*Non-paper*

**Practical steps aimed at compliance of the Bystroe Project**

**with the Espoo Convention provisions**

Paragraph 10 of the Decisions IV/2 (Bucharest, 19–21 May 2008) reads as follows: “10. Decides to issue a caution to the Government of Ukraine to become effective on 31 October 2008 unless the Government of Ukraine stops the works, repeals the final decision and takes steps to comply with the relevant provisions of the Convention”.

Ukraine repealed the final decision of 28 December 2007 concerning the implementation of the project for the Danube-Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta immediately at the Fourth Meeting of the Parties to the Convention, Bucharest, 19–21 May 2008. Ukraine also stopped works and has taken steps to comply with the relevant provisions of the Convention, namely: a number of legislative acts have been adopted (see below).

Ukraine prepared “Road map” with the specific steps aimed at compliance of the Bystroe Project with the Espoo Convention provisions.

The Implementation Committee of the Espoo Convention on its 41th session concluded that the road map is the good background for the Route Bystroe Project compliance.

According to the mentioned road map the following steps were implemented:

* The Final Decision of 2010 approving the final development of the project was cancelled;
* The Action Plan on compensatory and mitigation measures of the Project implementation elaborated;
* The joint monitoring program “Harmonized transboundary monitoring network of the environmental status of Danube delta” was sent to the Romanian Party.
* The draft Agreement on bilateral cooperation was sent to Romanian Party (comments not received);
* The Ministry of Infrastructure of Ukraine announced the new project realization on the next stage being a subject of the EIA in transboundary context according to the national legislation.

Also, on 23 May, 2017 the Verkhovna Rada of Ukraine adopted the Law of Ukraine “On Environmental Impact Assessment”.

Thus, the final decision on the Bystroe Canal Case will be a construction permission issued after the transboundary impact assessment procedure.

Considering the mentioned above we may conclude Ukraine took the set of practical steps aimed at implementation of the Parties Meeting Decisions and Espoo Convention.

It is also important to mention, the approximation of Ukrainian legislation with the Convention and creation of an EIA procedure provided the transparent rules for all new objects under the compulsory transboundary environmental impact assessment procedure.

Summarizing the mentioned above and taking into account the tangible progress and practical steps took by Ukraine to bring the project in compliance with the Convention Ukraine consider it necessary to cancel caution to the Government of Ukraine.