

REGULATION COOPERATION ON MONITORING AND INFORMATION EXCHANGE IN THE DNIESTER RIVER BASIN

1. Basis of the Regulation

1.1. The present Regulation on Cooperation on Monitoring and Information Exchange in the Dniester River Basin (hereinafter referred to as the Regulation) is based on Articles 16, 18 of the Treaty on Cooperation in the Field of Protection and Sustainable Development of the Dniester River Basin between the Government of the Republic of Moldova and the Cabinet of Ministers of Ukraine, signed on November 29, 2012 (hereinafter referred to as the Treaty), and on the following Article 4 of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Helsinki 1992).

2. Purpose of the Regulation

2.1. The purpose of the Regulation is to harmonize approaches to water monitoring and ensure regular exchange of information between the Contracting Parties (hereinafter referred to as the Parties) on the state of waters in the Dniester River basin.

2.2. To achieve this goal, the Parties shall agree on state (national) monitoring programs and methods for assessing the condition of the waters of the Dniester basin and tendencies in its change.

3. Competent authorities

3.1. Each of the Parties shall determine the Competent Authority, which shall be responsible for the exchange of information between the Parties on the state of waters in the Dniester basin, and, within the limits of its authority, shall cooperate with other state (national) organizations that carry out regular observations of the state of waters and which may be involved for the implementation of the objectives of this Regulation.

3.2. Each Party shall ensure the implementation of this Regulation within the framework of the activities of the Working Group on Monitoring and Information Exchange (hereinafter referred to as the Working Group), which is established under the Treaty.

3.3. The competent authorities of the Parties and organizations monitoring water conditions in the Dniester River basin are listed in Annex 1.

4. Monitoring program

4.1. The water monitoring program in the Dniester River basin includes observations of surface and groundwater.

4.2. The water monitoring program includes monitoring points (joint (agreed) and state (national)), measured indicators, and sampling frequency.

4.3. The monitoring program includes biological, chemical (priority and specific), physico-chemical, and hydromorphological indicators.

4.4. The Parties shall annually (until March 1) exchange state (national) water monitoring programs in the Dniester basin.

4.5. The Parties shall screen chemicals for basin-specific indicators.

4.6. The Parties shall carry out measurements at agreed monitoring points, which shall be approved by the Heads of the Working Group.

4.7. Monitoring points for joint measurements shall be selected based on the state (national) programs of the Parties and shall be located at the border sections.

4.8. Hydrological measurements are carried out following the approved annual plans according to the Program of Cooperation between the State Hydrometeorological Service of the Republic of Moldova and the Ukrainian Hydrometeorological Center of the State Emergency Service of Ukraine.

4.9. The Parties may agree on monitoring points for joint observations of biological and hydromorphological indicators. Protocols of survey and site assessment in Annexes 2.1 - 2.2.

4.10. For joint measurements, the Parties shall agree on a list of indicators of the state of boundary waters.

4.11. The list of joint monitoring points and measurable indicators may be specified upon the proposal of one of the Parties and supplemented upon an agreement of the Parties.

4.12. Parties may develop additional monitoring programs if necessary to establish the reasons for failure to achieve environmental objectives.

5. Sampling, methods, and analytical determinations

5.1. Sampling shall be carried out by the relevant Competent Authorities and other state (national) organizations authorized for this purpose.

5.2. For each sample, a protocol of sampling and analytical measurement results shall be filled out.

5.3. For joint measurements, the Parties shall complete the protocol for joint sampling, which is set out in Annex 3.

5.4. Analytical determinations of water quality parameters shall be performed by state (national) laboratories accredited by accreditation procedures established in each Party.

5.5. Methods and techniques for sample preservation and analytical procedures are specified in Annex 4.

5.6. The Parties shall monitor groundwater and surface water according to national methodologies and the European Union standards.

6. Harmonization of water quality measurements

6.1. The Parties shall endeavor to harmonize sampling and analytical methods, rules, and procedures to improve the convergence of results.

