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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

31st meeting
Strasbourg, 29 November – 2 December 2011

PROTOCOL

OF THE FIRST MEETING OF THE MOLDOVA-ROMANIA-UKRAINE JOINT COMMISSION
ESTABLISHED WITHIN THE FRAMEWORK OF THE AGREEMENT BETWEEN THE MINISTRY
OF ENVIRONMENT AND SPATIAL PLANNING OF THE REPUBLIC OF MOLDOVA, THE
MINISTRY OF WATERS, FORESTS AND ENVIRONMENTAL PROTECTION OF ROMANIA,
AND THE MINISTRY OF ENVIRONMENT AND NATURAL RESOURCES OF UKRAINE ON
COOPERATION IN THE ZONE OF THE DANUBE DELTA AND LOWER RIVER PRUT NATURE
PROTECTED AREAS, SIGNED AT BUCHAREST ON JUNE 5, 2000MAY 2011

Bucharest, Romania, March 22nd, 2011

*Report prepared by
the Moldova-Romania-Ukraine Joint Commission*

PROTOCOL

of the first meeting of the Moldova-Romania-Ukraine Joint Commission established within the framework of the Agreement between the Ministry of Environment and Spatial Planning of the Republic of Moldova, the Ministry of Waters, Forests and Environmental Protection of Romania, and the Ministry of Environment and Natural Resources of Ukraine on cooperation in the zone of the Danube Delta and Lower River Prut nature protected areas, signed at Bucharest on June 5, 2000

Bucharest, Romania, March 22nd, 2011

The Moldova-Romania-Ukraine Joint Commission (hereinafter the Commission) was established under Article 3 of the Agreement between the Ministry of Environment and Spatial Planning of the Republic of Moldova, the Ministry of Waters, Forests and Environmental Protection of Romania, and the Ministry of Environment and Natural Resources of Ukraine on cooperation in the zone of the Danube Delta and Lower River Prut nature protected areas, signed at Bucharest on 5 June 2000 to supervise the application of the Agreement and to ensure the effective regional cooperation to achieve the objectives set out in the Agreement.

Mr. Cristian Apostol was the head of the Romanian delegation, Mr. Lazar Chirica - the head of the Republic of Moldova delegation, and Mr. Igor Ivanenko - the head of the Ukrainian delegation.

The List of Participants is attached to the Protocol (annex 1).

1. ESTABLISHMENT OF THE JOINT COMMISSION

The parties agreed to establish the Moldova-Romania-Ukraine Joint Commission and to communicate within one month the nominations of the members of the parties of the Commission.

The parties adopted the Rules of procedures of the Joint Commission established within the framework of the Agreement between the Ministry of Environment and Spatial Planning of the Republic of Moldova, the Ministry of Waters, Forests and Environmental Protection of Romania, and the Ministry of Environment and Natural Resources of Ukraine on cooperation in the zone of the Danube Delta and Lower River Prut nature protected areas, signed at Bucharest on 5 June 2000. The Rules of procedures of the Commission are attached to the Protocol, as annex 2.

2. BRIEFINGS ON THE STATUS OF PROTECTED AREAS IN EACH AREA REPRESENTED BY THE PARTIES

The parties made short presentations regarding the current status of the protected areas that are subject to the Agreement in each country: Moldova, Romania and Ukraine.

The Romanian Party presented the technical aspects of the Romanian Danube Delta Biosphere Reserve, such as the biodiversity values, including information about the species of birds that can be found within the protected area, about settlements and population that live in the reservation. Also, the

Romanian party discussed about the Danube Delta Biosphere Reserve Authority, the management objectives and the threats and pressures that Romania is facing within this protected area.

The Republic of Moldova presented information about national legislation concerning natural protected areas, development of the first National Park “Orheiul Vechi” in the Republic of Moldova and revising of all natural protected areas. Were mentioned the flora and fauna species represented in the Lower Prut Ramsar Site, negative and transboundary impact in this zone. Also, was mentioned the first activities concerning implementation concept of Biosphere Reservation and identification of the areas that can be designated.

The Ukrainian Party updated the Commission on the status of conservation of biodiversity and landscape diversity within the territory of the Danube Biosphere Reserve. The reserve is constituent part of the bilateral trans-boundary protected area which includes 580.000 hectares of Romanian and 50.000 hectares of Ukrainian protected areas. The reporter told about positive status of conservation of species included into the Red Data Book of Ukraine and annexes 1 and 2 to the Bern Convention. He stressed on key issues of the Management plan for Danube Biosphere Reserve adopted by the Ministerial order in 2010. They are – integrated protection of the site, implementation of the plans for conservation of endangered species, further development of ecological education and tourism. He also admitted the status of integrated monitoring on the territory of the Danube Biosphere Reserve and suggested to spread it up to the territory of Romanian Biosphere Reserve and Moldavian protected area.

