

GUTA ENVIRONMENTAL LAW ASSOCIATION

Due Account of Scientific Assessment in Energy Sector Decision-making

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Aarhus Convention Task Force on Access to Justice,
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Association of
Environmental
Law

of Central/Eastern Europe and Newly Independent States
(GUTA Association)

- I. Public interest litigation case studies:
 1. StocaMine Deep Depository (France)
 2. Paks NPP Expansion (Hungary) [**Articles 9(2) and(4)**]

- II. Public participation [**Articles 6(4) and (8)**]
EU taxonomy Climate Delegated Act (4 June, 2021) and
Complementary Climate Delegated Act (9 March, 2022)
(European Commission)

- III. Recommendations

1. StocaMine – Whitlesam, France



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44,000 tons of toxic waste threatening one of the largest groundwater reservoirs in Europe (potential ecocide)



1. StocaMine – Whitlesam, France




← Thread



EELV Alsace
@EELVAlsace



L'impression d'un éternel recommencement ! 🤔

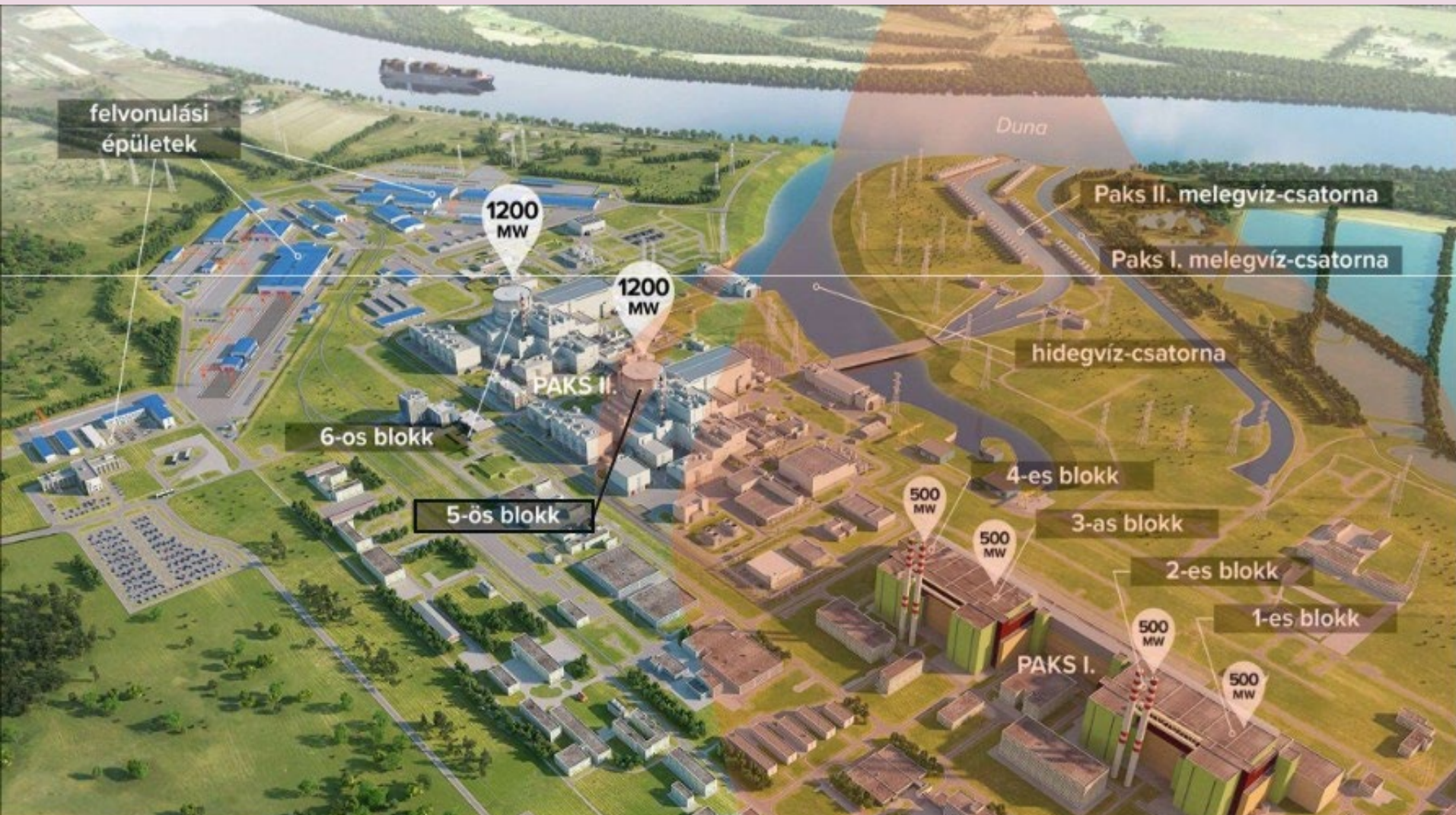
[#Stocamine](#): en douce, en plein dimanche d'entre-deux tour des [#presidentielles2022](#) , le [@gouvernementFR](#) publie un décret pour enterrer les derniers espoirs de concertation et de transparence dans ce dossier. Que veulent-ils caché ? 🔥

