be taken in order to avoid or reduce losses resulting from natural and anthropogenic disasters, cooperation within the framework of the convention is expected to develop.

The prevention of exports of illegal timber and the reduction of illegal logging are also supported through the Certificate of the Origin of Wood and Sawn Wood. This document is obligatory for export operations involving products that can be classified as round wood or sawn wood. The certificate is issued for each batch of materials and accompanied by one shipping document, and is valid for 60 days from the date of issue. To obtain a Certificate on the Origin of Wood and Sawn Wood, exporters must submit an application to the regional forestry administration, attaching a copy (with an obligation to present the original) of shipping documents on purchasing wood and/or sawn wood, or felling tickets.

An additional instrument, a single state system for the electronic accounting of timber, is currently being developed by the SFC and other interested organisations. The concept for the creation of this system was approved by the Regulation of the Cabinet of Ministers of Ukraine No. 1090-p, dated September 16, 2009. The establishment of such a system requires:

- the development of instructions for managing wood turnover (from logging to sale) and the establishment of requirements for the marking of wood and accounting;
- the introduction of marking directly in cutting areas using unified marks with bar codes and identical number codes for the registration of origin and for technical, qualitative and quantitative indices;
- automatic read-out of information contained in the bar code, and its entry into the electronic timber accounting system;
- automatic finalisation of documents for timber transportation;
- automatic acceptance and inventory of timber co-
ming from cutting areas, at the site of its storage and shipping, and timber accounting at sale;

• electronic control of movements of timber, in particular through Ukrainian customs borders;

• the equipment of forestry enterprises with tools for marking timber, tools for processing and transmitting information, and the introduction of modern software; and

• the creation of complex systems for data protection.

On November 19, 2009 the Cabinet of Ministers of Ukraine issued Regulation No. 1408-p on Approval of the Action Plan for the Conception of the Creation of a State System for the Electronic Accounting of Timber, detailing the plan for the development of the system and the responsible authorities.

The system is planned to be established by the end of 2012. It is expected to help in the fight against illegal cutting, smuggling, organised crime and corruption, and to support the efficient monitoring of cutting, the improved control of protected forests, and the timely prosecution of those violating forest legislation.

Enforcement

Inspections and checks by law enforcement authorities are the next stage in combating illegal logging. They include:

• On-site inspections of forests and cutting areas carried out by the State Forest Guard and other law enforcement authorities such as the State Ecological Inspectorate.

• Inspection of the legality of wood at the wood transportation stage (by the State Vehicle Inspectorate of the Ministry of Internal Affairs, the State Forest Guard, the State Ecological Inspectorate, or representatives of other law enforcement bodies).

• Checks on the legality of wood by consumers (mostly carried out by major companies and exporters of wood that value their reputation).

• Checks on wood processing companies and individuals.

• Checks on the legality of wood at the border (carried out by the Customs Service, the State Border Service or the Security Service of Ukraine).

• Checks on the activities of perpetual forest users, forest owners, wood processing companies and wood traders.

Investigations of cases of illegal logging are carried out by law enforcement authorities that are authorised by law to investigate crimes. The system includes:

• The Forest Guard and State Ecological Inspectorate (on site), the State Customs Service of Ukraine, and the State Border Guard of Ukraine.

• The Militia (Ministry of Internal Affairs of Ukraine), the Tax Militia (State Tax Administration of Ukraine), the Security Service of Ukraine, and, separately, the Main Control and Revision Office of Ukraine.

• The Prosecutor’s Office of Ukraine (including the Environmental Protection Prosecutor’s Office as a department of the Prosecutor’s Office of Ukraine).

• The judicature (courts).

According to information received from SFC officials, the investigation of forest crimes and cases of unauthorised logging by the Militia and the Prosecutor’s Office is fairly inefficient. The majority of criminal cases related to unauthorised logging that are transmitted to the Militia and Prosecutor’s Office for investigation are not brought before the court.

Non-governmental organisations are an important resource in the detection of violations of forest law. Many headline-making cases regarding illegal logging and other violations were initiated by NGOs, which actively collect information and documents, take photographs and bring cases to the attention of the law enforcement authorities and mass media.

Sanctions for illegal logging are listed in the legislation and include fines, compensation for losses, arrest, judicial restraint and imprisonment with confiscation of the illegally logged wood.

Case study: Initiative of the Zhydachiv District Council (Lviv region)

In 2009, the Zhydachiv District Council voted for a temporary ban on all clear cutting and other forestry economic activities, except for the planting of trees. A decision was also taken to establish a commission comprising specialists, officials from law enforcement bodies, ecologists and representatives of the public to investigate the real state of the district’s forests and the legal justification for cutting.

The decision was taken by the Commission on the Legitimacy of Zhydachiv District Council in response to appeals from local people who were concerned about mass forest cutting (both legal and illegal).
The District Council Commission requires forest authorities to be transparent and to provide information on cutting to the public, including via the media, specifying area, location, volume and confirmation of approval of the cutting by authorised bodies. In addition, local self-governance bodies in the area must be informed about the cutting, and an agreement must be made with them on the transportation routes to be used. However, to date such requirements have not been strictly followed.
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The SFC stresses that for reforestation activities, reports by territorial executive authorities, including territorial environmental protection bodies, which are in charge of nature protection and the protection of unique natural complexes and objects and of rare and endangered species of flora and fauna, are required to avoid any damage to the environment.

Starting from 1993 as a biosphere reserve.

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It should be noted that this point is not accepted by the SFC.

According to the forestry authorities, the price, which is set by the government is not high (at around EUR 5.5 to 6 per cubic metre), and results in a loss to the forestry enterprises.

The Day. No. 167 (3087), September 19, 2009

See more details on http://techinles.org.ua/

See more details on http://www.ifter.cz/page/?page=activities

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It should be noted that this point is not accepted by the SFC.

According to the SFC, the situation has resulted from massive afforestation after World War II. In the near future, an increase in the percentage of mature stands and an increase in cutting volumes are expected.
According to the SFC, half of Ukrainian forests are artificially created and need an enhanced level of care. At present, Ukrainian forestry is oriented towards a transition to principles close to natural forestry, which provides for natural regeneration where possible.


In its comments to the present report, the SFC considers that it is incorrect to talk about the illegal harvesting of wood as there are only individual cases of illegal logging rather than illegal activity on a massive scale.

To overcome this obstacle, the amended Article 208 of the Forest Code of Ukraine states that legal entities and natural persons are free of the obligation to reimburse losses in agricultural production in the case of afforestation of degraded lands and land with low productivity.


THE REGIONAL ENVIRONMENTAL CENTER FOR CENTRAL AND EASTERN EUROPE (REC) is an international organisation with a mission to assist in solving environmental problems. The REC fulfills this mission by promoting cooperation among governments, non-governmental organisations, businesses and other environmental stakeholders, and by supporting the free exchange of information and public participation in environmental decision making.

The REC was established in 1990 by the United States, the European Commission and Hungary. Today, the REC is legally based on a charter signed by the governments of 31 countries and the European Commission. The REC has its head office in Szentendre, Hungary, and country offices and field offices in 17 beneficiary countries: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, the former Yugoslav Republic of Macedonia, Montenegro, Poland, Romania, Serbia, Slovakia, Slovenia and Turkey.

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