

Free Svydovets Initiative Group
2023

THESE MATERIALS ARE BEING DISTRIBUTED
BY A REGISTERED AGENT, BRUCE SEARBY,
ON BEHALF OF A FOREIGN PRINCIPAL, BRUNO MANSER FONDS.
RECIPIENTS CAN OBTAIN INFORMATION ABOUT THE REGISTRANT
THROUGH THE FARA OFFICE OF THE US DEPARTMENT OF JUSTICE



FREE
SVYDOVETS

SVYDOVETS 2023

FIGHTING FOR WILDLIFE AMID THE WAR

Photo: Тетяна Монахін
CC BY-SA 4.0

Sydvovets: a brief overview of the fight in 2016-2021

2

Sydvovets is a mountain massif in the Zakarpattia region, one of the most beautiful places in the Ukrainian Carpathians. Sydvovets has virgin forests, highland meadows, mountain lakes and rivers. It is a place which still has populations of bears, lynxes and other rare animals and plants.

There have always been many threats for Sydvovets - unsustainable forestry activities, for one. It resulted in the destruction of most surrounding virgin forests in the past century. Yet, an even more severe threat for Sydvovets emerged in 2016.

The governor of the Zakarpattia region at the time, Hennadii Moskal, announced a plan to build a massive ski resort at Sydvovets. The resort would cover a **territory of 1,400 ha with more than 230 km of ski slopes, 33 ski lifts, hotels and other infrastructure**. Everything to accommodate **28,000** holidaymakers at a time!

The investor behind the project was a company linked to the owners of the Bukovel ski resort. It became apparent that the Sydvovets resort was promoted by one of the most notorious Ukrainian oligarchs - Ihor Kolomoiskyi.

The mega-resort infuriated environmental activists, conscientious local citizens and thousands of Ukrainians. Thus, the fight for Sydvovets started and the Free Sydvovets movement emerged.

Since 2016, Free Sydvovets not only drew the attention of people worldwide to the threat of the planned construction but also actively counteracted the developer in courts. Yet on February 24, 2022, with the beginning of the full-scale invasion of Russia into Ukraine, the situation became worse.

The construction of the resort will result in complete destruction or damage to thousands of hectares of natural ecosystems of the mountain massif. This goes against multiple international obligations of Ukraine, namely the Bern and the Carpathian Conventions. Moreover, a mega-resort controlled by an oligarch will have nothing to do neither with the development of green tourism nor with the long-term welfare of the local communities: the profitability of the resort amid climate change conditions will be minimal. At the same time, the negative environmental impact will be irreversible.

See detailed information about the planned Sydvovets resort at the Free Sydvovets website:
<https://freesydvovets.org/>

Photo: Daniel Bardinak
CC BY-SA 3.0

Appetite comes with eating: oligarchs are planning to build two additional mega-resorts

The full-scale war has significantly slowed down economic activities in Ukraine. The GDP has dropped by a third, the real estate market has declined, and uncertainty scares investors away. But the war is not disturbing those behind the Svydovets mega-resort – in 2022, their appetites doubled.

The company which owns the Bukovel resort plans to build ski resorts on the slopes near Svydovets. At the end of 2022, the Polianytsia village council passed the decision about preparing documents for the construction of the Bystrytsia resort¹.

According to available maps, the resort is supposed to be built between Bratkiivskiy ridge and the village of Bystrytsia (Ivano-Frankivsk region). The plan shows that Bystrytsia resort will cover a territory of 1,200 ha and will be able to receive 20,000 visitors at a time.

In late 2022, the Ust-Chorna village council also agreed with the proposal of Bukovel owners and started developing documents for another resort – Turbat resort. It has an area of 200 ha and can accommodate 5,000 holidaymakers.²

