**Ukraine comments to the provisional agenda items and draft decisions for the meeting 24-26 August 2020**

**Comments to the draft decision VIII/4d (Bystroe)**

On the para 2:

Ukraine has provided package of information on 6 August 2020 that all the works have been suspended on both Phase I and Phase II in 2019 according to the roadmap. The slight delay with the submission of the information was due to the turbulence of merging and splitting ministries in Ukraine over the last year. The Ministry of Environment and Natural Resources is still undergoing the process of establishment and staff recruitment. At the same time we are ready to cooperate with the Committee members if needed on clarification of information provided. Therefore, we would kindly ask to delete or to change the wording of this paragraph according to the actual information received.

On para 3:

We propose to add following steps conducted (as to information provided through the Secretariat on 6.08.2020): suspension of the works under Phase I and Phase II, development of the Action Plan on compensatory measures and measures on reduction of potential negative environmental impacts during implementation of the new project Danube-Black Sea.

On para 4:

Again, taking into account that a number of steps have been taken already by Ukraine, we propose to reflect it in the decision, saying “Acknowledges concrete steps taken on implementation of the approved roadmap...”

On para 5:

Ukraine would like to inform, that it is working on implementation of the final provisions of Convention on EIA in a Transboundary Context and Law of Ukraine on EIA, which are to be implemented. As of today, there are 2 documents developed, which undergo internal considerations within the Ministry and Cabinet of Ministers for final approval:

* Draft Decree of the Cabinet of Ministers “On the approval of procedures for monitoring of impacts from state strategic documents, including people’s health”
* Draft Decree of the Ministry of Environment and Natural Resources on approval of criteria to determine environmental impacts, including people’s health”.

Both documents are expected to be approved in the coming 2 months. The Ministry will inform the Secretariat as soon as it is concluded.

On para 6,7 and 8:

We would like to thank the Committee that the decision 1SF has concrete steps we should follow to fulfil the Convention.

We also support that a similar approach with concrete action plans is applied to all the incompliance cases, as the previous decision on caution for Ukraine was based on the information, which was not official and was not considered by the government of Ukraine.

Ukraine has informed the Committee through the Secretariat in its letter from 6 Aug 2020 that it is not planning any construction activities or increase of depth in the Phase I project and Phase II. Therefore, we suggest that the Caution to the government based on these projects should be lifted.

On para 9 (b):

* we would like to propose text: “continue implementation of the roadmap with activities”

On para 9 (e):

* this information has been already provided to the Committee and Romania in March 2020. We are ready to provide further clarification on this information if needed. Probably, what was meant is Action Plan on compensatory measures and measures on reduction of potential negative environmental impacts during implementation of the new project Danube-Black Sea. This document is developed, but not yet officially approved by the Government due to legal issues with setting up the new Ministry for Environment and Natural Resources of Ukraine.

On para 9 (g):

* suggest to delete, since all the mentioned information was already submitted.