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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

34th meeting
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**Proposed navigable waterway in the Bystroe Estuary
(Danube delta)
(Ukraine)**

REPORT BY THE GOVERNMENT OF ROMANIA

*Document prepared by
The Ministry of Foreign Affairs of Romania*

Statement delivered by Romania during the 33rd meeting of the Standing Committee of the Bern Convention in respect of the file *Ukraine: Building of a navigable waterway in the Bystroe Estuary (Danube delta)*

(Strasbourg, 4 December 2013)

In accordance to the request addressed to the concerned parties (Romania, the Republic of Moldova and Ukraine) by the Bureau, following its the meeting of 17 September 2013, to convene as soon as possible a meeting of the Joint Commission established under the Agreement concluded between the competent authorities for environmental protection of Romania, the Republic of Moldova and Ukraine on the cooperation in the area of the Danube Delta and the Lower Prut, the meeting of the Joint Commission has taken place on November 28, 2013, in Tulcea, Romania.

The issue of the navigation canal was addressed during the meeting. The Romanian delegation requested the Ukrainian delegation to provide information in respect of the works currently undertaken by Ukraine in the framework of the project, including maintenance dredging, as well as in relation to the intention of the Ukrainian side to proceed to the full scale (Phase II) implementation of the project.

The Ukrainian delegation answered that in 2012 and 2013 only small scale dredging was undertaken. The Ukrainian delegation was not aware of any decision of the competent Ukrainian authorities to implement or renounce to the implementation of Phase II of the project.

The Romanian delegation reiterated that it strongly opposed the implementation of Phase II of the project, and underlined the need for the impact of the works on the Romanian territory to be properly and comprehensively assessed by the Ukrainian side.

The Romanian delegation presented the results of the studies and monitoring activity regarding the impact of works completed until now in the framework of the Bystroe Project on the ecosystem of the Danube Delta. Based on these results, the Romanian delegation concluded that the Bystroe Project had a significant impact on the Romanian territory. In particular, the Romanian delegation expressed its concerns regarding the negative impact of the Bystroe Project on some protected species, especially on sturgeon population, as well as on hydromorphological conditions in the Danube River. The Ukrainian delegation stressed that it did not agree with the findings of the Romanian experts.

Given the difference of views in respect of the impact of the project, the Romanian and the Ukrainian delegations agreed to exchange the environmental studies and data on the project and to hold an expert meeting in order to jointly analyse the conclusions of the studies after the exchange. It was equally agreed by the three delegations of Romania, Republic of Moldova and Ukraine to conduct joint environmental monitoring in the Danube Delta.

It is Romania's view that some progress was made during the Tulcea meeting in jointly finding a way forward in respect of the issue of the canal. However, we remain concerned by the impact of the project on Romanian territory and, in particular, by the possibility for Ukraine to start the implementation of Phase II. We are also aware that in other fora, in particular in the framework of the Danube Commission, which deals the regulation of the navigation on the Danube, Ukraine has vowed to proceed with the implementation of Phase II.

Given these developments and the uncertainty in respect of the implementation of Phase II, Romania considers that the file should remain open. We very much welcome the implication of the Standing Committee in respect of this issue and we believe it was instrumental in the organization of the meeting of the Joint Commission of 28 November. We are ready to engage in meaningful and substantial dialogue with the other concerned parties in order to find a joint solution to the issue of the waterway project.