2. Paks II NPP – Hungary

Site suitability for nuclear power plant construction

- EIA procedures or consultations are not sufficient; public interest organizations with [**Art. 9(2)**] “sufficient interest” should be perceived as partners
- Procedures for access to justice must be “fair, equitable, timely and not prohibitively expensive” [**Article 9(4)**]
- No Environmental Ministry; fragmentation of agencies and integration into sectoral ministries = *de facto* weak protective framework

Seismic safety recommendations for site selection disregarded

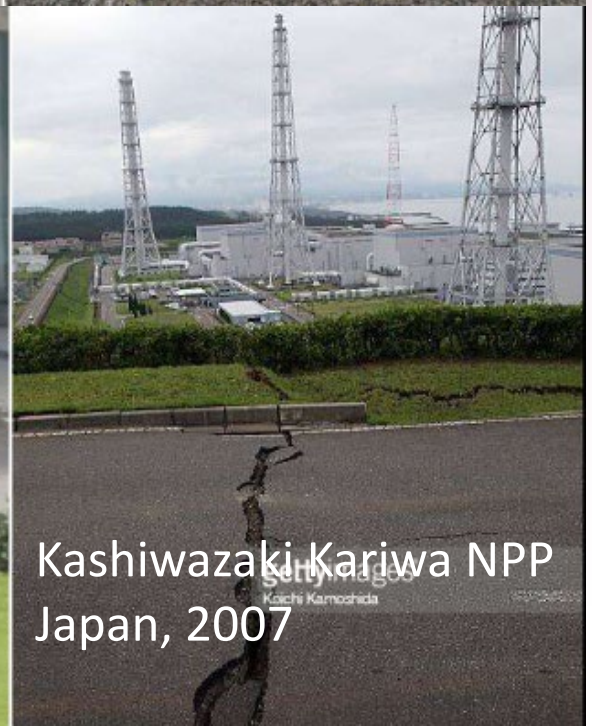




<https://www.newscientist.com/>



2010 New Zealand

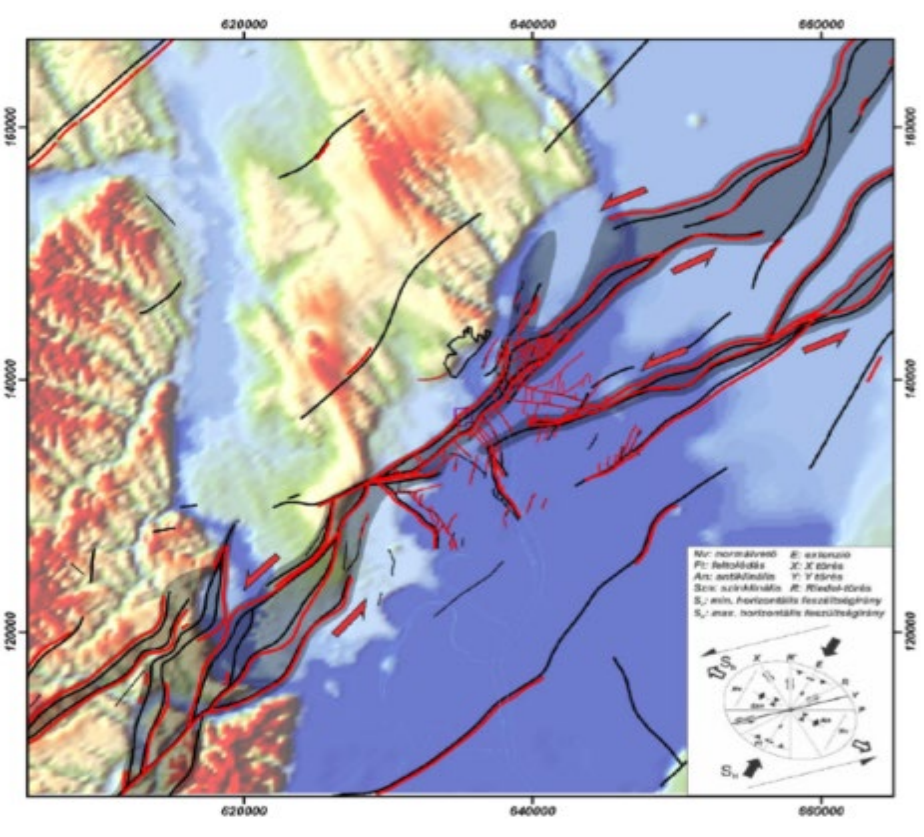
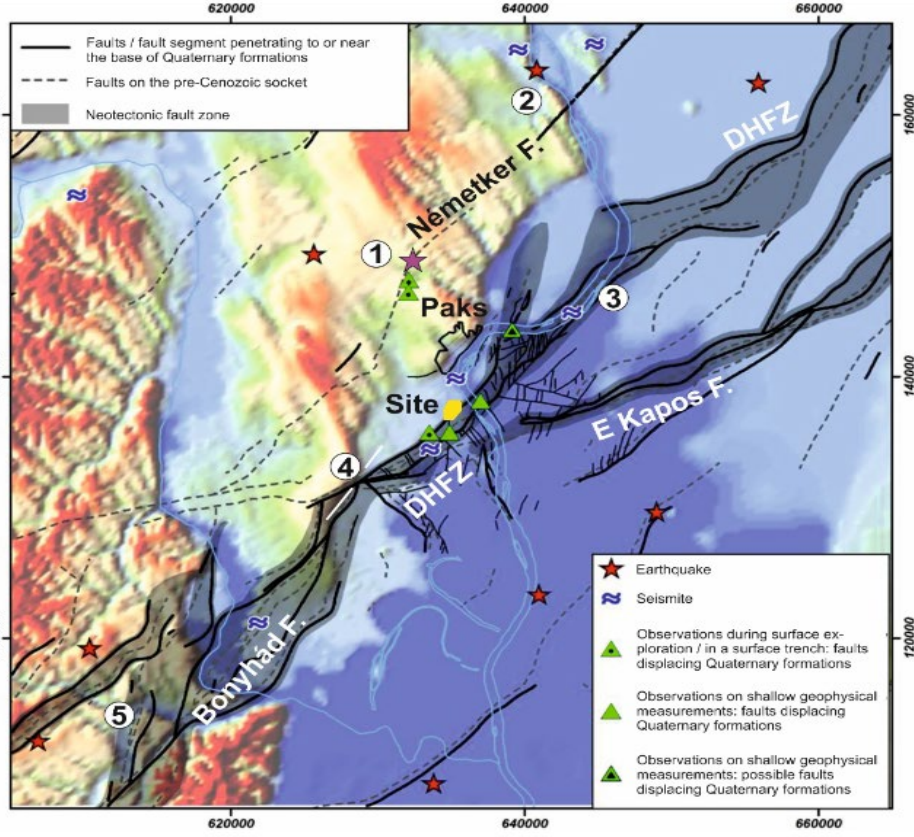


