

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

Mr. Felix Zaharia, Chair
Telephone: +402 143 117 12
Fax: +402 131 923 54
E-mail: felix.zaharia@mae.ro

Ministry of Foreign Affairs
Directorate for International Law and Treaties
Alea Alexandru, 31-33, Sector 1
Bucharest, Romania

Secretariat: Ms. Elena Santer, UNECE
Telephone: +41 (0)22 917 2090
E-mail: elena.santer@unece.org

Palais des Nations
CH-1211 Geneva 10
Switzerland

Ref. EIA/IC/CI/5 - Hinkley Point C nuclear power plant

1 March 2017

Dear Mr. Scott,

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 thirty-eight session, held in Geneva from 20 to 22 February 2017, the Committee discussed your letter of 13 February 2017. It welcomed the United Kingdom's intention to address the issue of non-compliance regarding the Hinkley Point C nuclear power plant project, and noted with appreciation that the United Kingdom had written to possibly affected Parties on 21 December 2016, asking them whether they considered that notification under the Espoo Convention was useful at the current stage of the proposed activity.

The Committee also noted the commitment of the United Kingdom to notify, in future, all Parties to the Convention in respect of applications for development consent for all new nuclear power stations, which goes beyond the recommendations of the Committee to notify to the potentially affected Parties.

At the same time, the Committee observed in your letter that Hinkley Point C had been granted development consent by the relevant Secretary of State on 19 March 2013 with work under the development consent having already commenced. The Committee was concerned that continuation of works at Hinkley Point C might influence the views of Parties consulted by the United Kingdom on 21 December 2016. Moreover, if possibly affected Parties considered that notification was useful and therefore asked to participate in the transboundary EIA procedure, the continuation of works might render the results of this procedure irrelevant. The Committee recalled that in a previous situation where the procedures under the Convention had not been completed it had been of the

Mr. Giles Scott
Head of Energy Infrastructure Planning and Coal Liabilities
Department for Business, Energy & Industrial Strategy
3 Whitehall Place
SW1A 2AW London, United Kingdom
E-mail: giles.scott@beis.gov.uk

CC: Mr. Tom Simpson
Team Leader of the Department for Communities and Local
Government Planning - Infrastructure and Environment
Zone 1/J5, Eland House, Bressenden Place
SW1E 5DU London, United Kingdom
E-mail: tom.simpson@communities.gsi.gov.uk

opinion that the project including its maintenance and its operation should have been suspended (Decision IV/2 paragraph 74(b)).

On behalf of the Committee, I am now writing to you inviting the United Kingdom to consider refraining from carrying out works at the proposed activity until it established whether notification is useful. I would also like to inform you that the Committee had also decided to recommend to the Meeting of the Parties that if a potentially affected Party requires a notification the United Kingdom should suspend works at the proposed activity until the transboundary EIA procedure is finalized.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Felix Zaharia', with a long horizontal flourish extending to the right.

Felix Zaharia
Chair, Implementation Committee,
Convention on Environmental Impact Assessment
in a Transboundary Context
Protocol on Strategic Environmental Assessment