



Borzhava windmills:

just transition or just a disaster?

Facts

Project

planned construction of the 120 MW wind power plant (WPP) comprising 34 wind turbines on the site **Polonina Borzhava** in the Ukrainian Carpathians

Investor

Enisolar Energy, a Turkish trade and manufacturing company of renewable energy system components



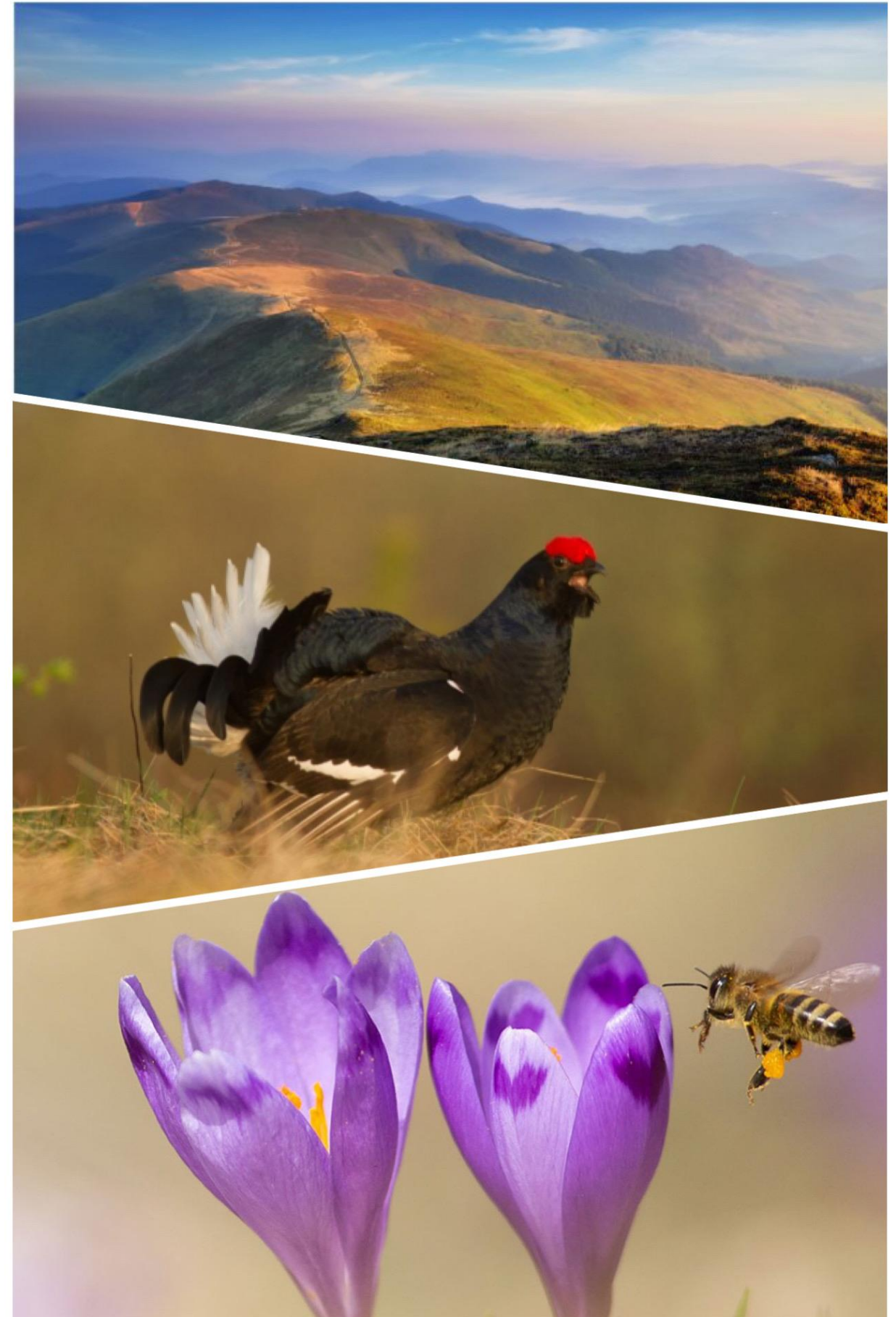
Developer

a Ukrainian company Atlas Volovets Energy LLC

The construction was about to start in June 2019

Borzhava is...

