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Ref: ACCC/C/2013/91

17 November 2014

Matthias Sauer
Division ZG III 6
Freedom of Information Legislation, Environmental Liability Legislation, Better Regulation
Federal Ministry of Environment, Nature Conservation and Nuclear Safety
Stresemannstraße 128-130,
D-10117 Berlin
Germany

Brigitte Artmann
Am Frauenholz 22
95615 Marktredwitz
Germany

Dear Mr. Sauer,
Dear Ms. Artmann,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Germany in connection to public participation in transboundary environmental impact assessment procedures (ACCC/C/2013/92)

During the discussion of the above communication at its forty-sixth meeting (Geneva, 22-25 September 2014), the Compliance Committee indicated that it would send further questions for the response of the communicant and the Party concerned. Please now find enclosed the questions prepared by the Committee for your attention.

The Committee would be very grateful to receive your responses to the enclosed questions on or before **Friday, 12 December 2014**. When sending your response, please copy the other party who will thereafter have seven days from the date of your letter to send any comments it wishes to make on your response. The Committee will consider all responses received when deliberating upon its draft findings at its upcoming forty-seventh and forty-eighth meetings (Geneva, 16-19 December 2014 and 24-27 March 2015).

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,

A handwritten signature in blue ink that reads "Fiona Marshall".

Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

Cc: Permanent Mission of Germany to the United Nations Office and other international organizations in Geneva

Enc.: Questions from the Committee

Questions from the Committee concerning communication ACCC/C/2013/92 (Germany)

Questions for the Party concerned (Germany)

1. Please confirm the date upon which any German officials and/or the German Government were first made aware of the decision-making procedure regarding Hinkley Point C.
2. Was the German Government notified by the Government of the United Kingdom (UK) during the preparation of the UK's National Policy Statement for Nuclear Power Generation? Did the German Government inform the German public about the UK's National Policy Statement and if so, when and how?
3. Please specify the criteria applied by the German Government when deciding whether or not to participate in a transboundary procedure for an activity outside Germany which might potentially affect German territory.
4. On what date did the German Government first become aware that members of the German public wished to participate in the decision-making procedure regarding Hinkley Point C?
5. Please provide a list of transboundary EIA and SEA procedures concerning nuclear activities to which Germany has officially entered into to date. For each of these procedures, please indicate whether members of the German public participated or not and, if you have any record of how many members of the German public participated in each procedure, approximately how many did so.
6. Have there been any instances where Germany was notified, or was otherwise aware of, nuclear activities abroad and Germany decided not to enter transboundary consultations? If yes, what was the reason(s) for Germany's decision not to enter into the consultations?

Questions for the communicant

1. When did you first learn of the proposed decision-making procedure regarding Hinkley Point C and how? To your knowledge, was the German public notified of the proposed decision-making procedure by either the Government of United Kingdom or Germany and if so, by which Government and when?
2. Were you notified regarding the preparation of the United Kingdom's National Policy Statement for Nuclear Power Generation and if so, how? If you were not notified, were you aware of the preparation of the National Policy Statement through other sources, and if so, which sources?
3. When did you first inform the German government of your wish to participate in the decision-making procedure regarding Hinkley Point C? Please provide copies of the relevant correspondence.
4. With respect to the list to be provided by the German Government of transboundary EIA/SEA procedures for nuclear activities abroad in which the German public has participated (see question 5 above), please specify in which of these procedures you yourself participated.