6.2. At the agreed proposal of the Working Group, the Parties may apply approaches such as joint sampling, cross-checking results, reference laboratory analyses, quality control, conjoint measurements, and other acceptable methods.

6.3. In case of significant and persistent discrepancies in the measurement results, joint meetings, and alternative measurements in the laboratories of the Parties may be held at the agreed proposal of the Working Group.

6.4. The results, conclusions, and recommendations of such activities shall be formalized in a joint report of the Parties, which shall be submitted for information to the Commission on Sustainable Use and Protection of the Dniester River Basin (hereinafter referred to as the Dniester Commission).

7. Assessment of water conditions

7.1. Assessment of water status is carried out by the national legislation of each Party and according to the requirements of the EU Water Framework Directive on classes of ecological status/potential and chemical status of surface water, and chemical and quantitative status of groundwater.

7.2. The classification system for surface water conditions is given in Annex

7.3. The Parties shall endeavor to agree on common boundaries/limits of water status classes for boundary watercourses.

7.4. Annual average and maximum environmental quality standards are used to determine the ecological and chemical status/potential of surface waters.

7.5. Boundary water quality measurements made during periods of high or extreme floods and for the assessment of accidental pollution are analyzed separately.

8. Extreme natural conditions and accidents

8.1. In cases of extreme natural conditions (floods, heavy rainfall, low water, droughts, etc.) and emergencies that may lead to abrupt, unforeseen, and significant changes in surface water quality, the Parties may request each other to carry out additional water quality measurements. At the same time, the Working Groups of both Parties shall, if possible, increase the frequency of sampling and keep each other informed of the results obtained as soon as possible and by any available means of information transfer.

8.2. In case of detection of significant pollution of boundary waters or signs of such pollution (foam, stains, sudden change of color, odor, etc.), the Head of the Working Group shall immediately inform the Co-Chair of his Party and the Head of the Working Group of the other Party.

8.3. When significant pollution of boundary waters occurs, the Working Group ensures additional water sampling and measurement of water quality indicators (depending on the chemical nature of the pollutant, type, and nature of pollution manifestation); exchange of available operational information on the causes of pollution; timely provision of information.

9. Information exchange procedures

9.1. The Competent Authority of each of the Parties, quarterly, before the 25th day of the month of the next quarter, shall transmit to the Competent Authority of the other Party the bulletins of the conducted joint measurements by e-mail or other means of communication.

9.2. The procedures for information exchange in cases of extreme natural conditions and emergencies are defined in Article 9 and Article 15 of the Treaty.

9.3. The procedure for the exchange of information on hydrological monitoring is carried out by the Program of Cooperation between the State Hydrometeorological Service of the Republic of Moldova and the Ukrainian Hydrometeorological Center of the State Emergency Service of Ukraine.

10. Summarized information

10.1. Each Party to the Working Group, based on the received water monitoring data, shall prepare annual information by July 1 of the following year in the form of a national report (Annex 6).

10.2. The Working Group submits the national reports to the Co-Chairs of the Dniester Commission for approval at their regular meeting.

10.3. The parties to the Working Group shall exchange draft national reports for preliminary familiarization.

10.4. In the future, the Parties shall endeavor to prepare a joint report on the state of the transboundary Dniester River basin and other joint documents in the light of the development of water quality management principles.

10.5. National reports shall be prepared in Romanian and Ukrainian languages and, if necessary, in English upon an agreement of the Parties.

11. Final provisions

11.1. These Rules of Procedure shall become effective upon approval by the Co-Chairs of the Commission.

11.2. Amendments and additions may be made by mutual agreement of the Parties under the Agreement.

11.3. The Regulations are drawn up in two copies in English and national (Ukrainian and Romanian) languages, all copies are authentic.

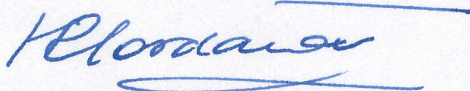
11.4. Annexes 1 - 6 are an integral part of these Regulations.

On behalf of the

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