

COMMISSION MEETING MINUTES

COMMISSION ON SUSTAINABLE USE AND PROTECTION OF THE DNIESTER RIVER BASIN

Second Meeting

Kyiv, Ukraine,
04-05 April 2019

Second Meeting Minutes

I. The second meeting of the Commission on Sustainable Use and Protection of the Dniester River Basin (the “Commission”) took place at the President Hotel at 12 Hospitalna Street, Kyiv, Ukraine, on “04-05” April 2019.

II. The Commission considered the following items on the agenda:

1. Opening of the meeting and approval of the agenda.
2. Working group leaders’ reports on the activities carried out since September 2018.
3. Development of the UNDP/GEF/OSCE/UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin”: outcomes and plans.
4. Discussion of the Draft Rules of Operation of Water Reservoirs of the HPP and PSPP Dniester Cascade with Buffer Reservoir NHL of 77.10 m
5. Approval of the spring ecological reproductive flow release principles
6. Presentation of other international projects implemented in the Dniester River basin.
7. Other relevant issues in the Dniester River basin
8. On the celebration of the Dniester Day (26 May) in 2019.
9. Time and venue of the next meeting.
10. Informing about the outcomes of the Conference on Biodiversity and Factors Influencing the Dniester River Basin Ecosystems.
11. Closing of the meeting.

III. The Commission took the following decisions:

1. Opening of the meeting and approval of the agenda.

The meeting was opened by Mr. Mykola Kuzio, Co-Chair of the Commission, Head of the Ukrainian part of the Commission.

The opening speech was given by Ms. Valentina Tapis, Co-Chair of the Commission, Head of the Moldovan part of the Commission.

Opening remarks were delivered by:

- Ambassador Henryk Villadsen, the OSCE Project Coordinator in Ukraine
- Ms Sarangoo Radnaaragchaa, UNECE Regional Adviser, Environment Division

The Commission approved the agenda of the meeting after its discussion (the Preliminary Annotated Agenda of the Commission’s First Meeting is attached as Annex 1).

2. Working group leaders’ reports on the activities carried out since September 2018.

Working group leaders reported about the implementation of the previously approved work plans.

The Working Group on River Basin Planning and Management informed about the composition of the Working Group and on the meeting held on 15 November 2018, at which participants

discussed the work plan approved by the Co-Chairs of the Commission in December 2018. The second meeting was held via Skype on 20 March 2019. The Commission heard a report about the analysis of the draft rules of procedure of the Working Group, about the activities of the basin councils, about recommendations for an ecological reproductive water release and about the prospects for developing a joint and/or coordinated River Basin Management Plan.

The Commission decided to approve the rules of procedure of the said Working Group in the form of a letter exchange (Annex 2).

The Commission instructed the Working Group to develop, by the next meeting, a document containing information on the stages, timeline, and content of the national river basin management plans and the joint/coordinated River Basin Management Plan and submit it to the Commission for consideration.

The Working Group on Emergencies reported on a joint meeting held on 22 March 2019, at which participants discussed the exchange of information on emergencies, the status of flood warning systems and decided that it was necessary to upgrade these systems and implement the Floods Directive, and noted that a preliminary flood risk assessment was made in both countries. The Commission instructed the Working Group to consider including the adaptation to climate change into the Objectives and Terms of Reference of the Working Group. The Commission recommends the UNDP/GEF/OSCE/UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin” to approve the following target areas for mapping based on the preliminary flood risk assessment results:

1. Bystrytsia River, from its source to mouth, 15 km;
2. Bystrytsia Solotvynska River, from its source to mouth, 87 km;
3. Bystrytsia Nadvirnianska River, from its source to mouth, 99 km;
4. Vorona River, from Vorona Village to river mouth, 43 km;
5. Opir River, from its source to mouth, 60 km;
6. Kuchurgan River, from its source to mouth, 123 km (transboundary area).

The Working Group on Monitoring and Information Exchange reported about the permanent measurements of surface water quality, hydrological monitoring points, data exchange, and difficulties associated with joint sampling and determining sampling points.

The Commission instructed the Working Group to develop a joint sampling plan and approve the sampling dates, indicators and locations. Both sides send the said plan to the border authorities of their countries to gain access to the sampling sites.

