



National University of Life
and Environmental
Sciences of Ukraine



Global Fire Monitoring
Center



Regional Eastern European
Fire Monitoring Center



Council of Europe



EUR-OPA
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Statement of the National Round Table

Fires in the Natural and Cultural Landscapes of Ukraine: Towards the Development of a National Fire Management Policy

On 26 October 2017, the National Round Table “Fires in the Natural and Cultural Landscapes of Ukraine: Towards the Development of a National Fire Management Policy” was held at the National University of Life and Environmental Sciences of Ukraine. The Global Fire Monitoring Center (GFMC) and Regional Eastern European Fire Monitoring Center (REEFMC) organized the Round Table with the financial support of the Council of Europe’s Major Hazards Agreement (EUR-OPA). Representatives of the Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine, Ministry of Agrarian Policy and Food, Ministry of Ecology and Natural Resources, Ministry of Internal Affairs, State Agency of Forest Resources, State Space Agency, State Service on Emergencies, State Statistics Service, other central executive bodies, enterprises and organizations, foreign observers participated in the Round Table.

The current state of the problem of vegetation fires in agricultural, other lands and forests of Ukraine was thoroughly presented to the participants in keynote speeches and during discussions. Significant damage to the environment, soil and biodiversity and enormous threats for health and safety and people's lives, their property, especially rural residents living in fire hazardous areas were largest concern of the participants. The participants of the Round Table underlined the lack of effective mechanisms to bring to justice peoples who ignite fires and low level of fines, low level of identification offenders and lack of funding for fire prevention, first of all in the Southern and Eastern regions of the country.

Given the significant of risks nationwide and in regional scale of massive fires on agricultural and other categories of lands and in forests of Ukraine as well as the significance of the problem at global scale (in 2017 extremely large and severe forest fires have recently occurred in the United States, Chile, Portugal, Spain), considering also negative consequences for the environment and public, the participants of the Round Table declared next:

1. Ukraine is experiencing serious impacts of climate change that already has led to an extension of the duration of fire season (up to yearlong in the South of the country) and the frequency of recurrence of periods of extreme fire danger that determine high risk of uncontrollable large fires.

2. Significant land-use changes are ongoing in Ukraine: More than half of all lands become private during last two decades, but the owners, especially small landowners, remain at an insignificant level of capacities and lack of support to protect their lands from fires. Lack of operational costs, e.g. by subsidies, push farmers to burn agriculture residues instead of plowing – meanwhile a widespread practice in Ukraine.

3. Fires on agricultural and other lands in Ukraine have become a regular event that occurs on most of plain part of Ukraine and during the entire fire hazard season. The annual

amount of agricultural fires in Ukraine ranges between 20 000 and 30 000 that burn up 300 000 hectares (ha) during extreme years.

4. The fires on agricultural and other lands make a significant negative contribution to global climate change. Every year, such natural fires emits from 38 to 122 tons of “Black Carbon”, which affect people’s health and the environment. Particles of Black Carbon released from fires in Ukraine migrate with atmospheric masses to the Arctic where they are deposited on the ice cover, subsequently change albedo, and thus contribute to ice melting.

5. Numerous recent cases of transfer of fires from landscape to residential areas show that vegetation fires in rural landscapes threaten rural populations, their property and infrastructure.

6. Uncontrollable fires in natural landscapes – e.g. floodplains and mires – negatively impact biodiversity of Ukraine; this has already led to a decrease of bird population of wetlands.

7. The weakness of state control of fire safety rules implementation by land users and farmers, blurring and lack of clarity of legislation in this area, insignificant level of inspections of farmers, are resulting in mass violations and numerous fires.

8. Lack of funding of forest fire management in the Southern and the Eastern parts of the country over last two years caused massive leave of fire professionals from forestry enterprises and resulted in catastrophic decreasing of fire management capacity, reduced country credibility among international partners.

Considering the significant risks and negative consequences of problem of uncontrollable fires, the participants of the National Round Table agreed that there is a need to identify urgent, coordinated and joint action to address the most critical issues related to fires on agricultural, other lands and in forests. In particular, for resolving critical issues related to vegetation fires in Ukraine, participants of the National Round Table decided to appeal to the Cabinet of Ministers of Ukraine with following proposals:

I. In the Legislation:

1. Amend the *Law of Ukraine on Environmental Protection* in the implementation of the obligations of companies, institutions, organizations and individuals using land, to prevent burning of dry vegetation (including – third parties). Allow the possibility of controlled burning of dry vegetation in individual cases, solely in accordance with the procedure and permission of the Ministry of Ecology and Natural Resources of Ukraine (through their territorial subdivisions of the Regional State Administration).

