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Warsaw, 2 June 2016

Jean-Claude Juncker
President of the European Commission

Copy: Vice-President Frans Timmermans / Commissioner Karmenu Vella

European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels

Subject: start of logging in Białowieża forest

Dear President, Vice-President and Commissioner,

We are writing to you to draw your attention to the serious threat of destruction of the Białowieża Forest in Poland - the last remaining lowland old-growth forest of the northern temperate zone. This needs a quick and clear response from the Commission and we urge you to fast-track your decision-making in respect of the infringement procedure against the Polish government regarding the Białowieża Forest.

The approval by the Polish Minister of the Environment for increased logging in Białowieża Forest constitutes a breach of Art. 6(2) and (3) of the Habitats Directive and Article 4(4) of the Birds Directive. On 19 April 2016 we have submitted a complaint to the European Commission (Complaint CHAP(2016)01371), requesting the Commission to start an infringement procedure against the Polish government.

In a letter sent on 23 May¹, we highlighted that the Polish government had announced the imminent start of logging operations in Białowieża Forest.

We can now confirm that logging has started, initially in peripheral areas of the forest. We are highly alarmed by this fact and concerned that irreversible damage will occur as soon as operations are scaled up. We therefore kindly ask you to urgently discuss the Polish government's infringements of the Nature Directives at your next college meeting, with a view to sending a "letter of formal notice" within the coming days. We also urge you to fast-track the procedure by requesting a prompt reply from the Polish government, i.e. within a matter of days rather than weeks and to consider the possibility of applying for interim measures to suspend logging.

The Polish government had announced in March 2016 its decision to triple the logging in Białowieża Forest, as part of a controversial new forest management plan. Białowieża Forest is a World Heritage and Natura 2000 site² and Europe's last remaining lowland old-growth forest of the northern temperate zone. The new logging plans contravene EU law and disregard the broader economic and socio-economic benefits that this forest provides to local communities, and is in conflict with the sustainability principles.

Close to 150,000 people signed a petition calling for the protection of Białowieża Forest. Almost 31,500 people³ have signed their names to the NGO legal complaint to the Commission, acknowledging that citizens and NGOs alike have exhausted their national possibilities to challenge the controversial logging plan.

As guardian of the EU treaty, it is of utmost importance that the Commission acts quickly to protect Białowieża, which represents Poland's and the EU's natural heritage.

A quick and clear response to the government's decision to begin logging would confirm that this Commission is committed to the implementation of EU laws and common European identity, implying that Member States comply with certain basic principles and rules, and the respect for our natural heritage.

We urge you to take these considerations into account in your forthcoming deliberations.

¹ <http://www.documents.clientearth.org/wp-content/uploads/library/2016-05-23-letter-to-alexander-italianer-on-bialowieza-forest-as-logging-could-start-from-27-may-coll-en.pdf>

² see annex: background document on „logging in Bialowieza“

³ <http://kochampuszcze.pl/skarga/>

We will be maintaining our public campaigning on this matter. In light of the urgency, we look forward to your prompt response.

Yours sincerely,

Marcin Stoczkiewicz

A handwritten signature in blue ink, appearing to read 'Marcin Stoczkiewicz', is centered on the page. The signature is fluid and cursive.

Member of the Management Board of ClientEarth Poland

On behalf of:

Greenpeace

Greenmind Foundation

WWF

Polish Society for the Protection of Birds (OTOP)

Wild Poland Foundation

Workshop for All Beings



Save Białowieża Forest!

Białowieża forest is the best preserved forest ecosystem and the last low-land deciduous old-growth forest in Europe. It hosts Europe's largest bison population. Białowieża forest has been designated as Natura 2000 site and UNESCO World Heritage site, yet it is under threat as permission was consequence of the Polish Environment Minister's decision, in March 2016, to triple logging in the forest. The ministry attempts to justify this intensification of logging with alleged need to tackle a bark beetle outbreak. However, bark beetle outbreaks and dying spruce trees are natural processes that have been shaping the Białowieża forest for centuries. Both scientists and the public strongly oppose large-scale cutting of trees in the forest. More than 140,000 Poles signed an online appeal for the protection of Białowieża forest.

On 23 May, seven Polish and international NGOs filed a complaint to the European Commission to warn that Poland had breached Articles 6(2) and 6(3) of the Habitats Directive and Article 4(4) of the Birds Directive (by virtue of Article 7 of the Habitats Directive). **The Polish Ministry of Environment announced the start of logging operations on 24 May 2016. The imminent increase in logging rates will create damage that cannot be undone. We therefore urge the European Commission to fast-track the infringement procedure and to impose interim measures to stop the logging operations.**

Białowieża forest is characterised by natural processes and has seen little human intervention and impact compared to other European forests. The Polish area of the Białowieża Forest (630 km²) in its entirety protected as a Natura 2000 site (PLC200004) and a transboundary UNESCO World Heritage Site. One-third of the Polish area of the forest is protected as a national park and nature reserves (strictly protected areas), while the remaining two-thirds are subject to forest management.





Save Białowieża Forest!

In 2008, the European Commission launched a procedure of a structured dialogue (EU pilot) with Poland because of intensive wood extraction in the Białowieża forest. Negotiations resulted in a compromise: the logging limit was lowered and set at the level of wood needed to fulfil local community demand. As a result, in 2013, the Commission closed the structured dialogue. The increase of wood extraction approved in March 2016 by the Ministry of Environment is three times higher than the previous logging limit (raised from c. 63,000 to 188,000 m³) and breaches EU law (Articles 6(2) and 6(3) of the Habitats Directive and Article 4(4) of the Birds Directive, by virtue of Article 7 of the Habitats Directive) and the agreement reached under the EU pilot.

The need to halt the bark beetle outbreak – which supposedly justifies the increased logging - ignores the fact that such outbreaks are natural processes that occur every 8-10 years. They are natural factors which shape changes in forest composition in the era of rapid climate change. Notably, given the fact that one-third of Białowieża Forest is excluded from logging (strict protection), it is impossible to achieve the threshold of 80% efficiency in logging of infested trees, which would be required to control the outbreak.

The increase in timber extraction was criticised by the most important scientific bodies and institutions responsible for nature protection in Poland and abroad. Also the public strongly opposes large-scale cutting of trees in Białowieża. More than 140,000 Poles signed an appeal¹ for protection of this site.

¹ <http://kochampuszcze.pl/>

On 19 April 2016, seven Polish and international NGOs submitted a legal complaint² to the European Commission to highlight and provide in-depth evidence of the breaches of EU law.

On 24 May 2016, the Polish Ministry of Environment³ announced the start of logging that day. We urge the European Commission to fast-track formal infringement procedure and to shorten the timelines for the investigation. We further ask the Commission to impose interim measures to stop the logging.



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More information: www.ilovebialowieza.com

² Complaint to the European Commission concerning alleged breach of Union law: <http://www.documents.clientearth.org/wp-content/uploads/library/2016-04-19-complaint-to-the-european-commission-concerning-alleged-breach-of-union-law-over-logging-bialowieza-coll-en.pdf>

³ <https://www.youtube.com/watch?v=eBlyZHBX5zw>