

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT
PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT

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Palais des Nations
CH-1211 Geneva 10
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Ref. EIA/IC/CI/5 - Hinkley Point C NPP

28 March 2018

Dear Ms. Paul,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003).

At its forty-first session, held in Geneva from 13 to 16 March 2018, the Committee continued the consideration of its initiative on the United Kingdom of Great Britain and Northern Ireland regarding the planned construction of the Hinkley Point C nuclear power plant and its review of draft MOP decision VII/2 (paras. 69–72). The Committee noted the information from the United Kingdom dated 4 January 2018 and 7 February 2018 about the outcomes of the consultations with the interested Parties that had already provided the response. It also noted the information from Ireland of 12 February 2018 and from the Irish non-governmental organisation, Environmental Pillar, of 12 and 20 February 2018 about the launch of the public consultations on the proposed activity in Ireland.

Further to the analysis of that information by the curator, the Committee noted that it lacked clarity about whether the Parties that had found the notification necessary (Austria, Denmark, Germany, Ireland, Luxembourg, the Netherlands, and Norway) had been satisfied with the outcomes of the consultations with the United Kingdom regarding the activity or whether they would wish to further continue the discussions with the United Kingdom, in accordance with article 3 para.7, for reaching an agreement on whether there is likely to be a significant transboundary impact with regard to the proposed activity.

To enable its further consideration of the matter, the Committee requested me to write to you kindly inviting the Government of Germany to inform the Committee on:

- (a) the results of the consultations with the United Kingdom since March 2017 with regard to the activity;
- (b) whether the Government of Germany considered that the activity at Hinkley Point C was likely to cause a significant adverse transboundary impact on the territory of Germany;

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(c) the position of the Government of Germany regarding the application of the Convention, including on:

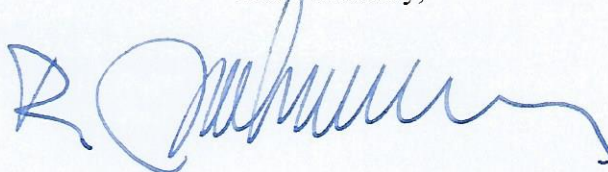
(i) whether the discussion with the United Kingdom in reaching the agreement on whether there was likely to be a significant adverse transboundary impact will be continued in accordance with the article 3 para. 7, and whether in absence of such agreement the matter will be submitted to the inquiry commission in accordance to the provisions of appendix IV of the Convention, or;

(ii) whether, after consultations with the United Kingdom, the application of the Convention was considered no longer necessary.

You are kindly invited to provide the requested information in English through the secretariat by no later than 30 April 2018. On the basis of the clarifications to be provided by your Government and the Governments of Austria, Denmark, Ireland, Luxembourg, the Netherlands, and Norway, the Committee will prepare the revised draft MOP decision VII/2 regarding the United Kingdom (to be presented as draft decision IS/1h) and revise the Committee's detailed findings and recommendations from 2016 regarding the activity (see ECE/MP.EIA/IC/2016/2, annex).

The Committee agreed to send the revised findings and recommendations to the United Kingdom inviting the Government of the United Kingdom to submit to the secretariat its comments or representations. The Committee will consider any comments or representations by the United Kingdom before finalizing the revised findings and recommendations and draft MOP decision IS/1h at its forty-second session (Geneva, 11-14 September 2018) and forwarding the revised draft decision IS/1h for the consideration of the Meeting of the Parties at its 'intermediary' session.

Yours sincerely,



Romas Svedas
Chair, Implementation Committee,
Convention on Environmental Impact Assessment
in a Transboundary Context
Protocol on Strategic Environmental Assessment