- **Emerald Network site** under Bern Convention on the Conservation of European Wildlife and Natural Habitats
= area of special conservation interest
- natural habitat for 31 species of plants and 26 species of animals listed in the Red Book of Ukraine and for 96 species of animals protected by international agreements
- + cross-border migratory routes of protected birds and bats pass through the Borzhava massif
- is important in terms of water resources



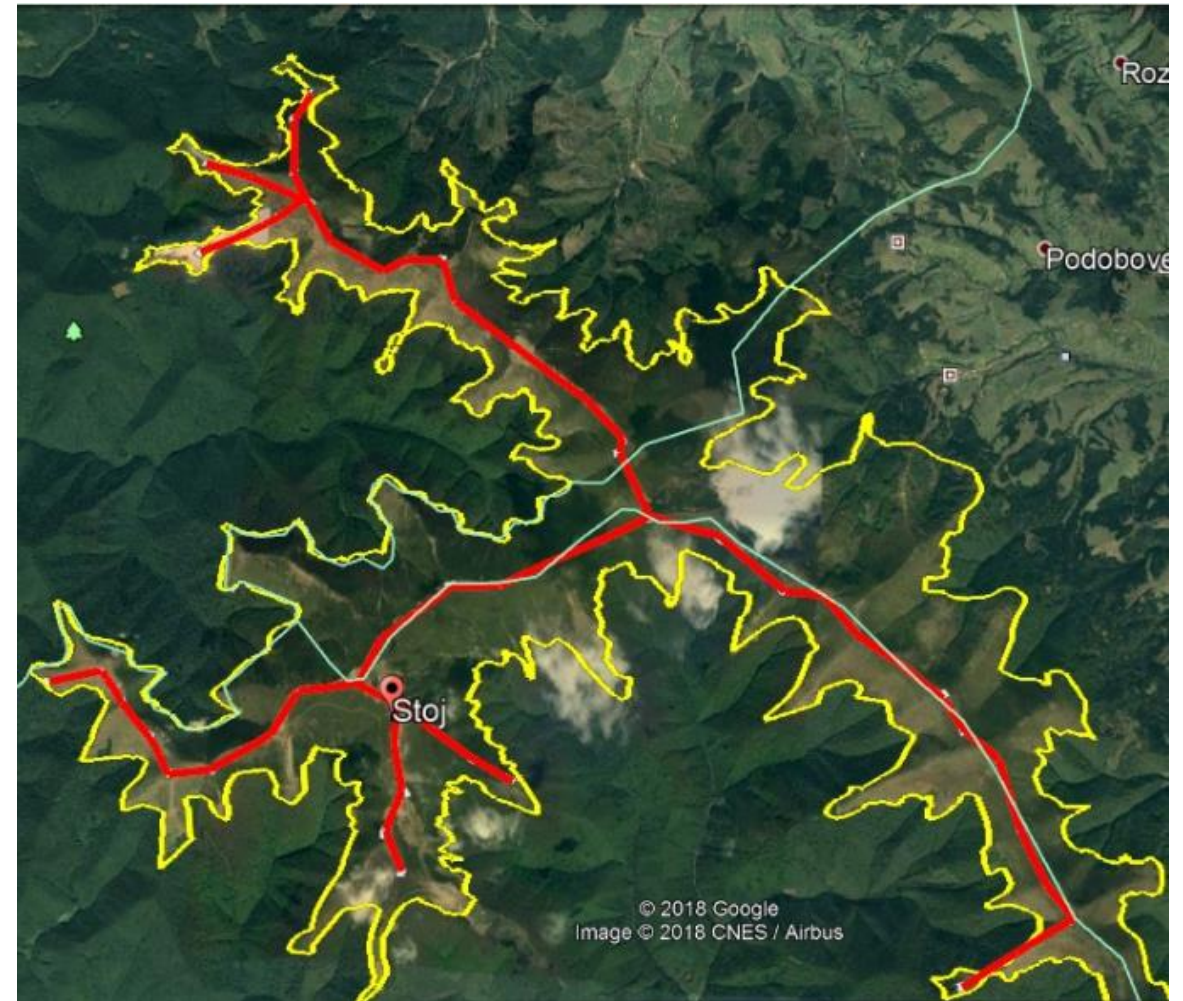


- a tourist highlight of the region, offering:
tourism, recreation, weekend hikes
trekking, mountain climbing
collecting berries, mushrooms, and herbs
cycling sports,
paragliding
winter sports