The Working Group on Ecosystems and Biodiversity reported about the work undertaken to analyse and optimise the network of conservation areas, joint actions to control fish farming, preparation of joint projects in the area of biodiversity, and the process of establishing the Emerald Network in the two countries. Working groups leaders asked the Coordinator of the UNDP/GEF/OSCE/UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin” to support the in-person meeting of the working group.

The Commission recommended holding an in-person meeting of the working group (as proposed by the group) involving government officials and academics to discuss, among other things, the prospects for banning commercial fishing and the anti-poaching efforts.

The Commission recommended extending the mandate of the Working Group on Fisheries in the framework of the Institution of Commissioners under the Agreement between the Government of Ukraine and the Government of the Republic of Moldova on the Joint Use and Protection of Border Waters.

The Commission took note of the above reports of the Working Groups (as attached).

3. Development of the UNDP/GEF/OSCE/UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin”: outcomes and plans.

The Commission heard and took note of the following deliverables of the UNDP/GEF/OSC project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin”:

- information about the preparation of the transboundary diagnostic analysis (the TDA), which was provided by Ms Olena Marushevskaya and Mr Ruslan Melian;

- study of the current status of tailing dams of the Dniester River basin (Ms Iryna Nikolayeva);

- economic valuation of the Lower Dniester wetland ecological services (Ms Nataliya Zakorchevna);

- analysis of the impact of Dniester HPP reservoirs on the status of the Dniester River basin (Mr Nickolai Denisov);

- summary of project development since September 2018 (Ms Tamara Kutonova).

The Commission took note of the information received and recommends to post the final versions of the said reports on its website.

The Commission heard a presentation on the preparation of the transboundary diagnostic analysis and generally endorsed the presented document.

The Commission decided to instruct the UNDP/GEF/OSCE/UNECE project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin” to collect comments on the draft TDA by 10 April 2019 and to communicate them to the Parties along with posting them on the website of the Dniester Commission.

The Commission instructed the Working Group on Monitoring and Information Exchange and the Working Group on River Basin Planning and Management to discuss general approaches to identifying surface water bodies.

4. Discussion of the Draft Rules of Operation of Water Reservoirs of the HPP and PSPP Dniester Cascade with Buffer Reservoir NHL of 77.10 m

The Commission heard a report of the UNDP/GEF/OSCE/UNECE project representative, Ms. Tamara Kutonova, who presented recommendations on the Draft Rules of Operation of Water Reservoirs of the HPP and PSPP Dniester Cascade with Buffer Reservoir NHL of 77.10 m, and decided to post the said document on the Commission’s website.

The Moldovan side will consider resuming the operation of the Olănești gauging station.

The Commission adopted as a basis the document titled “Average Multi-Year and Calculated Monthly and Annual Values of Natural Runoff of the Dniester River in the Dniester HPP-2 Site (F = 40,500 km²) during a Multi-Year Observation Period of 1895 to 2017.” The Ukrainian side will, within a 14-day period, provide primary data and calculation methods, which formed the basis of the document. The Moldovan side will, within no later than 6 months, inform the Ukrainian side if the said document is acceptable in the form of a letter exchange, which will be considered as approval thereof.

The Commission discussed the procedure for approving, within the Dniester Commission, the Draft Rules of Operation of Water Reservoirs of the HPP and PSPP Dniester Cascade with Buffer Reservoir NHL of 77.10 m, which procedure was adopted at the Commission’s first meeting.

The Commission found it advisable to establish a Legal Working Group, including for the purpose of determining the legal status of the Operation Rules of the Water Reservoirs of the HPP and PSPP Dniester Cascade. The Parties will, within a month, exchange proposals on the composition of each of the parts and proposals regarding the rules of procedure of the Legal Working Group. The Commission will consider the Legal Working Group’s recommendations.

5. Approval of the spring ecological reproductive flow release principles.

The Commission heard and took note of the report on the hydrological situation in the Dniester River basin in March-April 2019 as delivered by Ms. Viktoria Boiko, Head of the Hydrological Forecasts Department, the Ukrainian Hydrometeorological Center.

Additionally, the Commission heard and took note of the report on an ecological flow released in 2018, as delivered by Mykhailo Khoriev, Deputy Head of the State Water Resources Agency of Ukraine.

