

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

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Ref. EIA/IC/CI/5 - Hinkley Point C NPP

3 April 2017

Dear Mr. Simpson,

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).

With reference to my letter of 1 March 2017 summarizing the outcomes of the Committee's deliberations at its thirty-eight session (20-22 February 2017) regarding the planned construction by the United Kingdom of Great Britain and Northern Ireland of a nuclear power plant in Hinkley Point C, please see attached the edited version of the recommendations to the Meeting of the Parties as prepared by the Committee at that session further to its consideration of the information provided by the United Kingdom on 13 February 2017.

In accordance with the rule 13 of the Committee's operating rules (decision III/2, appendix para. 9), you are invited to submit your comments or representations on the recommendations through the secretariat by **2 May 2017** at the latest.

Furthermore, the Committee looks forward to receiving by that same date the report of the United Kingdom on the responses it has received to its letter of 21 December 2016 from the potentially affected Parties regarding the usefulness of the notification.

The Committee will finalize its recommendations to the Meeting of the Parties taking into account the comments and the further information received. The United Kingdom will be informed about the outcomes of the Committee's deliberations.

The Committee has also requested me, as a Chair of the Committee, to inform the Meeting of the Parties at its seventh session about the steps taken by the United Kingdom to address the Committee's recommendations from its thirty-fifth session (see report of the Committee's on its 35th session, ECE/MP.EIA/IC/2016/2; see also Draft decision VII/2: Review of compliance with the Convention, ECE/MP.EIA/2017/8).

Yours sincerely,



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

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Attachment: Draft recommendations to the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context further to a Committee initiative concerning the United Kingdom of Great Britain and Northern Ireland (EIA/IC/CI/5) prepared by the Implementation Committee at its 38th session (Geneva, 20-22 February 2017) including the additional conditional recommendation in para (d) in comparison with the draft recommendations prepared at the 35th session (Geneva, 15-17 March 2016)

The Committee recommends that the Meeting of the Parties:

(a) Endorse the findings of the Implementation Committee that the United Kingdom of Great Britain and Northern Ireland is in non-compliance with its obligations under article 2, paragraph 4, and article 3, paragraph 1, of the Convention in relation to the Hinkley Point C nuclear power plant project;

(b) Welcome the efforts of the United Kingdom since the thirty-fifth session of the Committee (Geneva, 15-17 March 2016) to undertake the relevant actions set out in the recommendations of the Committee addressed to the Meeting of the Parties, and encourage the United Kingdom to continue discussions with potentially affected Parties, including Parties that cannot exclude a significant adverse transboundary impact from the activity at Hinkley Point C, in order to agree on whether notification is useful for this proposed activity at the current stage of its development;

(c) Request the United Kingdom to report to the Committee on the results of its discussions with the potentially affected Parties regarding the usefulness of notification;

(d) Also request the United Kingdom to suspend works at the proposed activity until the transboundary environmental impact assessment procedure is finalized, in case a potentially affected Party requires a notification;

(e) Note the commitment of the United Kingdom to notify all Parties to the Convention in respect of applications for development consent for all new nuclear power stations;

(f) Request the Committee to report to the Meeting of the Parties to the Convention at its eighth session on compliance by the United Kingdom with the Convention in regard to this matter.