

Information for the attention of Implementation Committee, Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991)

To be sent through the Secretary to the Convention:

Ms. Tea Aulavuo
United Nations Economic Commission for Europe
Office 319, Palais des Nations,
8-14 Avenue de la Paix, 1211 Genève 10, Switzerland
Tel.: +41 22 917 17 23
Fax: +41 22 917 01 07
E-mail: eia.conv@unece.org
Website: www.unece.org/env/eia

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| Date sent to the Secretary | 22.3.2013 (date of sending this form); first complaint via letter without form sent 12.3.2012 |
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Sent by ("the source"):

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| Name | Sylvia Kotting-Uhl |
| Organization | German Parliament |
| Postal address | Platz der Republik 1 |
| Country (State) | 11011 Berlin |
| Telephone | +49-30-227-74740 |
| Fax | +49-30-227-76742 |
| E-mail | sylvia.kotting-uhl@bundestag.de |
| Website | <www.kotting-uhl.de> and < http://www.bundestag.de/bundestag/abgeordnete17/biografien/K/kotting_uhl_sylvia.htm > |

Concerning:

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| Party or Parties (States) of origin, under whose jurisdiction a proposed activity is envisaged to take place | United Kingdom |
| Affected Party or Parties (States), likely to be affected by the transboundary impact of a proposed activity | Germany |
| Activity (project), identified in the list of activities in Appendix I to the Convention | construction of a new nuclear power station at Hinkley Point C |
| Likely significant adverse trans-boundary impact of the activity (project) | large radioactive release under non normal plant conditions at NPP Hinkley Point C; airborne wet or dry deposition of radioactive substances on German territory, reaching contamination levels which foresee measures imposed by German radiation protection rules and guidelines |
| Provisions of the Convention (Articles) compliance with which is being contested | Article 3, Article 4, Article 5 and Article 6 |

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| Description of issue – please attach supporting information | Nuclear Power Plants are listed as activities, for which transboundary EIA procedures are required by the ESPOO Convention. The respective UK authorities had not notified the planned activity to Germany. This results in a lack of participation for the German public to access to the relevant documents and to submit statements before granting the relevant permissions. There was still no notification to Germany, even after I wrote to the UK Secretary of State Edward Davey pleading for one before he intends to grant his Development Consent for Hinkley Point C on March 19 th 2013. Please find attached an official information by the German Federal Government that there was no notification to Germany by UK regarding the project Hinkley Point C. The information was given to me on February 20 th in response to a parliamentary interpellation (attachment no.1; part of response regarding Hinkley Point C marked yellow). Please find also attached my letter to SoS Mr. Davey of March 13 th 2013 (attachment no.2) and the response of his ministry of March 15 th 2013 (attachment no.3). It should be noted that UK only notified Austria on the subject. Austria which performed a public consultation which was finished by March 1 st 2013. The Austrian Expert Statement describes in detail how Austria could be affected by the proposed activity. (see attachment no.4) Due to the fact that German borders are much more nearer to the UK, it is obvious that UK had to notify Germany (as well as other neighbouring states) at the date it had notified Austria. |
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For use by secretariat:

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| Reference number | EIA / IC / INFO / |
| Date received | |
| Original language of information | |
| Translation into English by | |
| Date forwarded to Committee | |
| Date forwarded to Party or Parties | |
| Remarks by secretariat | |
| Date first discussed by the Committee (possibly including preliminary determination of admissibility) | |
| Additional information requested of source | |

For use by the Committee:

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| The source of the information is known and not anonymous | |
| The information relates to an activity listed in Appendix I to the Convention likely to have a significant adverse transboundary impact | |
| The information is the basis for a profound suspicion of non-compliance | |
| The information relates to the implementation of Convention provisions | |
| Committee time and resources are available | |