¹ According to official documents obtained from Polianytsia village council

² According to official documents received from Ust-Chorna village council

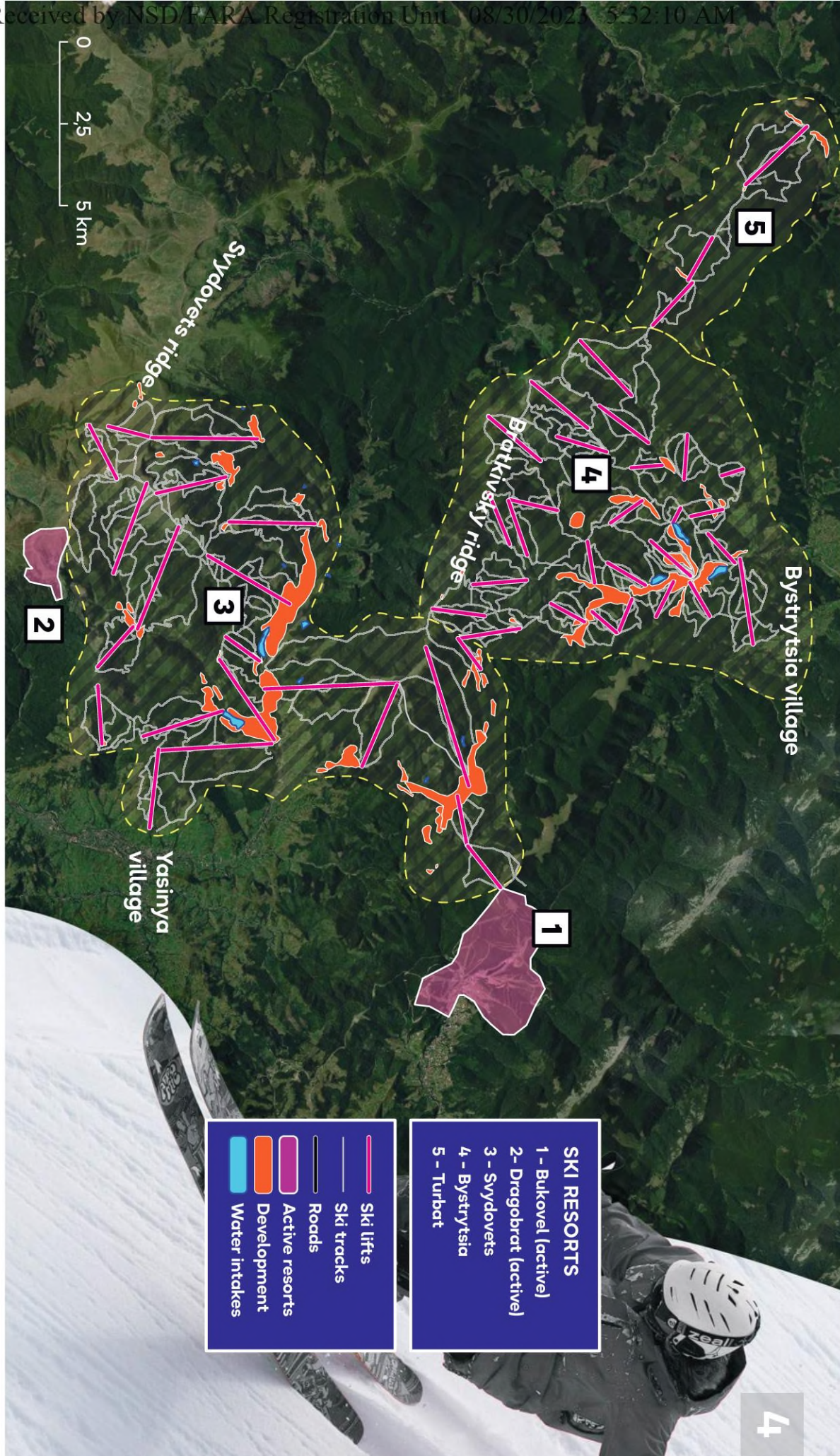
Thus, despite the full-scale war, a company with ties to oligarch Kolomoiskyi has plans to build not just the Svydovets resort, as is known since 2016, but two other resorts – Bystrytsia and Turbat, which was revealed in 2022.

As maps show, all three resorts will be connected with each other and the existing Bukovel resort. As a result, a monstrous resort with an area of at least 2,800 ha will emerge with a capacity to accommodate 65,000 holidaymakers (including the Bukovel resort)! This is two-thirds of the size of the city of Uzhhorod and half of its population.

Similarly to Svydovets, Bystrytsia and Turbat are planned for construction in a remote area of the Carpathians. The environmental consequences of this construction may be catastrophic.