Ms. Tetiana Dziubliuk proposed to start the flow release from 10 April 2019 in connection with the obstruction of the spawning of native fish species.

Ms. Elena Zubcov and Mr. Volodymyr Gubanov voiced a proposal to start the flow release from 15 April 2019.

The Commission discussed recommendations received from stakeholders regarding the operating regime of the Dniester reservoir during the period of ecological (reproductive) flow release in 2019 and decided to start the flow release from 15 April 2019 to 15 May 2019 while observing the gradual increase and further decrease of the flow.

6. Presentation of other international technical assistance projects implemented in the Dniester River basin.

The Commission heard the following presentations:

Project eMS BSB 165 “Creating a system of innovative transboundary monitoring of the transformations of the BLACK SEA river ecosystems under the impact of hydropower development and climate change” - HYDROECONEX

Project eMS BSB 27 “Black SEA BASIN interdisciplinary cooperation network for sustainable joint monitoring of environmental toxicants migration, improved evaluation of ecological state and human health impact of harmful substances, and public exposure prevention” - MONITOX EU/UNDP project “Improving Environmental Monitoring in the Black Sea.”

UNDP Moldova project “Dniester Hydro Power Complex Social and Environmental Impact Study.”

The Commission highlighted the need for cooperation and exchange of results of the projects implemented in the Dniester River basin. The Ukrainian side highlighted the necessity to prevent duplication of work.

7. Other relevant issues in the Dniester River basin

The Commission heard and took note of the report delivered by the Moldovan side on the prospects of taking inventory of waste generated by the Moldovan State District Power Plant and on slag waste in the power plant area and decided to recommend including the representatives of the Transnistria Region of the Republic of Moldova into the Moldovan side of the Working Group.

The Commission heard a presentation on the project of construction of wastewater treatment facilities in Soroca and the prospects of reclamation of silt soils in Tsekinovka. The Commission took note of the report on the monitoring of the Dniester river pollution around Soroca. The Ukrainian side presented no report on the water monitoring results in Mogilev-Podolsky.

The Commission instructs the Working Group on River Basin Planning and Management to engage the experts of stakeholders and other working groups and jointly consider the problem of the discharge of untreated and insufficiently treated wastewater into the Dniester River basin, namely wastewater treatment facilities in Soroca, reclamation of silt soils in Tsekinovka, reconstruction of wastewater treatment facilities in Mogilev-Podolsky, and present a preliminary report to the Commission.

The Commission heard a report on the prospects for hydropower development in the Ukrainian part of the Dniester River basin. Ukrhydroenergo’s representative informed about the suspension of all activities associated with the construction of the HPP cascade in the Upper Dniester until the completion of the strategic environmental assessment of the Scheme of Integrated Use of Hydropower Resources in Ukraine.

The Moldovan side will send a request for environmental, technical documents, permits and approvals associated with the design, construction and operation of the Dniester Hydropower Complex, including subsequent changes in the project. The Ukrainian side will consider the request and provide the requested information, if possible.

The Commission instructed the Working Group on Biodiversity to discuss the ban on commercial fishing in the Dniester River and to work out relevant proposals and submit them to the Commission.

8. On the celebration of the Dniester Day (26 May) in 2019.

The Commission considered a preliminary programme of joint activities (Vadul lui Vodă, Republic of Moldova). The Moldovan side will send relevant invitations to which the Ukrainian side will respond no later than within two weeks.

9. Time and venue of the next meeting.

The Commission decided that the third meeting will be held in Chisinau, Republic of Moldova, from 07 to 15 October 2019.

10. Informing about the outcomes of the Conference on Biodiversity and Factors Influencing the Dniester River Basin Ecosystems.

The Commission heard and took note of the report delivered by Mr Ilya Trombitsky, Executive Director of Eco-TIRAS NGO, on the outcomes of the Conference on Biodiversity and Factors Influencing the Dniester River Basin Ecosystems (16-17 November 2018).

The Commission expresses its gratitude to the organisers, the Parties, the GEF/OSCE/UNDP project “Enabling transboundary co-operation and integrated water resources management in the Dniester River Basin” and representatives of international organisations for their participation and active work.

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