

Information for the attention of Implementation Committee,
Convention on Environmental Impact Assessment in a
Transboundary Context (Espoo, 1991)

To be sent through the Secretary to the Convention:

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Date sent to the Secretary	Not applicable
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Sent by ("the source"):

Name	
Organization	UNECE secretariat
Postal address	
Country (State)	
Telephone	
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E-mail	
Website	

Concerning:

Party or Parties (States) of origin, under whose jurisdiction a proposed activity is envisaged to take place	Romania and Bulgaria.
Affected Party or Parties (States), likely to be affected by the transboundary impact of a proposed activity	Romania and Bulgaria. Countries located upstream (e.g. Serbia) and downstream (Republic of Moldova and Ukraine) might also be affected.
Activity (project), identified in the list of activities in Appendix I to the Convention	Appendix I, item 9: "Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 tonnes". The intended project is a <i>major change</i> of an inland waterway. According to Article 1 " <i>proposed activity</i> means any activity or any major change to an activity subject to a decision of a competent authority in accordance with an applicable national procedure".
Likely significant adverse trans-boundary impact of the activity (project)	The stretch of the Danube River in which the proposed activities will take place includes important natural habitats that could be affected by the planned project. According to WWF, "the lower section of the Danube that makes up the Bulgarian-Romanian border is one of the most natural

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	<p>stretches along the whole river. The project location in Belene is next to the Persina Island, which is part of a Nature Park”¹.</p>
<p>Provisions of the Convention (Articles) compliance with which is being contested</p>	<p>Notification. Article 3, paragraph 1: “For a proposed activity listed in Appendix I that is likely to cause a significant adverse transboundary impact, the Party of origin shall, for the purposes of ensuring adequate and effective consultations under Article 5, notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity”.</p>
<p>Description of issue</p>	<p>The Danube River is part of the priority axis no. 18 defined at the “Trans-European Transport Network (TEN-T)” guidelines. One of the projects for this axis is “Improving the Navigation Conditions in the Romanian-Bulgarian Common Danube River Sector”, co-funded by the European Regional Fund and the Cohesion Fund. The project’s final objective is eliminating a bottleneck², widening and making deeper a specific River section: “to give access to vessels of up to 3000 tonnes, a minimum draught of 2.5 metres is required along the entire length of the waterway”³. The main planned activities include construction of groynes, riverbank fortification, cutting off side arms, and dredging; the navigation route will be 180 wide¹.</p> <p>The works have not started. At this moment surveys are being carried out and there is no information available about the project technical details and studies.</p> <p>At the end of January 2008, the Romanian Ministries of Transport and of Environment jointly organized a workshop to provide information about the project. The International Commission for the Protection of the Danube River (ICPDR) was present at the workshop in which the EIA was scheduled to be finished by mid July 2008 and a technical report by autumn 2008; neither document is available to date. At present, a consultant is undertaking technical studies. The revised schedule [issued by/on ...] indicates that the project technical report will be completed by September 2008, and the EIA by February 2009.</p> <p>ICPDR is promoting an integrated planning approach trying to organize a workshop with the participation of Romanian and Bulgarian authorities. WWF is pushing for a strategic environmental assessment of inland waterway transport in the Danube River basin¹.</p>

¹ WWF (2008). Bottleneck: Bulgaria. Transboundary Bulgaria-Romania.

http://assets.panda.org/downloads/bulgaria_factsheet.pdf

² Regional Policy-info regio (2007). Operational Programme “Transport”.

http://ec.europa.eu/regional_policy/country/prordn/details_new.cfm?gv_PAY=BG&gv_reg=ALL&gv_PGM=1005&LAN=7&gv_per=2&gv_defL=7

³ European Commission (2005). Trans European Transport Network – TEN-T priority axes and projects 2005. Priority Axis no 18 – Ongoing. Rhine/Meuse-main-Danube inland waterway axis.

http://ec.europa.eu/ten/transport/projects/doc/2005_ten_t_en.pdf

For use by secretariat:

Reference number	EIA / IC / I /
Date received	Not applicable
Original language of information	English
Translation into English by	Not applicable
Date forwarded to Committee	
Date forwarded to Party or Parties	
Remarks by secretariat	<p>The Espoo Secretariat contacted the focal points in Bulgaria and Romania in [July and August 2008], but there was no confirmation regarding the application of the Espoo Convention.</p> <p>The Secretariat suggests contacting Romania and Bulgaria to obtain more information in order to analyze whether a notification should already have been sent.</p>
Date first discussed by the Committee (possibly including preliminary determination of admissibility)	
Additional information requested of source	

For use by the Committee:

The source of the information is known and not anonymous	
The information relates to an activity listed in Appendix I to the Convention likely to have a significant adverse transboundary impact	
The information is the basis for a profound suspicion of non-compliance	
The information relates to the implementation of Convention provisions	
Committee time and resources are available	