If the project is implemented -

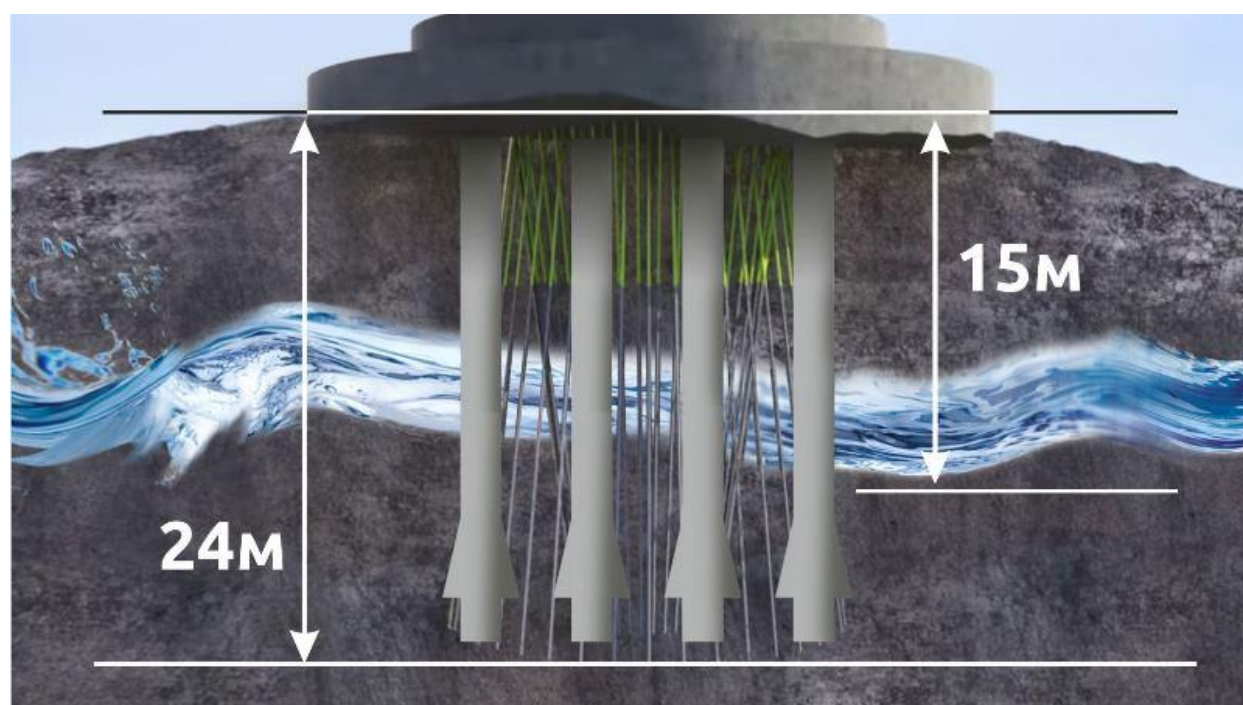
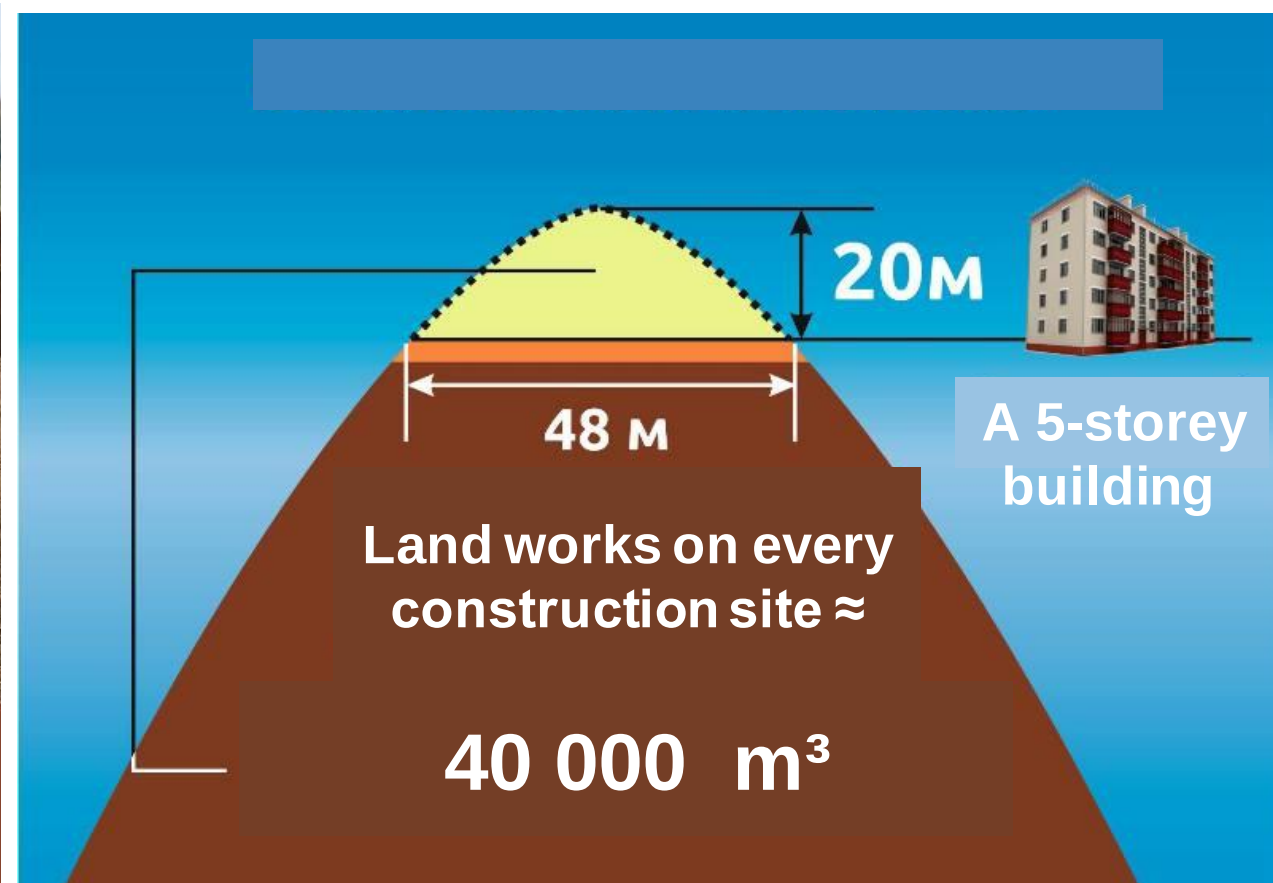
- visual distortion of the landscape
- destruction of the unique forest ecosystems
- destruction of the wildlife and natural habitats protected by the Bern Convention
- landslides and collapses
- disruption of the hydrological and geochemical regime of waters
- a threat of floods during heavy rains and snowmelt