In February 2023, the local authorities are only developing land documents for Bystrytsia and Turbat. In parallel with this, Free Svydovets is watching and is ready to stand up to the new desires of oligarchs.





How courts allow for Svydovets to be destroyed

5

Since 2017, Free Svydovets has been in litigation with the investor of the resort. The reason for the lawsuit is simple – during public hearings within local communities, the investor did not give the people an opportunity to study the map of the planned resort. Moreover, the map still needs to be made available to the public; it is almost impossible to get it even after an official request.

The case against the Svydovets resort investors has been going on for five years. Over this time, activists have gone from a trial court to the Supreme Court of Ukraine, which in 2021 remanded the case to the trial court.

Unexpectedly, amid the war, the investor has become more active. In the summer of 2022, a trial court sided with Free Svydovets, yet the investor appealed the decision, and the appellate court reversed the decision of the trial court.³

In February of 2023, Free Svydovets went to the Supreme Court again. The hearing in the case has yet to be set. **But the probability of the court siding with the investor is very high.**

The litigation with the Svydovets project likely made the investor focus on the two other resorts described above – Bystrytsia and Turbat.

³ <http://epl.org.ua/announces/sud-proty-megakurortu-svydovets-rishennya-sudu-pershoy-instantiyi-na-koyst-zberezhennya-svydovtsya/http://epl.org.ua/announces/sudovi-zahyst-osoblyvo-tsinogo-masyvu-svydovtsya-3/>

A brief overview of the situation as of 2023

The Sydyovets resort (announced in 2016):

The investor is getting ready for construction
Litigation is underway
The environmental impact assessment (EIA) initiated in 2018 is on hold
The local authorities support the idea of the resort
Almost 16,000 people signed the petition to protect the Sydyovets massif
Construction works have not yet started

Bystrytsia and Turbat resorts (announced in 2022):

The investor is getting ready for construction
Local authorities support the construction of resorts and prepare the necessary documents
EIA procedures have not yet started
Construction has not yet commenced

How does the war influence the forests surrounding Svydovets

The resort is one of many threats to Svydovets. The surrounding forests have long been suffering from illegal and unsustainable logging. In 2021, Free Svydovets published a detailed study of the activities of two state forestry enterprises on the territory of Svydovets, involved in illegal sanitary logging, destruction of virgin forests, threats to activists, etc.⁴

In 2022-2023, during the full-scale war, the situation has not changed for the better, quite on the contrary. Since the beginning of the Russian invasion, the Ukrainian government has, on many occasions, made the situation with forest protection worse.

For instance, in the spring of 2022, the Verkhovna Rada of Ukraine suspended the "silence season" - a legal prohibition to logging in some forests during the spring period of bird nesting. The decision was motivated by the need "to enhance the defence capabilities of the country", even though such arguments do not hold water.⁵

Another example: in early 2023, the Cabinet of Ministers cancelled the obligatory biological study when preparing forest management plans.⁶ During 2022, the government, on multiple occasions, tried to cancel many other restrictions on logging, yet the environmental movement was able to block such initiatives successfully.

One of the biggest problems is the lack of access to forests and information on logging. In 2022-2023, regional administrations, quite often, prohibited access to forests to citizens, including in Zakarpattia. There is a lack of access or limited access to information on logging permits and planned sanitary logging, even though such restrictions do not comply with the law and do not influence the country's defence potential.

⁴https://reesvydovets.org/#flipbook-df_2042/1/

⁵<https://forest.gov.ua/news/rozsurnenny-a-shchodo-sezonu-tishi-u-period-voyennogo-stanu>

⁶<https://uncg.org.ua/biolohichni-doslizhennia-v-lisi/>



In 2022-2023, forestry enterprises at Sydvovets - Brusturianskyi and Yasinianskyi - were developing forest management plans for the next ten years. According to legislation, such documents are subject to public hearing procedures. Nevertheless, Yasinianskyi forestry enterprise, in violation of the law, did not present the draft management plan for a public hearing.⁷

The situation is similar to the environmental impact assessment (EIA). The involvement of the public in the procedure is now limited - documents that used to be in public access can now be accessed only upon official request, which is often not granted. That is why now, both logging in the area of Sydvovets and the resort project have a chance to go through EIA without any involvement of the public.

