

Jan Haverkamp – representing the Communicants Greenpeace Netherlands and WISE

- On 6th of September we have sent our comments on the recommendations of the ACCC on the plan of action of the Netherlands.

We would like to:

- Remind that access to information and public participation under Aarhus are a right of citizens in order to improve the quality of environmental decision making.
- The practice of the implementation of the Aarhus Convention needs to take this as a premise.
- Remind the Committee that the Netherlands currently are facing the next Periodic Safety Review of the Borssele nuclear power plant, which needs to be finalised in 2023. The relevant authority is still trying to establish how and when it needs to implement public participation on the environment in this procedure and that there is a risk this will happen late and when not all options are open.
- Remind the Committee that the Netherlands have recently decided to build more nuclear power stations and prolong the lifetime of the current nuclear power plant beyond 2033 – and that the government has been called upon by the Parliament to “speed up procedures”, and that hence proper public participation may currently be under threat.
- In this case of Decision VII/8m, we see that some parties principally take a defensive stance in which they seem to try to keep the level of public participation as low as possible – this can be recognised in some of the reactions and questions from the Party Concerned (the Netherlands) as well as from one of the intervening parties (the Czech Republic).
- Call on the Committee to take as basis the right of citizens on access to information and public participation in order to increase the quality of environmental decision making when addressing the – in our view – defensive angle of view of the Party Concerned and other parties.
- Remind the Committee that it had advised the Party Concerned to open communication with the Communicant about implementation of Decision VII/8m in its session during the 7th MoP and that the Netherlands have not done that, except for a rather formal telephone call in spite of several invitations to do so from the side of the Communicant. Issues to be addressed concerned especially the plan of action as related to the relations between communication ACCC/C/2014/104 and ACCC/C/2021/187. I would like to make crystal clear here, that the description of contacts as made by the Party Concerned during the open session does not reflect the reality. It should be clear that a single formal telephone / zoom call without further follow up does not constitute open communication. We have the impression that the idea of what constitutes communication on the side of the Party Concerned consists of “formal procedures”. Real open communication goes beyond such procedures and involves settings of dialogue in an open atmosphere. We would like to point out that such a setting of open dialogue has been established with the former responsible authority in the Netherlands, the nuclear regulator ANVS. However, responsibility for the plan of action lays with the Ministry of Infrastructure and Water Management.

We remain prepared to participate in really open and constructive communication in order to see a fruitful implementation of the plan of action as well as the recommendations from the Committee, as well resolution of other outstanding issues including ACCC/C/2021/187 and call on the Party Concerned to extend an invitation to all involved communicants on short term.

- For other points, we refer to our earlier written comments.