

From: "Cosmin Dinescu", 31.03.2009 14:14

Dear all,

Please find attached some further information on the works undertaken by Ukraine on the Danube-Black Sea canal, namely two reports of the Ukrinform and Reporter news agency (which quote a press release from the *Delta Lotsman*, the developer of the project, and respectively the declaration of an official from the Odessa Regional Administration).

It appears from these pieces of news and from the previous information that for the past five months Ukraine has conducted substantial works, considerably lengthening the dam at the mouth of the Bystroe branch of the Danube (which is currently of a length of 1, 670 meters). President Yuschenko shall inspect the new works on 7 April.

As the new length of the dam is significantly greater than the one specified for phase I (1,040 meters), we cannot but conclude that Ukraine is currently implementing Phase II of project, in blatant defiance of the provisions of the Espoo Convention and of the decision reached by the Committee of Implementation.

Ukraine has finally responded to our requests for clarification in respect of the recent activities, but in the reply it is merely stated the information on the works is provided in the Report submitted to the Committee of Implementation. Although we have stressed that these new works are a breach of the provisions of the Espoo Convention and of the Decision IV/2 of the Meeting of the parties, no explanation whatsoever is offered in this regard.

We trust you to decide on the appropriate steps to be taken following these developments.

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