

8 March 2022

Excellency,

I have the honour to write to you on behalf of the Bureau under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention),¹ to which your country is a Party. I would like to express the Bureau's deep concern at the devastating effects of the military offensive carried out against Ukraine by the Russian Federation, in terms of loss of human life, severe environmental damage and threats to the safety of Ukrainian nuclear power plants, as illustrated by the recent incidents in Zaporizhzhya and Kharkiv.

The military occupation and control of the above-mentioned – and possibly further – nuclear power plants in Ukraine pose a considerable risk of extremely severe and far-reaching nuclear accidents, including by jeopardizing the necessary safeguard measures for the proper functioning and maintenance of the plants.

Several Ukrainian nuclear power plants (Khmelnitsky, Rivne, South Ukrainian and Zaporizhzhya) are currently under the scrutiny of the Implementation Committee under the Espoo Convention, including with regard to the issue of the lifetime extension of their units, and compliance with the obligations under the Convention with respect to these plants is being monitored. For the safety of people and the environment in Ukraine and across the region, it is therefore crucial that this process be fully preserved and that guarantees be offered to ensure full compliance with the obligations arising from the Convention. This is an issue of the utmost importance, not only under the Espoo Convention but also under public international law and customary law.

The Bureau stresses the importance of ensuring that the framework and the appropriate operational and managerial conditions of the nuclear power plants in Ukraine are managed, maintained and operated in due consideration of the Convention's objectives, including through the establishment of a no-war zone, as well as possible technical advice from and independent supervision by appropriate international bodies.

Moreover, there must be guarantees that all the obligations undertaken in the context of the Espoo Convention are complied with and cannot be suspended because of the war.

As a Party to the Espoo Convention, and since 2017, also to the Protocol on Strategic Environmental Assessment, Ukraine has successfully aligned its legislation with these international environmental treaties and built capacity with a view to their effective implementation. The Bureau also welcomes the willingness and efforts of Ukraine to apply the Convention to the lifetime extension of its relevant nuclear power plants thus far. It underlines the importance of guaranteeing the full compliance of the nuclear power plants with the Convention under all circumstances – an obligation addressed to all those controlling the nuclear power plants and those legally responsible for them.

The Bureau expresses the wish that the above be duly taken into consideration and communicated to the proper forums and relevant authorities, as appropriate.

Please accept, Excellency, the assurances of my highest consideration.



George Kremlis

Chair of the Bureau under the Espoo Convention

To: The Ministers for Foreign Affairs of the Parties to the Espoo Convention
Cc: Permanent missions to the United Nations Office and other international organizations in Geneva of the Parties to the Espoo Convention; Espoo Convention National focal points and stakeholders

¹ The members of the Bureau representing Belarus and Ukraine were not consulted regarding this letter.