All this makes it more challenging to trace logging in the most valuable forests at Sydvovets and efficiently do something about it. What is most upsetting is that these restrictions are not only non-compliant with the law but also have no practical feasibility amid the war.

⁷<https://w.forest.gov.ua/news?id=5222>
⁸<https://cuttlv/y3lzgDI>

Another important event happened at the end of 2022: Vasyl Telychuk became the new director of Yasinianske state forestry enterprise (which is now a branch of the Lisyi Ukrayiny (Forests of Ukraine) state company). Until 2020, he had been the head of Yasinianske forestry enterprise for many years.

Under his management, the forestry enterprise conducted large-scale illegal logging, and nobody was held responsible for that. What is implied is sanitary logging, logging in the virgin forests, etc. The old-turned-new director of Yasinianske forestry enterprise is involved in corruption scandals: for instance, regarding the illegal carving up of land on the Krachunieska highland meadow. Vasyl Telychuk is also notorious for threatening activists and blocking the ministerial commission on the identification of virgin forests.⁸

Vasyl Techuk got his position back because of the decision of the heads of the industry (State Forestry Agency) within the forestry reform. Within the same reform, the appointed director of one of the forestries in the Sydvovets area - Mokrianskyi - is Valerii Murha, former head of Zakarpattia Forestry, who is involved in a number of corruption-related scandals and criminal cases with regards to illegal logging.

What do the stakeholders think

9

The fate of Syvdovets and the adjacent mountain ridges, where mega-resorts are planned, is unknown, and it will all depend on how the position of the key stakeholders changes. In February 2023, it can be described as follows:

Investor of the resorts (with ties to oligarch Kolomoisky): actively promotes the idea of the resort among local communities and the authorities, is interested in the fastest resolution of the case and urges for the preparation of documents and issue of construction permits.

Local authorities: support the idea of building resorts; most likely, they are under the influence of the investor and are not fully independent in their decisions.

Local communities: some representatives support the resort because they see a positive economic impact in the short-term prospect (new jobs). This argument has become particularly significant in 2022-2023, when men who could travel to the EU as labour migrants can no longer leave the country. Some representatives of the community do not support the resort because of potential negative consequences for the environment and society.

Regional authorities: support the resort and promote its construction.

Central authorities (namely, Cabinet of Ministers): in 2021, the Prime Minister expressed his support for the construction.⁹

Courts: in theory, they must be impartial and independent, yet the project investor may potentially influence them.

⁹ <https://www.youtube.com/watch?v=Z-4V0yprAdg&t=4054s>

How should Svydovets develop?

10

Free Svydovets has a vision of the sustainable development of Svydovets and the surrounding areas. We are convinced that in the near future, we should be working in the following two directions:

REAL WILDLIFE PROTECTION AT SVYDOVETS.

In order to achieve this, Free Svydovets is preparing **a petition to create a Free Svydovets reserve.**

This protected territory will help save the wildlife in the area and shield it from unsustainable logging and resorts on the one hand. On the other hand, it will not impede the development of eco-tourism and traditional agriculture.

For the reserve to be created, we need the political will of the government of Ukraine, which in the past was not too supportive of the idea of saving Svydovets.

INVESTMENT IN THE DEVELOPMENT OF LOCAL COMMUNITIES

Mountain communities traditionally survive on subsidies, and not just in Ukraine. Now, when our partners are talking about the reconstruction and development of Ukraine and are eager to support these processes, is the perfect time to channel the investment towards the development of the local communities around Svydovets.



Photo: Nelli Marchuk
CC BY-SA 4.0

More info:

The Case of Svydovets: How Oligarchs are Planning to Destroy one of the Most Pristine Natural Landscapes in Ukraine (2019, in English)

https://freesvydovets.org/#flipbook-df_1550/1/

The Trees Cannot Scream: How Unsustainability and Unlawfulness Destroy the Forests of Ukrainian Carpathians (2021, in English and Ukrainian).

https://freesvydovets.org/#flipbook-df_2042/1/

https://freesvydovets.org/en/#flipbook-df_2047/1/



Contacts:

Free Svydovets Initiative Group



freesvydovets.org



freesvydovets



freesvydovets@gmail.com

Photo: Ivan Fedorshyn
CC BY-SA 4.0