



**NATIONS UNIES**  
COMMISSION ÉCONOMIQUE  
POUR L'EUROPE

**ОБЪЕДИНЕННЫЕ НАЦИИ**  
ЭКОНОМИЧЕСКАЯ КОМИССИЯ  
ДЛЯ ЕВРОПЫ

**UNITED NATIONS**  
ECONOMIC COMMISSION  
FOR EUROPE

**IMPLEMENTATION COMMITTEE**  
**CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT**

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12 September 2013

Dear Ms Twardowska,

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

At its twenty-eighth session, held in Geneva from 10-12 September 2013, the Committee continued its consideration of the information provided by a Belarusian NGO regarding the planned construction of nuclear reactors 3 and 4 at Khmelnytska Nuclear Power Plant in Ukraine, close to the border with Belarus. The Committee considered a reply from the Government of Ukraine, received on 11 June 2013, in response to its letter (of 25 March 2013), as well as the additional information provided by Ukraine on 26 August 2013.

The Committee asked the Chair to write to the Government of Ukraine, to request it to provide by 18 November 2013 the following:

- (a) Clarification on the national legislation and the decision-making procedure regarding the location, design and construction of nuclear power plants;
- (b) The English translation of the national legal provisions requiring the Government of Ukraine to take into account the outcomes of the transboundary EIA procedures, including consultations and public participation. Ukraine should clarify whether it was legally possible for it to change an existing decision regarding the site, design and/or construction of a plant based on the transboundary procedures;
- (c) The full account of the transboundary EIA proceedings with each of the potentially affected countries that it had notified, in particular as regards consultations and public participation;

.../...

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(d) Clarification on how the adverse transboundary environmental impact was assessed and the potentially affected Parties determined.

I am now writing at the request of the Committee to inform Poland of the above, and to ask whether Poland considers that the legal, administrative and other measures taken by the Government of Ukraine in this particular transboundary EIA procedure were sufficient for proper implementation of the Convention,

You are kindly invited to provide the information to the secretariat by 18 November 2013 for consideration by the Committee at its next session.

Yours sincerely,



Vesna Kolar Plaminić  
Chair, Implementation Committee,  
Convention on Environmental Impact Assessment  
in a Transboundary Context