



MINISTRY OF ENVIRONMENT,
WATERS AND FORESTS

STATE SECRETARY'S CABINET

No. *15126* /RCP/15 November 2016

To: **Ms. L. Aurora Hernando, Vice- 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 Ms. Vice- Chair,

I am writing in reply of your letter of 19 September 2016 by which you have requested the Romanian side to provide its views on progress in the concrete steps taken by Ukraine to bring the Danube -Black Sea Deep Water Navigation Canal in the Ukrainian sector of the Danube Delta (the Bystroe Project) in conformity with the Convention.

Firstly, I would like to inform you that Romania has transmitted to Ukraine, on 29 September 2016, a draft bilateral Agreement concerning the implementation of the Espoo Convention.

The draft Agreement includes provisions and procedures aimed and improving and enhancing the cooperation of the two sides in respect of conducting transboundary environmental assessments. Romania is hopeful that the negotiations of the Agreement will be successful and that its conclusion will contribute to a settlement of the issue of the canal.

Romania is equally following with interest the proceedings underway in Ukraine regarding the adoption of new legislation concerning the environmental assessment. It is our understanding that the respective legislation has not been enacted yet, the draft law being returned by the president of Ukraine to the Parliament. Romania would welcome the adoption of such legislation as a step towards compliance by Ukraine with the provisions of the Convention.

Romania is also concerned about the continuing works conducted by Ukraine at the seaward end of the Bystroe canal, which were discussed by the Implementation Committee during its thirty - sixth session (5-7 September 2016); Romania remarks that these works were found by the Committee to be in non-compliance with the Convention.

Given the above, Romania acknowledges the efforts undertaken by Ukraine in order to fulfill the provisions of the Espoo Convention, particular by legislative measures; at the same time, Ukraine needs to take further steps to bring the project in conformity with international law, in particular the Espoo Convention.

Romania remains committed to working to Ukraine in order to reach a comprehensive and durable settlement of the Bystroe canal issue.

Please accept, Ms. Vice - Chair, the assurance of my highest consideration and esteem.

Yours sincerely,

State Secretary
Raul Călin POP



Bulevardul Libertății nr. 12, Sector 5, București

Tel.: +4 021 408 9510

Fax: +4 021 311 6045

www.mmediu.ro