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Joint Declaration by Moldovan and Ukrainian National Platforms of the Eastern Partnership Civil Society Forum – Dniester: No to new dams! Yes to free rivers!

In recent years, the mass construction of hydroelectric power plants (HPPs) in Ukraine has ceased to be a problem for the Carpathian region only. The last free-flowing rivers throughout the country are under threat of destruction due to plans to construct small HPPs all over Ukraine and cascade large HPPs on the Dniester River. As organisations focusing on the problem of the construction of HPPs for the last seven years, we express our joint position on the development of hydropower in Moldova and Ukraine.

In light of current practices and planned construction on the Dniester river, we insist on the complete revision of the draft agreement between Moldova and Ukraine to enlarge the Dnestrovsk Hydro-Energetic Complex (DHEC) – to take account of relevant EU legislation, as put down in Moldova-EU and Ukraine-EU Association Agreements, which includes the European Energy Charter and numerous environmental directives.

We stress the need to end any secrecy in Moldova-Ukraine negotiations on the above agreement, making the process fully transparent. We also call on the authorities to invite the EU and United Nations Economic Commission for Europe (UNECE), with a view of improving the future bilateral treaty. While the work of Dniester River Commission is welcome, we would like to see it take leadership in

representing the environment's interests and engaging interested actors, in the run up to the final agreement.

We also request to take into account the findings of the study on the Environmental Impact Assessment, conducted by the United Nations Development Programme (UNDP) in Moldova, with the financial support of the Swedish Government and sign the agreement between the Republic of Moldova and the Cabinet of Ministers of Ukraine on assuring the functioning of Dnestrovsk Hydro-Energetic Complex after the study will be finalised in 2019. The impact of HPPs must be minimised, with simulation of natural water discharges and agreed minimal discharge levels during the year.

We insist on the respect of basic, internationally recognised principles of cooperation on transboundary waters, including the "polluter pays principle", the equal access of different water users to water resources, as well as the use of transboundary waters in a sustainable, reasonable and equitable way.

Therefore, we strongly oppose any compromises that would allow to build at least one hydropower plant on the Dniester in any variant, expending public funds on planning actions that are deliberately illegal and harmful for people and the environment.

In relation to the DHEC, and construction of small HPPs, we note that:

1. Despite the mass construction of small HPPs in recent years, they currently provide for only 0.15% of all generated electricity. Therefore, small HPPs do not play any significant role in the energy balance of Ukraine and cannot contribute to Ukraine's energy independence.
2. The green tariff level for energy produced by small HPPs in Ukraine is one of the highest and its terms of provision mostly favour investors from Central, Southern and Eastern Europe, including the EU countries. Therefore, the share of electricity cost of small HPPs in the total cost of electricity in Ukraine is four times higher than the share of its generation and is equal to 0.55%.
3. The majority of small HPPs in Ukraine are owned by individuals affiliated to the former and current authorities.
4. In recent years, we have recorded numerous breaches of environmental and construction legislation, as well as instances where local communities' interests were openly neglected, on the part of the owners of small HPPs.
5. There is a worldwide trend to decrease the amount of energy produced by HPPs, including smaller plants. In many other European countries, dams are dismantled on a mass scale, in order to restore rivers to their natural state. These corrective measures are funded by taxpayers.

In turn, we propose that:

1. No construction of new small HPPs, involving construction of new dams, is to be allowed.
2. Allocation of certain sections of free-flowing rivers for the construction of small HPPs is unacceptable in any circumstances.
3. The green tariff policy for small hydroelectric power stations is to be abolished.

4. The environmental impact assessment of the construction of small HPPs in the Carpathian region is to be conducted.
5. Small HPPs can be constructed exclusively on already existing artificial hydrological facilities – dams, canals, water pipe-lines and aqueducts, sewage water facilities – under the condition that they comply with all environmental standards and consider the local communities' interests. By this logic, if the existing artificial hydrologic facility does not cut the riverbed entirely, the construction of small hydropower plant cannot lead to entire cutting of the riverbed either.
6. It is vital to review the current operational norms of small HPPs and make relevant amendments to ensure sufficient amount of constant water flow to support river ecosystems, together with the construction of efficient fish passages.
7. An objective impact assessment of the existing small HPPs on the environment is to be carried out, alongside plans for minimising, mitigating and compensating for their impact.

The Lower Dniester's ecosystem depends on the functioning of the DHEC composed of HPP-1, HPP-2, its reservoirs and Pump-Storage HPP. At present, due to Ukraine's plans to enlarge the DHEC, negotiations have started with the Republic of Moldova. The impact of the DHEC on the whole Lower Dniester ecosystem is felt throughout. Its deterioration, due to change of water temperature, hydrological regime and self-purification capacities, results in periodic water deficit for potable purposes and irrigation for the Republic of Moldova and Ukraine – having an adverse impact on fish and bird populations and decline of wetlands of international importance, such as the Ramsar sites. In general, such developments both have deep environmental and socio-economic consequences for the population of the Republic of Moldova and Odessa oblast in Ukraine.

In view of the natural, cultural and historical value of the Dniester on all its sections above the existing Dniester reservoir, construction of any further HPPs is unacceptable. The river should be preserved in its natural state in the interests of present and future generations. Moreover, current environmental legislation, and the findings of the scientific community, show that the construction of HPPs cannot be permitted under any condition. Local communities are also strong opponents of the new dams on the Dniester. In turn, PJSC "Ukrhydroenergo" continues to lobby for the construction of HPPs on the Dniester. This is, in fact, preparation for the destruction of a unique natural ecosystem for the sake of satisfying commercial interests of a narrow circle of people.

No to new dams! Yes to free rivers!

*Members of the Moldovan and Ukrainian National Platforms
of the Eastern Partnership Civil Society Forum*

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More Information

The Eastern Partnership Civil Society Forum (EaP CSF) is a unique multi-layered regional civil society platform aimed at promoting European integration, facilitating reforms and democratic transformations in the six Eastern Partnership countries - Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Serving as the civil society and people-to-people dimension of the Eastern Partnership, the EaP CSF strives to strengthen civil society in the region, boost pluralism in public discourse and policy making by promoting participatory democracy and fundamental freedoms. For more information, please visit the EaP CSF website at www.eap-csf.eu