2. Amend the *Law of Ukraine on Flora*, the *Law of Ukraine on Wildlife* to ban burning of dry vegetation. Owners and land users are obliged to take measures to prevent the burning of dry vegetation on land owned by them or using them, including the carrying out of burning by third parties. Failure to prevent of burning of dry vegetation must be followed by official investigation from local authorities of Ministry of Interior of Ukraine.

3. Amend the *Forest Code of Ukraine* regarding the responsibilities of owners and land users of agricultural lands located near forests to take measures to prevent burning of dry vegetation by third parties on the respective lands. The owners of these land or users must take responsibility for damage caused to forests by them or by third parties with which fault occurred wildfire. The responsibility of these persons for damage caused as a result of burning of dry vegetation, which cause forest fire, should be subject to compulsory insurance accordance to current procedures.

Owners and users of land that allowed burning of dry vegetation on their lands, which caused a forest fire, must reimburse the costs for fire suppression in accordance with an order (to be developed) by the Cabinet of Ministers of Ukraine.

4. Amend complex changes to the *Forest and Land Codes* to determine the status of forests that self-seeded (encroach) on private agricultural lands (in Polissia and other northern

areas) for holders of these lands. It should take into account the need for fire prevention of such forests. These changes will allow protecting self-seeding forests from logging, assist in development of private forest management, and the emergence of more than 100 000 private forest owners.

5. Amend the *Law of Ukraine on Land Protection* concerning obligations of the owners or land users that shall implement measures to prevent burning of dry vegetation and take steps to extinguish these fires.

6. Make appropriate changes to Art. 77, 77-1, 83 of the *Code of Ukraine on Administrative Offenses*, Art. 245 of the *Criminal Code of Ukraine* concerning improvement of these dispositions articles and increase the size of the relevant sanctions for violations. In particular, consider the responsibility in the absence of taking immediate measures to extinguish fires fire suppression.

7. Amend the *Land Code of Ukraine*, the *Law of Ukraine on Land Lease* regarding possible decline ownership or user status of land by decision of court for systematic burning of residues.

8. Amend the *Code of Ukraine on Administrative Offenses* on empowering staff of the National Police in cases of administrative violations of the fire safety rules on agricultural lands.

Develop a methodology for determining damage, which caused because of fires and procedure reimbursement of costs of the State Emergencies Service and permanent forest users that made during fire suppression, including - on agricultural lands bordering forests.

9. Amend the *Code of Civil Protection of Ukraine* regarding the improvement of the powers of local self-government bodies in the field of civil protection – the extinguishing of fires on agricultural lands that are not owned or used.

10. During development of the *Law of Ukraine on the State Budget of Ukraine for 2018* and draft State Budget of Ukraine for the following years, to include the state funding of forest management, fire management, scientific research, forest health protection in the Southern and Eastern oblasts of Ukraine. In particular, the increase in expenditure to finance the budget program *Forest and Wildlife Management, Conservation and Protection of Forests*.

Consider restoring funding for management of protective forest plantations and shelter forest belts. To initiate the adoption of the draft *Law of Ukraine Register. No. 4657* dated May 12, 2016.

11. Amend the *Code of Civil Defense of Ukraine* to define clear responsibilities of executive authorities to take concrete measures to prevent fires. In case of illegal burning of dry vegetation, inform territorial authorities of the National Police and State Service on Emergencies, State Ecological Inspection.

12. Amend the *Law of Ukraine on Land Lease* and template of land lease agreement on the rights and responsibilities of owners and land users to take measures in the field of fire safety. Develop civil responsibility of owners and users for failure to comply with fire prevention measures.

II. In the State Management System:

1. Create a working group led by the State Statistics Service of Ukraine to develop a unified national system for collecting information on cases of vegetation fires on state and private lands of all (forests, agriculture and others).

2. Seek Hydro-Meteorological Service of Ukraine and the National Space Agency of Ukraine for the organization of free public access to daily data on fire weather danger. Consider introducing a web portal.

3. Consider of increasing the number of patrols of State Ecological Inspection on agricultural lands during fire season, aimed at detection of cases of fields igniting.

4. Develop a set of organizational and legal measures for restoration of agroforestry management, provision of funding for the maintenance of forest shelterbelts.

5. In order to support operational decisions in the field of fire management, to consider need to create and implement a national GIS containing geospatial data on emergencies and fires based on remote sensing.

6. Take organizational and legal measures to stimulate the creation of joint fire unit on volunteer base of local communities for fire protection.

7. Consider needs to promote and establish comprehensive program promoting the use of crop residues as biofuel.

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