Kashiwazaki-Kariwa NPP
Japan, 2007

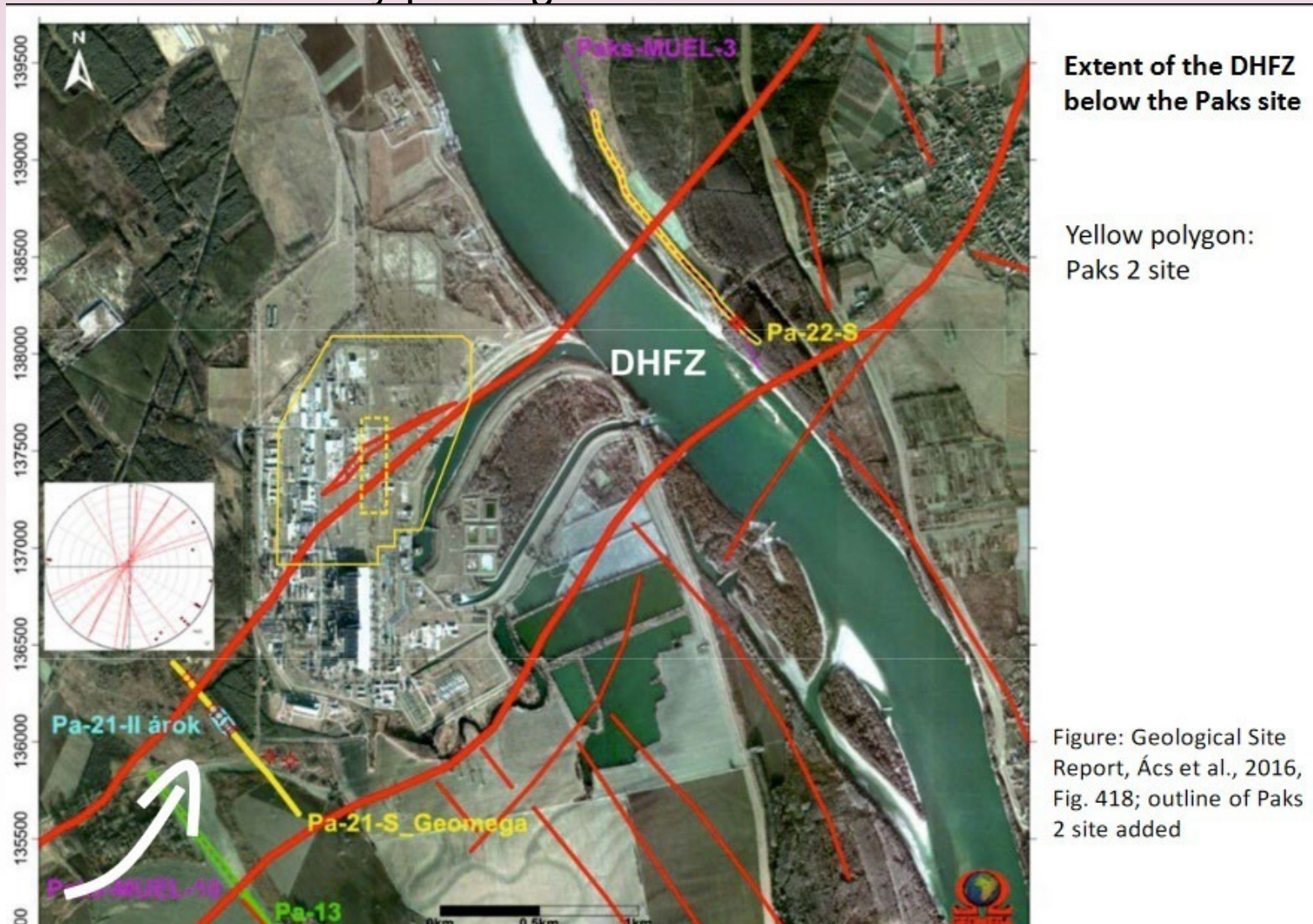
Misrepresentation of seismic risk in 2017 MVM Paks II Site Safety Report? (potential environmental crime)

Geological Site Report

Site Safety Report



“No new information has come to light about the site within the past 5 years”
– Hungarian nuclear regulator (HAEA), 2022 Siting permit validity prolongation decision



II. EU Taxonomy Climate Delegated Act and Complementary Climate Delegated Act – European Commission

- The taxonomy will determine for investors which economic activities can be labeled as climate-friendly
- Broader, negative economic and environmental impacts of a flawed taxonomy are clear to climate scientists and to the public
- The EU must conduct the necessary public consultations and impact assessments compulsory under the Convention and consult the Member States expert groups on sustainable finance, offering sufficient time to advise

III. Recommendations

- Recall to the Parties that public participation is not exhausted by formal EIA procedures
- Guidelines on the application of science-based methodology in decision-making
- Institutionalization of citizen science organizations
- Financial support mechanisms for transnational collaboration and crowdfunding initiatives

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