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ОБЪЕДИНЕННЫЕ НАЦИИ  
ЭКОНОМИЧЕСКАЯ КОМИССИЯ  
ДЛЯ ЕВРОПЫ

UNITED NATIONS  
ECONOMIC COMMISSION  
FOR EUROPE

**IMPLEMENTATION COMMITTEE**  
**CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT**

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Dear Mr. Buchko,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context (Espoo, 1991).

At its seventeenth session, held in Geneva from 14 to 18 September 2009, the Committee considered the reply by the Government of Ukraine, received on 25 June 2009, to the Chair's letter of 7 April 2009, further to information provided by the secretariat regarding the Dniester hydro-accumulating power station in Ukraine, upstream of the Republic of Moldova. The secretariat reported to the Committee that, during an advisory mission to Ukraine (7-8 September 2009), the Government of Ukraine had expressed willingness to share non-confidential information on the activity.

On the basis of the above-mentioned information, and bearing in mind that the Convention does not have retroactive effect, the Committee decided not to consider the information further and requested me to write to you accordingly.

The Committee nevertheless expressed its concern that the long time period between decision-making and construction raised questions about the validity of the EIA and of the subsequent decision. Further, because of the importance of bilateral cooperation, and because of the power station's likely significant adverse transboundary impact and resulting widespread concern in the Republic of Moldova, the Committee would encourage the exchange of information and the carrying out of post-project analysis. Finally, the Committee wished to remind the Government of Ukraine of the Meeting of the Parties decision to invite the Government of Ukraine to enter into negotiations with its neighbouring Parties to cooperate in the elaboration of bilateral agreements or other arrangements in order to support further the provisions of the Convention (decision IV/2, para. 14).

The Committee requested your agreement that the correspondence between the Committee and your Government be placed on the Convention's website; if there is no reply to this request by 30 November 2009, the Committee would understand that you agree with publication. Similar correspondence between the Committee and Parties has already been placed at [http://www.unece.org/env/eia/implementation/implementation\\_committee\\_letters.htm](http://www.unece.org/env/eia/implementation/implementation_committee_letters.htm), as illustration of the Committee's approach to a specific compliance issue.

Yours sincerely,

Matthias Sauer  
Chair, Implementation Committee,  
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in a Transboundary Context

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