



MINISTRY OF ENVIRONMENT,
WATERS AND FORESTS

STATE SECRETARY'S CABINET

14089/RCP/22.07.2016

**To: Ms Lourdes Aurore Hernano Garcinuno
Vice-Chair of the Implementation Committee, Convention on Environmental
Impact Assessment in a Transboundary Context and Protocol on Strategic
Environmental Assessment**

**Ref: Follow-up on decision VI/2 of the Meeting of the Parties (EIA/IC/S/1 Bystroe Canal
Project)**

Dear Madam Vice –Chair,

I would like to refer to your letter of 7 April 2016, by which you have invited Romania to provide its views in respect of the concrete steps taken by Ukraine to bring the Bystroe canal project in accordance with the Espoo Convention, for the Implementation Committee to consider at this next session.

I would like to inform you in this respect on the recent developments in the bilateral Romanian-Ukrainian dialogue on this matter.

Romania and Ukraine are currently conducting a process of bilateral consultations at expert level in order to reach a mutual understanding in respect of the Bystroe project issue; the latest bilateral meeting in the framework of this process took place in Geneva, on 16 March 2016.

In the context of these informal consultations Romania and Ukraine exchanged non paper documents outlining their respective views on the development of navigation in the Danube Delta.

Further, the issue of the canal was discussed by the Trilateral Joint Commission (Romania – Republic of Moldova – Ukraine) established within the framework of the *Agreement between the Ministry of Environment and Spatial Planning of the Republic of Moldova, the Ministry of Waters, Forests and Environmental Protection of Romania and the Ministry of the Environment and Natural Resources of Ukraine on cooperation in the zone of Danube Delta and Lower River Prut nature protected areas*, signed at Bucharest on 5 June 2000.

The Trilateral Commission met most recently in Odessa (23-24 March 2016). The Commission agreed, in principle, on the development of the programs for joint monitoring of the environmental factors and economic activity (including the pollution sources) within the limits of the protected areas of the Danube and Lower Prut deltas and the adjacent territories that can impact the protected areas. It has further agreed on other steps aimed at improving cooperation, such as coordination of the initiatives of the parties regarding protected areas of



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the Danube delta and the Lower Prut; exchange of experience and joint work on joint management of protected areas in the borderline territories; establishment of joint working groups.

Romania is encouraged by these developments and intends to pursue this dialogue in order to reach a fair and comprehensive settlement.

At the same time, Romania considers that, in order to bring the project in accordance with international law, no new works at the canal should take place and the Ukrainian authorities must undertake the commitment not to proceed with phase II and to repeal the final decision concerning phase II. These views were transmitted to the Ukrainian side during the said consultations.

Equally, I would like to inform you that Romania is currently completing the internal procedures necessary for the initiation of formal negotiations on a bilateral agreement with Ukraine to enhance further the implementation of the provisions of the Espoo Convention, as envisaged by article 8 of the Convention.

Romania values very much the involvement of the Implementation Committee in this issue and its efforts to determine Ukraine to comply with the provisions of the Convention.

Let me take this opportunity to express my highest consideration.

Yours sincerely,

STATE SECRETARY

RAUL CĂLIN POP