*Red line - planned WPP location,
Yellow line - Emerald site boundary*



Each construction site -
of a football field size



Interference with ground waters regime



Trenches with electric cables everywhere



Blade length - 69 m

**40 construction sites
of a football field size
connected by wide roads
for super-heavy
construction machinery**

The elevation difference between nearest village Volovets and Borzhava is over 1000 m
Width of the road??



Nevertheless,

In March 2019, Developer obtained a **positive final Environment Impact Assessment (EIA)** statement from the regional state administration

Stakeholders provided numerous comments and raised a lot of concerns about the irreversible harm to the ecosystem and local economy, but **none of them were analyzed and taken into account** by the authorities

Public hearings were held in rooms too small to accommodate all of the interested people (even in a cold and dark corridor in one of the villages) and the opponents of the project had no time to speak



The environmental NGOs filed several lawsuits and complained to the Standing Committee of the Bern Convention

On 3 December 2021, the Standing Committee recommended **canceled the plans** for the development



Developer emphasizes the economic rationale of the project and promotes it as the driver for regional development

The construction hasn't begun so far

Rights-holders

- local residents in general
- farmers
- green tourism operators
- tourists
- professional sportsmen

Stakeholders

- broader community
- investors
- local and central government
- environmental scientists
- civil society organizations

Rights affected

Local residents in general:

- **right to a clean, healthy, and sustainable environment**

The project threatens to make the Borzhava ecosystem unsustainable.

