



Baltic Marine Environment Protection Commission

Working Group on the State of the Environment and Nature
Conservation

STATE & CONSERVATION
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Background

The Helsinki Convention (1992) requires that the Contracting Parties

- **shall apply the precautionary principle**, i.e., **to take preventive measures when** there is reason to assume that **substances or energy introduced, directly or indirectly**, into the marine environment **may** create hazards to human health, **harm living resources and marine ecosystems, damage amenities** or interfere with other legitimate uses of the sea even when there is no conclusive evidence of a causal relationship between inputs and their alleged effects. (Art.3)
- **shall individually and jointly take all appropriate measures** with respect to the Baltic Sea Area and its coastal ecosystems influenced by the Baltic Sea **to conserve natural habitats and biological diversity and to protect ecological processes**. The Contracting Parties shall aim at adopting subsequent instruments containing appropriate guidelines and criteria. (Art.15)

[HELCOM Recommendation 35/1](#) “System of Coastal and Marine Baltic Sea Protected Areas (HELCOM MPAs)” RECOMMENDS that the Governments of the Contracting Parties to the Helsinki Convention... **take all appropriate measures ...to improve the protection effectiveness of existing HELCOM MPAs**, to:

c) **ensure that HELCOM MPAs** inter alia **provide specific protection to those species, habitats, biotopes and biotope complexes included in the HELCOM Red Lists**, as agreed in the HELCOM 2013 Copenhagen Ministerial Declaration, by considering these in the site selection procedure as well as in site management;

As CCB repeatedly pointed to HELCOM and its subsidiary bodies in 2016-2018, the proposed Nord Stream 2 gas pipeline project by planning its landfall through [HELCOM MPA #166 Kurgalskiy Peninsula](#) directly interferes with and violates both the fundamental principles and subsequent instruments of the Helsinki Convention. It has been confirmed by experts at numerous stakeholder meetings and roundtables, where the company has not been able to provide adequate response to those public concerns. E.g. on 6 February 2018, the Nord Stream 2 AG has arranged a [roundtable](#) in Geneva with an aim to present Biodiversity Conservation Strategy for Kurgalskiy Peninsula, but both [Ramsar Convention Secretariat](#) (as Kurgalskiy Peninsula is also a Ramsar site) and the IUCN Global Business and Biodiversity Programme have expressed strong opinion that information provided by the developer is not enough to justify proposed strategy and that the **project contradicts with mitigation hierarchy of the [IUCN Policy on Biodiversity Offsets](#)** (2016).

However, CCB and its partner organizations would like to express also our serious concern to the fact that the Baltic Sea Days International Environmental Forum that is sponsored by HELCOM on the biannual basis has become a platform for unilateral promoting large-scale infrastructure projects being so contradictory from environmental point of view. Despite being designed as a forum for discussions, stakeholder consultation and public participation, it turned to be presenting only views of project developers.

On 22-23 March 2018, the Nord Stream 2 AG has arranged a [roundtable “Nord Stream 2: building on the proven experience of planning the infrastructure project in a responsible way”](#) within the frame of the XIX Baltic Sea Days International Environmental Forum in St. Petersburg. Agenda of the event was filled with presentations of representatives of the Nord Stream 2 AG and Gazprom, being the main developers behind the proposed gas pipeline. Presented positions did not differ from already reported within recent years.

It was once again noticed by the audience that representatives of the project developer are treating the facts with unacceptable negligence. Such manipulation of scientific facts was confirmed by numerous statements of scientists and experts within recent years. It has also been proved by the [conclusions](#) of independent [Public Environmental Assessment](#) (PEA) that was coordinated by ECOM Center of Assessments and performed by 7 distinguished Ph.D.: biologists, environmentalists, geographers, territorial planners, lawyers. The PEA was submitted to the Federal Service for Supervision in the Field of Nature Use of the Russian Federation on 16.01.2018 (ref.# 1197/32) and fully ignored by the permitting authority despite the obligation to take it into consideration before release of the official acceptance of the EIA documentation.

The PEA experts **noted inconsistency and incompleteness of documentation** provided by the developer **with national and international legal requirements** in the field of environment protection. They have also concluded that **hiding information about comparative nature values of alternative routes** of the pipeline, as well as **understating the importance of nature values of Kurgalskiy Peninsula was done intentionally** by the project developer. Hence the **main conclusion is that Nord Stream 2 gas pipeline project**, that was submitted for obtaining respective permission from the environmental authorities and consequent construction permit, **should not be accepted for implementation, because of intolerable level of potential negative environmental, as well as connected social and economic impacts**.

These drawbacks were once again revealed by the scientific and expert community at the abovementioned roundtable within the frame of the 2018 Baltic Sea Days Forum. It has led to an extensive discussion full of important opinions, expert judgements and proposals, as well as evidences of violations of the environmental legislation by the planned project, despite positive EIA permission was released by the authorities at the federal level. However, none of those discussion points were reflected in the [concluding documents](#) of the roundtable, though the Forum organizers have assured that the resolutions of all the roundtables will be submitted to relevant HELCOM bodies and competent authorities. It would mean that those documents would be treated as trustworthy reflection of discussions of large-scale projects of international importance, that may have impact on the whole Baltic Sea ecosystem and the interests of all Baltic Sea countries.

Meanwhile, so-called [Resolution](#) of the [roundtable "Nord Stream 2: building on the proven experience of planning the infrastructure project in a responsible way"](#) has been crafted as a typical example of the Nord Stream 2 lobbying with a "half-truth" approach. **It does not contain a single reflection of highly disputable and controversial nature of the proposed project** that was witnessed by the expert community, stressing as unacceptable the decision to lay the gas pipeline along the chosen route across Kurgalskiy Peninsula and Nature Reserve. The **Resolution does not reflect a single word of critique** from the discussion and statements by the scientists and experts and **does not refer to any of the inconvenient questions** being posed to the Nord Stream 2 AG and Gazprom and remained without any plausible answer.

Hereby **we would like to state that the released Resolution**, should it be submitted to HELCOM bodies and other decision-making bodies that are responsible for the protection and improvement of the Baltic Sea marine environment, **is a falsification of facts**.

CCB intends to submit this statement also for the consideration of HELCOM Heads of Delegation.

Action requested

The Meeting is invited to [consider](#) presented information and [formulate](#) its position on the matter for the upcoming meeting of the Heads of Delegation in June 2018.