

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT
PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT

Mr. Romas Svedas
Telephone: +370 677 42699
E-mail: romas.svedas@tspmi.vu.lt

Institute of International Relations and Political Science
Vilnius University
Vokieciu str. 10, LT-01130
Vilnius, Lithuania

Secretariat: Ms. Elena Santer, UNECE
Telephone: +41 (0)22 917 2090
E-mail: Elena.Santer@unece.org, eia.conv@unece.org

Palais des Nations
CH-1211 Geneva 10
Switzerland

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

19 September 2017

Dear Mr Tarasenko,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003).

At its thirty-ninth session, held in Geneva from 5 to 7 September 2017, the Committee followed up on decision VI/2 of the Meeting of the Parties to the Convention.

The Committee recalled that at its seventh session in Minsk the Meeting of the Parties had welcomed the adoption by Ukraine of the law on environmental impact assessment (the EIA Law of Ukraine), and that consequently, the Committee members present at that session had informally agreed in the margins of the session on a revised text of paragraphs 13-28 of draft decision VII/2 which the Meeting of the Parties had not had time to consider during the plenary session. Having considered a legal opinion on the compatibility of the Ukrainian Law with the provisions of the Convention prepared by consultants to the secretariat in summer 2017, the Committee noted that the Law provided a rather comprehensive legal framework for the practical implementation of the Convention. At the same time, I would like to stress the importance for also ensuring the compliance of the subsidiary legislation with the Convention. As the secretariat's resources for further legal assistance to Ukraine have been exhausted, you are kindly invited to seek, if needed, other means to review, before their adoption, eight drafts implementing regulations vis-à-vis the provisions of the Convention.

The Committee noted that Ukraine had made only limited progress in bringing the project into compliance with the Convention as required by the Meetings of the Parties since 2008, as stipulated in the decisions of the Meeting of the Parties IV/2, V/4 and VI/2.

Mr. Alexandr Tarasenko
Focal Point for Administrative Matters
regarding the Espoo Convention
Ministry of Ecology and Natural Resources of Ukraine
V. Lypkivskogo street, 35
03035 Kyiv, Ukraine
E-mail: o.tarasenko77@gmail.com

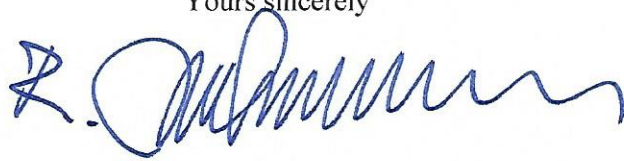
cc : Mr. V. Buchko (vbuchko@menr.gov.ua)

Taking into account the discussions of the Committee members in the margins of the seventh session of Meeting of the Parties, the Committee decided to assist Ukraine in addressing its persistent non-compliance with the Convention. To this end, it agreed to prepare at its forties session (5-7 December 2017) an action plan with concrete steps to be taken to bring the Project into full compliance with the Convention. It also decided to invite Ukraine to take part at the Committee's forty-first session (13-15 March 2018) with a view of discussing and clarifying the steps proposed and the timeframe for their implementation. The Committee would subsequently revise draft decision VII/2 regarding the Bystroe Canal Project for the consideration of the Meeting of the Parties at its 'intermediary' session.

In the meantime, further to paragraph 26-27 of decision VI/2, I am inviting you on behalf of the Committee to present your views on the ongoing consultations on the post-project analysis with Romania and the recent developments in concluding a bilateral agreement with Romania on the implementation of the Convention.

You are kindly invited to provide the requested information **in English** by **30 October 2017** through the secretariat for consideration by the Committee at its next session.

Yours sincerely



Romas Svedas
Chair, Implementation Committee,
Convention on Environmental Impact Assessment
in a Transboundary Context
Protocol on Strategic Environmental Assessment