Landslide and flood hazards, depletion of water resources, massive loss of biodiversity and the resulting decline in services provided by the ecosystem have negative implications, for the effective enjoyment of other human rights

- **right to private and family life (Art.8 of the ECHR)**
- **procedural rights:**
access to information, public participation, and access to justice

Farmers and green tourism operators:

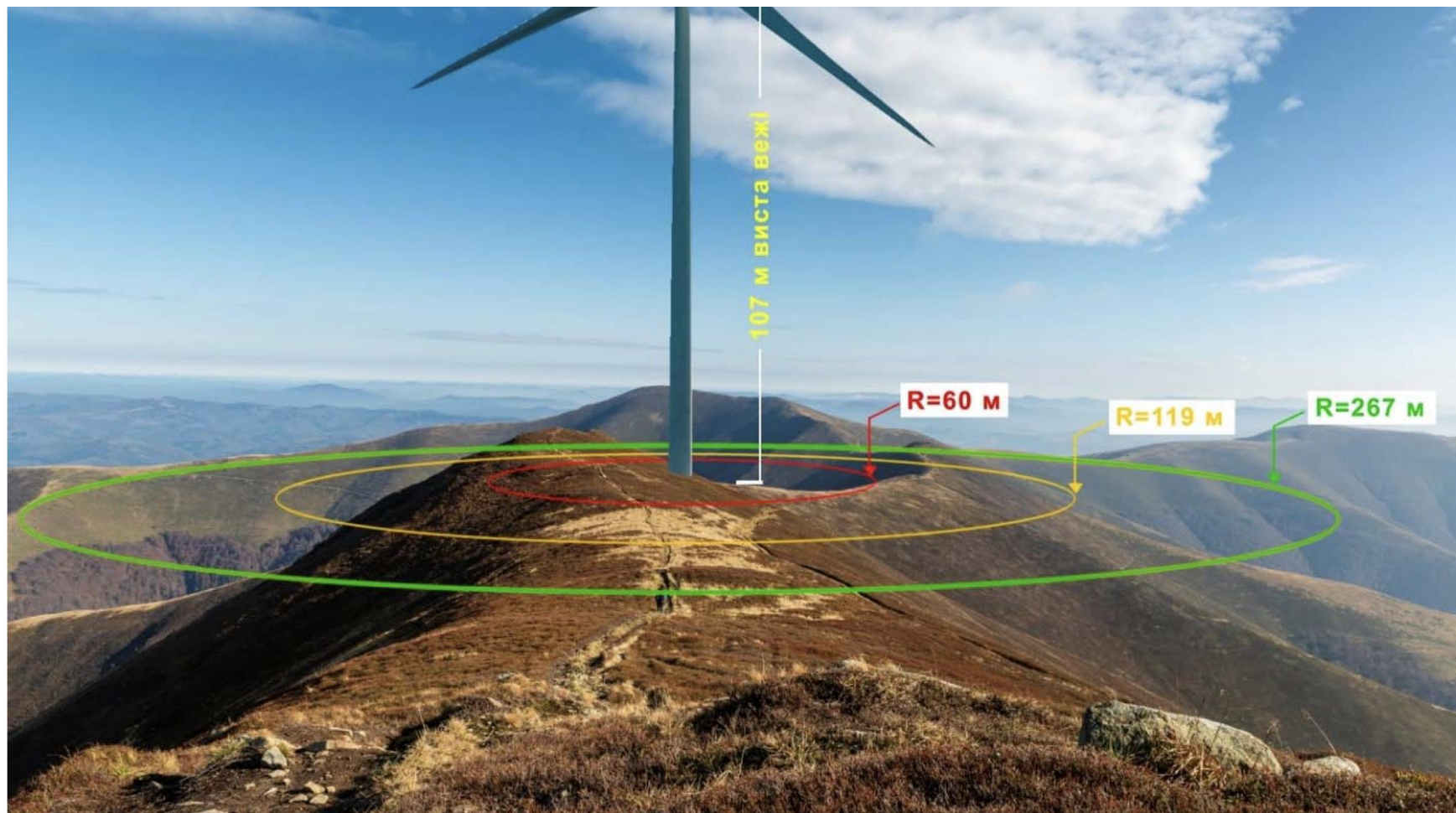
- **right to work**

The project threatens to destroy the main sources of income of local residents, depending on agriculture and tourism

Local residents and tourists:

- rights to life and physical health (potentially)

There is glaciation on Borzhava from November to April. The weight of ice fragments that can fall from wind turbines can reach up to **5 kg**. The radius of the dangerous zone of ice debris flying around the WPP in winter amounts to **267 m**. The ridge is much narrower, which makes it impossible to relocate tourist routes beyond the dangerous zones



Zones of danger:

Red circle -
WPP not in operation,
wind 5 m/sec

Yellow circle -
WPP not in operation,
wind 10 m/sec

Green circle -
WPP in operation

Tourists and professional sportsmen:

- right to free development of one's personality (Art.22 of the Universal Declaration of Human Rights, Art.23 of the Constitution of Ukraine)

For many people green tourism activities are an essential part of their personal identity

Borzhava is the site of the Ukrainian Downhill Championship

It is the only mountainous site in Ukraine for performing training flights and holding competitions in **paragliding**. Other Ukrainian paragliding sites are flat and do not allow athletes to properly prepare for international competitions, which, for the most part, take place in the mountains



Way out?

GP 18 (b):