3. PRESENTATION OF THE UNDP PROJECT

The representative of the UNDP made a short presentation of a trans-boundary cooperation project proposal for the PHARE CBC trilateral cooperation program which aims to create the prerequisites for the setting-up of the Trilateral Biosphere Reserve, in the protected natural area in the Danube Delta and Lower Prut, between Romania, the Republic of Moldova and Ukraine and other issues. The presentation included information regarding the specific goals of the project, the targeted groups, the beneficiaries, the main activities developed within the project, as well as the expected results. Also, the UNDP invited the Ukrainian delegation to support its effort of having a reunion with the Ukrainian Ministry and experts in order to discuss the project, already accepted by the two other parties.

4. JOINT COMMISSION PROPOSAL FOR ACTION FOR THE NEXT PERIOD

The participants of the meeting of the Commission stressed on the major focus of current cooperation between the three countries. The most important thing is to reinforce the direct links between relevant scientists, educational and public workers within the territories of protected areas in the zone of Lower River Prut and Danube Delta. Secondly, the participants admitted the role of the UNDP project to facilitate the cooperation.

The Commission members concluded that there exists a trilateral and a bilateral cooperation experience materialized in cooperation projects, that there also is a huge potential for a common large scale project for the creation of a trilateral biosphere reserve and that there also is the possibility to accept financial support from the UNDP to elaborate the common project proposal for the PHARE CBC trilateral cooperation program. Thus, the members discussed the steps to achieve the goal on establishing the trilateral biosphere reserve, they have agreed to organize a meeting at expert level in April/May 2011 to finalize the project proposal and agree on regulating the natural resources use within the trilateral biosphere reserve and also to prepare the input to the Conference of the Parties to the Ramsar Convention managing the sites of the Black Sea Wetlands Initiative.

The parties of the Commission agreed to ask the Romanian presidency in two months period to draft and present to the parties the priority list of activities for consideration. The draft documents will be discussed internally and adopted during the next meeting of the Commission.

The Republic of Moldova will continue to elaborate national legislation in order to approve the Biosphere Reservation Lower River Prut and then promote it to the UNESCO.

The protocol has been adopted and signed on 22nd of March, 2011, in Bucharest, Romania by:

**FOR THE
ROMANIAN PARTY**

Cristian APOSTOL

**FOR THE
UKRAINIAN PARTY**

Igor IVANENKO

**FOR THE
MOLDOVIAN PARTY**

Lazăr CHIRICĂ

Annex 1

LIST OF PARTICIPANTS

Romanian Party:

Cristian Apostol	State Secretary, Ministry of Environment and Forests of Romania;
Grigore Baboianu	Governor of the Danube Delta Biosphere Reserve Authority
Doina Doroftei	Ministry of Foreign Affairs
Franciska Zsigmond	Director of Foreign Relation and Protocol Directorate, Ministry of Environment and Forests
Liana Bojneagu	Public Manager, External Relations and Protocol Directorate
Radu Pătru	European affairs councilor, External Relations and Protocol Directorate

Republic of Moldova:

Lazar Chirică	Deputy minister of Environment, head of the Republic of Moldova delegation
Maria Nagornîi	Head of Policy Analysis, Monitoring and Assessment Directorate, Ministry of Environment
Veronica Josu	Deputy head of Natural Resources and Biodiversity Directorate, Ministry of Environment

Ukrainian Party

Igor Ivanenko	Deputy Head, State Agency for Protected Areas, Ministry of Environmental Protection of Ukraine
Ivan Shnaider	II secretary, Ukrainian Embassy in Romania

Observers

Monica Moldovan	Director of the Energy and Environment Department, UNDP Romania
Doru Irimie	Assistant within the Department for Energy and Environment, UNDP Romania
Stefan Dornea	Councilor, European Commission in Romania

Annex 2

To the protocol of the First Session of the
Commission (Bucharest, 22nd of March 2011)

**Rules of procedures of the Moldova-Romania-Ukraine Joint Commission established within
the framework of the Agreement between the Ministry of Environment and Spatial
Planning of the Republic of Moldova, the Ministry of Waters, Forests and Environmental
Protection of Romania, and the Ministry of Environment and Natural Resources of
Ukraine on cooperation in the zone of the Danube Delta and Lower River Prut nature
protected areas, signed at Bucharest on June 5, 2000**

