



LIETUVOS RESPUBLIKOS APLINKOS MINISTERIJA
THE MINISTRY OF ENVIRONMENT OF THE REPUBLIC OF LITHUANIA

A. Jakšto St 4/9, LT-01105 Vilnius, tel: (+370 5) 266 35 39, fax: (+370 5) 266 36 63, e-mail: info@am.lt http://www.am.lt

Ms. Vesna Kolar-Planinšič
Chair of Implementation Committee
Convention on Environmental Impact
Assessment in a Transboundary Context
Office: 4291-1, Palais des Nations
CH-1211 Geneva 10
Switzerland

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Ms. Tea Aulavuo
Secretariat, Convention on Environmental
Impact Assessment in a Transboundary Context
Office: 429-1, Palais des Nations
CH-1211 Geneva 10
Switzerland

**RE: REPORT ON STEPS TAKEN BY LITHUANIA IN REGARD TO THE
IMPLEMENTATION OF THE FINDINGS AND RECOMMENDATIONS OF THE ESPOO
CONVENTION IMPLEMENTATION COMMITTEE**

Dear Ms. Kolar-Planinšič and Ms. Aulavuo,

It is my pleasure to present the information and the report on steps taken by Lithuania on the implementation of the Findings and Recommendations of the Espoo Convention's Implementation Committee, adopted during twenty-seventh session held in Geneva, 12-14 March 2013, further to a submission by Lithuania regarding Belarus (hereafter – Findings and Recommendations).

Since the Findings and Recommendations became officially available, Lithuania took a number of steps (in terms of written communication and bilateral meetings) and initiatives towards their effective implementation:

- On the basis of the agreement reached during the sixteenth meeting of the Lithuanian-Belarusian Bilateral Commission for Trade and Economic Cooperation (28 May 2013, Vilnius), Lithuania was expecting to receive an upgraded EIA report from Belarus as the first step indispensable to proceeding to comprehensive implementation of the Findings and Recommendations.¹

¹ Such Belarusian commitment was recorded in the paragraph 5.3 of the Protocol of the bilateral Lithuanian-Belarusian Commission's meeting and signed by both Parties.

- On 13 June 2013, during the meeting between the Ministries of Foreign Affairs of Lithuania and Belarus, the Belarusian side submitted a document considered by Belarus as the final environmental impact assessment report. The Lithuanian experts started analysing this documentation without delay, but due to its volume (1000 pages) Belarus was officially requested to allocate reasonable time framework for the analysis (namely, until the end of August 2013).
- However, on 19 July 2013 Belarus informed of its unilateral decision to schedule public hearings for the Lithuanian public in the territory of Belarus on 17 August 2013. Given that Lithuania considered public hearings as a subsequent step to providing the upgraded EIA report, we officially requested Belarus several times to avoid taking any unilateral decisions and to wait until the evaluation of the received documentation is finished. Despite the requests, the event in Astravets (Belarus) was arranged on 17 August 2013. Moreover, though the event was supposedly targeted to the Lithuanian public, various restrictions were imposed on its participation.²
- To our dismay, the comprehensive evaluation of the EIA documentation showed that the documentation received on 13 June 2013 was only a low quality Lithuanian translation of the same EIA documentation dated 6 July 2010 which has been already assessed by the Lithuanian experts and the Implementation Committee. Notably, the content of the EIA documentation remained unchanged.³
- Trying to find a common ground with Belarus and to agree on a reasonable time framework for the transboundary environmental impact assessment procedures of the nuclear power plant in Belarus, on 10 September 2013 Lithuania submitted to Belarus very concrete requests⁴ and requested to provide the missing information by 1 October 2013. In addition, we also proposed Belarus to consider arrangement of public hearings for the Lithuanian public in Vilnius on a date convenient for both sides, possibly at the end of October 2013. However, no reaction from Belarus regarding this proposal has been received up to date. Instead, Belarus repeatedly insisted on arranging bilateral consultations straightly.

In conclusion, our observation is that after the Findings and Recommendations became officially available, Belarus focused exceptionally on procedure-related matters (i.e. the form), ignoring the Lithuanian requests regarding the EIA report and key questions (i.e. the substance) and without ensuring the quality of the whole transboundary EIA process. However, such a way – giving priority to the form over the substance is not acceptable to a country like Lithuania which due to its closest proximity would be affected most in case anything goes wrong at the Belarusian NPP.

In the meanwhile, the latest developments related to the nuclear power plant project in Belarus deserve a special attention. According to the media, on 29 October 2013 the Ministry of the Emergency Situations of Belarus issued a special permit (license) No. 02300/239-4 (dated 13 September 2013) allowing nuclear equipment installation at the first Astravets NPP unit and on 2 November 2013 a Decree No. 499 was signed by the President of Belarus marking the official start

² Numerous complaints were received from the Lithuanian public and journalists.

³ E.g. equal assessment of locational alternatives was not included into the EIA report.

⁴ Outlined in five annexes to the letter of 10 September 2013.

of the main phase of the NPP construction. Both the Ministry of Environment of Lithuania and the Ministry of Foreign Affairs of Lithuania have already requested Belarus to provide all the related information regarding these developments. Lithuania considers any decisions related to licensing and permitting construction works on the site prior to completing the transboundary EIA process as serious infringement of the Espoo Convention.

Finally, let me reassure you that Lithuania is ready to further cooperate with the Implementation Committee on this matter.

ENCLOSURE:

1. Lithuanian report, 7 pages.
2. Supportive documents, 138 pages.

Yours sincerely,

Almantas Petkus
Vice-minister