in order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities or as a result of their business relationships. This process should involve **meaningful consultation** with potentially affected groups and other relevant stakeholders, as appropriate to the size of the business enterprise and the nature and context of the operation

If the Developer wanted to address this situation in line with the UNGPs it should do the following:

- **incorporate processes for assessing human rights within the EIA**
- **establish productive dialogue between itself, local communities as principal rights-holders, and stakeholders**

Best option:

to relocate the project to a different area
based on the country-wide
“opportunity map”



If the project is nevertheless implemented,

the company shall apply mitigation measures to
reduce adverse effects, aimed at the prevention of:

- destruction of the protected plant and animal species
- prevention of landslides and floods

WRONG DECISION

✓ Collaborating with independent experts might
help

! still, to large extent, environmental consequences of the project are unpredictable,
which precludes effective mitigation **!**

**! Ukrainian state did not meet its own duty to protect,
as it also ignored voices other than company's!**

NCP?



oecdwatch.org

[How to file a complaint?](#)[Complaints database](#)[OECD & NCPs](#)[News & publications](#)[About us](#)

[Home](#) > [NCPs](#) > [NCP Ukraine](#)

SHARE THIS



NCP / Ukraine

NCP Ukraine

This page provides information related to NCP Ukraine. Directly underneath, you find the scores of the NCP on the NCP Evaluation Project. The NCP is evaluated on the indicators with Yes, No or Partial/Not Applicable. The indicators are **ordered per category**.  To see what indicator scores best among all NCPs go to **the NCP Evaluation Overview**. At the bottom, there is news related to the NCP.

NCP Website

 [Visit the website](#)

Related cases

 [View the related cases](#)

Related complaints

In the OECD Watch Complaint Database you can find all the related complaints with NCP Ukraine

