

Danube – Black Sea Deep Navigation Channel (“Bystroye Canal”)

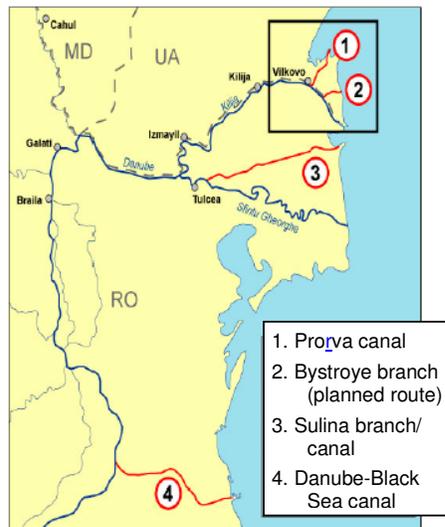
Location: Ukrainian part of the Danube Delta (see Route 2 on the map to the right)

Budget: Initially announced at 144.9 million UAH (€24 million), including Phase 1 costs of 35.6 million UAH (€6 million). As construction started, it was re-announced that Phase 1 would cost 78.6 million UAH (€13.1 million) instead. Phase II of the canal is reported to cost 540 million UAH (€90 million).

Final Beneficiary: Ukrainian Ministry of Transport and Communications, state enterprise “Delta Pilot” (UA)

WWF Recommendations

- WWF recognizes the need for **holistic, transboundary management** of the entire Danube Delta.
- WWF supports the idea of a socially and economically-justifiable waterway to the Black Sea as long as **no negative transboundary environmental impacts and no impacts on the biosphere reserve** will occur. This must be proven.
- **Feasible alternatives** to the Bystroye canal, which are less damaging to the environment, must be considered.
- Any environmental assessment processes carried out must comply with international standards, and be developed through a **transparent and participative public process**.



Overview

The government of Ukraine started construction of a deep-water canal from the Danube Delta to the Black Sea via the Bystroye arm in 2004. This canal would cut through the heart of the Ukrainian Danube Delta Biosphere reserve. In July 2006, a United Nations Inquiry Commission unanimously concluded that construction of the canal was likely to have significant adverse transboundary impacts. Phase I of the Canal has been completed and is currently being used and maintained. Phase II, which includes deepening of the canal as well as construction of a dike into the Black Sea, has yet to begin.

Up to eight alternatives were initially suggested for the canal’s route, including two investigated by a special mission to the Delta of UNESCO and the Ramsar Convention in 2003. The Ukrainian government has justified construction of the canal claiming that

it is of geo-strategic importance to the country and that it would revive the shipping industry and increase employment in the Delta. Presently, ships have access through the Delta along the Sulina Canal in Romania and a small connecting channel in Ukraine suitable for smaller vessels. The government of Ukraine claims that the use of the Sulina through Romania route costs them billions of dollars per year in fees.

In September 2005, Ukraine formally submitted a request to the European Commission to consider the Bystroye Canal project as a priority under the EU’s Trans-European Network for Transportation (TEN-T) programme. To date, this request has not been approved.

Impact & Conflict

The construction of the Bystroye canal endangers biodiversity conservation of the Danube Delta.

The action by the Ukrainian Government demonstrates a serious lack of commitment to international conventions and agreements that Ukraine has signed (e.g. Bern, Aarhus, Espoo, Bonn, RAMSAR, Bucharest Conventions).

This has caused a number of international bodies to start a dialogue with the Ukrainian authorities in order to find the best possible solution for the sustainable development of the Delta.

Timeline

1990: UNESCO designates the Romanian part of the Danube Delta as a **Biosphere Reserve**. The Ukrainian part receives the same status in 1999.

23 November 1995: Ukraine puts the Danube Delta on the **Ramsar List** as a wetland of international importance

12 May 2004: The **Ukrainian government officially launches the construction** of the Bystroye Canal, which runs through the heart of the Ukrainian Biosphere Reserve, although other alternative routes for the canal were proposed.

24 August 2004: the Ukrainian President launches into operation the Danube-Black sea canal after **completion of Phase 1 of construction**; in Phase 2 the canal should be deepened so that seagoing vessels can also pass through.

August 2004: The **European Commission** (EC) requests that Ukraine halt the project.

August 2004: The **International Commission for the Protection of the Danube River** (ICPDR) stresses their concern on the environmental impacts of the canal's construction, and calls upon the Ukraine to stop further construction.

17 November 2004: The **EC Directorate General of Environment** sends an expert group to the Ukrainian part of the Danube Delta to investigate the project.

December 2004: The Conference of the Parties (COP) of the **Bern Convention** adopts a resolution against construction of the canal and

calls upon the Ukraine to comply with the requirements of the Convention.

27 May 2005: Member parties of the **Aarhus Convention** agree on political sanctions against the Ukraine, stating that decision-making process of the canal construction violates the most important points of the Convention on access to information and public participation.

June 2005: **An Inquiry Commission under the Espoo convention** is established after negotiations between the Romanian and Ukrainian governments. This aim of this group is to assess the transboundary effects of the canal.

7 June 2005: The Ukrainian Minister of Environment Pavel Ignatenko announces the **temporary halt of the canal's construction** until the spawning period ends.

February 2006: A **trilateral conference** was held in Odessa to launch a holistic transboundary vision for the Danube Delta. In addition to the governments of Moldova, Romania and Ukraine, the conference was supported by the UNEP, Ramsar Convention, ICPDR, UNESCO and WWF.

10 July 2006: The UN Inquiry Commission unanimously concluded that the building of the canal was likely to have **significant adverse transboundary impacts** (under the Espoo Convention¹).

July 2006: The head of the **Ukrainian Accounting Chamber** Mr. Smonenko stated following an investigation of the case that Ukrainian environmental legislation had been ignored; no proper monitoring activities had been undertaken; and the majority of international conventions had been contravened, causing a negative reaction from the side of international community. Also, about 71 million UAH from the state budget had been misused.

December 2006: The **ICPDR** adopted a **resolution** asking Ukraine to send further detailed information to the ICPDR regarding the future plans and

project progress related to the canal, and to comply with the conclusions and recommendations of the UN Inquiry Commission Report.

January 2007: The Ukrainian **state budget for 2007** was approved, with 74.4 million UAH allocated for "the maintenance of navigation sluices, inner waterways, and construction of the dam in the frame of the project "construction of the deep waterway Danube-Black Sea".

10 May 2007: The Bystroye Canal is officially reopened to sea-going ships.

Current status

Following completion of Phase 1, larger, sea-going ships started using the Bystroye Canal. However, the canal quickly silted up past its previous depth, and therefore became unusable. Dredging to reopen the canal began in November 2006 and was completed in April 2007. Since then, ships have been once again using the canal.

The design for Phase 2, which includes deepening the channel as well as construction of a dike into the Black Sea, was initially rejected by the Ukrainian Ministry of Environment in August 2005, and was sent back for revision. One of the requirements for this revision was that the project must meet conditions of the Espoo Convention. In May 2006, however, Phase 2 was approved by the Ministry of Environment after a change of staff. This decision is currently being challenged in court by Ukrainian NGO Environment People Law. Current cost estimates for Phase 2 of the project are €90 million, roughly three times the original figure.

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¹ See press release at:
http://www.unece.org/press/pr2006/06env_p05e.htm