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I**Competences and duties of the Commission****Art.1**

Within its mandate the Commission will have to, especially:

- deal with all issues concerning the administration of natural protected areas, including for the establishment of their harmonized management;
- harmonize the methods of management and to coordinate all development projects or improvement by means of a comprehensive action programme leading ultimately to the development of a joint management plan;
- coordinate research activities and monitoring of flora and fauna and the state of natural habitats, as well as policing activities;
- promote to exchange information and the sharing of experiences, on scientific and technical levels between the various authorities responsible for management of the nature-protected areas, and a joint training programme for staff of these authorities, with the view to conserving the nature protected zone;
- make recommendations to the Parties regarding the measures that must be taken and to coordinate their initiatives on natural protected areas;
- decide on the programmes and actions that have to be undertaken together with the Parties;
- decide on the ways of funding the projects and insure the implementation of these projects;
- present, if necessary, proposals for the improvement of the effectiveness of the present agreement, including through signing additional protocols.

II

Membership of the Commission

Art.2

a) the Commission will be formed of 9 members. Each party will designate a delegation formed of 3 members.

b) the Commission may invite officials of the international organizations and institutions mentioned below that will have an observer status within the Commission:

- Council of Europe;
- European Commission;
- UNESCO;
- the bureau of the Convention on Wetlands of International Importance especially as Waterfowl Habitat, concluded in Ramsar on 2 February 1971;
- the secretariat of the Convention on the Conservation of Migratory Species of Wild Animals, adopted in Bonn on 23 June 1979.

c) the Commission may also involve in its activities, at their request or on its own initiative, the following bodies:

- other international organizations and institutions;
- local and regional authorities within the natural protected areas;
- non-governmental organizations and associations that, by their competence and expertise in the field of nature and landscape conservation and environmental protection in general can contribute to the activities of the Commission.

Art.3

In the course of performing its functions, the Commission may create specific working groups and may call upon the services of experts. However, it can not delegate its competence to issue decisions.

III

Commission operation

Art. 4

a) The Commission will meet twice a year.

b) The presidency of the Commission will be chaired in turn, by each of the 3 parties, for a period of one year. The party holding the Presidency shall appoint one member of its delegation, who will provide the chairmanship for one year. The order of rotation will be: Romania, Ukraine and Moldova.

c) Each party has the right to one vote. The decisions of the Commission will be taken by consensus and they can only be taken in the presence of all the 3 parties.

Art.5

- a) The reunion of each session of the Commission is chaired by the President of the Commission.
- b) The Party that holds the presidency will propose the draft agenda two weeks prior to the session of the Commission, and the agenda will be adopted during the meeting.

The Commission may discuss under the item 'Other' from the agenda, on the basis of agreement between the Commission members, any issue which may arise according to the agreement.

- c) During the sessions discussions take place between the members of the Commission. The floor can be given, by the chairman of the Commission, to observers or experts invited to the meeting.
- d) The outcomes of the discussions within the meeting of the Commission will be recorded in a Protocol of the meeting, in 3 originals in English, that will be signed by the heads of delegation of the parties.
- e) In the event that the parties fail to reach a common point of view they will record the differences in the protocol and will proceed according to art. 5. of the Agreement: “any differences regarding interpretation or implementation of the Agreement have to be solved through negotiations between the parties”. The result of the negotiations will be communicated at the next Meeting of the Commission.
- f) Between meetings, the members of the Commission operate through oral or written communications.

Art.6

- a) The presidency will submit to the Parties each year a report on its activities.
- b) The official language of the Commission, of the working and experts groups is English.

IV

Ensuring the Commissions' working conditions

Art.7

- a) The party on whose territory the Commission meetings, working groups and expert meetings are taking place, will provide the secretariat and will bear the costs of organizing these meetings, in the case that there is no other financial support offered.
- b) At the Commission meetings, working and experts groups the travel and accommodation expenses for attendance at meetings are borne by the sending party, in the case that there is no other financial support offered.
- c) For the expenses incurred in fulfilling duties within the competency of the Commission (eg common editions of documents, projects, plans, organizing various events, etc.), the Parties may agree about the split of the costs, in the case that there is no other financial support offered.

V

Final provisions

Art.8

- a) The present rules of procedures may be amended or supplemented by a Commissions' decision on the request of either Party;
- b) These rules of procedure were issued in three originals in English language;
- c) These rules of procedure were adopted by the Commission, by consensus, on March 22nd, 2011, in Bucharest, Romania.