



MINISTRY OF ENVIRONMENT,  
WATERS AND FORESTS

STATE SECRETARY'S CABINET

*15386/19F/16.03.2015*

To: Mr. Felix ZAHARIA, Chair

Implementation Committee of the Convention on Environmental Impact Assessment in a Transboundary Context and Protocol on Strategic Environmental Assessment

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

Dear Chair,

Please allow me to take this opportunity and thank you very much for your letter dated 24 December 2014, where you invited us to provide detailed information on the process of the preparation of the draft bilateral agreement with Ukraine on the implementation of the Espoo Convention taking into consideration decision VI/2 of the Meeting of the Parties to the Convention, at its sixth session.

In order to follow the above decision, at the end of the last year, we tried to identify the actions needed for preparing a bilateral agreement to support further the provisions of the Convention, as set out in article 8 of the Convention. The Ministry of Environment, Water and Forests has prepared a first draft agreement containing the main elements of the environmental impact assessment procedure in a transboundary context that we hope to apply between Romania and Ukraine.

Currently, this draft is being analyzed by other Romanian authorities. One of the first issues that we need to take into account is the fact that Ukraine lacks legislation necessary to ensure the proper implementation of the Convention.

I would also like to inform you that on 5 March 2014, representatives of Romanian and Ukrainian authorities met in Kiev for bilateral talks concerning the Ukrainian canal project. The issue of the bilateral agreement was also approached and both parties agreed on the need to advance the conclusion of this agreement.

I want to draw your attention to our efforts to reconvene the Joint Commission created under the Agreement between the environment ministries of Romania, the Republic of Moldova and Ukraine on the cooperation in the area made of the protected areas of the Danube Delta and Lower Prut River (signed in Bucharest on 5 June 2000), a body which was established for enhancing the cooperation on the protection of the Danube Delta. One of the issues on the agenda is the Ukrainian canal project.

A first session of this Commission took place in Romania on 22 March 2011. Unfortunately, no agreement had been reached during this meeting on the Ukrainian canal project.

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After several failed attempts, a second session of the Commission finally took place in Tulcea, Romania on 28 November 2013. During this session, the representatives of the three countries sharing the Danube Delta and the Lower Prut River area discussed the environmental impact of the Ukrainian project in the Danube Delta and agreed on certain steps in order to improve the cooperation in addressing this issue, in particular exchange of studies and data in respect of the project, joint analysis of such studies, and joint monitoring in the Danube Delta area.

The issue of holding a bilateral meeting between Romania and Ukraine on the implementation of the Espoo Convention was briefly addressed during the meeting of 28 November. The Romanian side conveyed a proposal to hold the bilateral talks in the first semester of 2014.

In the view of organizing the third session of the Trilateral Commission, the Romanian Ministry of Environment invited the other two ministries to a meeting in Tulcea, on 21<sup>th</sup> October 2014, and proposed an agenda including the Ukrainian canal project. Unfortunately, the Ukrainian Party was unable to attend and, for this reason, the meeting was canceled.

Yours sincerely,

State Secretary

Mihail FÂCĂ