Related complaints NCP Ukraine

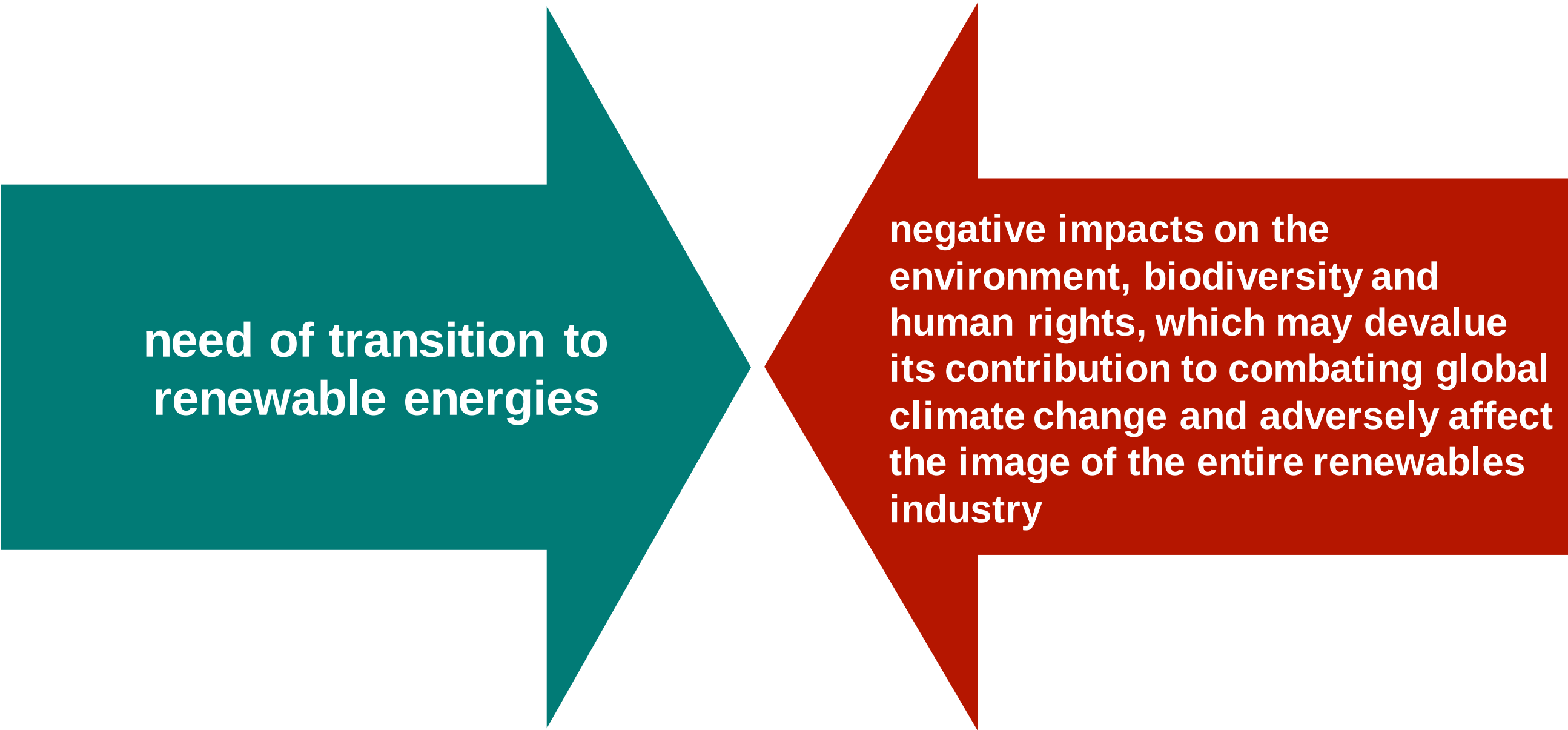


Site ncp.gov.ua not configured

To get your site here, you need to add it to [control panel](#) in the «My Sites» section.

If you have recently added a site to your control panel - wait 15 minutes and your site will start working.

Conclusions



The diagram consists of two large, stylized arrows pointing towards each other. The left arrow is teal and contains the text 'need of transition to renewable energies'. The right arrow is red and contains the text 'negative impacts on the environment, biodiversity and human rights, which may devalue its contribution to combating global climate change and adversely affect the image of the entire renewables industry'. The arrows are positioned such that their points nearly meet in the center.

**need of transition to
renewable energies**

**negative impacts on the
environment, biodiversity and
human rights, which may devalue
its contribution to combating global
climate change and adversely affect
the image of the entire renewables
industry**

- ✓ thorough approach to the selection of new WPPs locations**
 - ✓ taking into account nature conservation
and related human rights concerns**



Me on the site...everything still OK!

Thank you for your attention!