

Decision IX/4g on compliance by Belgium with its obligations under the Convention in respect of the lifetime extension of unit 1 of Tihange nuclear power plant

The Meeting of the Parties to the Convention,

Recalling articles 11 (2) and 14 bis of the Convention on Environmental Impact Assessment in a Transboundary Context,

Recalling also its decision IX/4¹ on general issues of compliance with the Convention adopted at its ninth session (Geneva, 12–15 December 2023),

Having considered the findings and recommendations of the Implementation Committee regarding compliance by Belgium with its obligations under the Convention in respect of the lifetime extension of unit 1 of Tihange nuclear power plant,²

Having considered also the report on the activities of the Implementation Committee to the Meeting of the Parties to the Convention at its ninth session, in particular, the section concerning Belgium,³

1. *Endorses* the findings of the Implementation Committee that, in accordance with the information provided to the Committee, Belgium was in non-compliance with articles 2 (3) and 3 (1) of the Convention by extending the lifetime of unit 1 of Tihange nuclear power plant and preparing the unit for long-term operation without applying the Convention;

2. *Welcomes* the fact that Belgium committed itself to notifying possibly affected Parties in accordance with article 3 (1) of the Convention ahead of any future lifetime extension of other units of Tihange nuclear power plant;

3. *Requests* Belgium to ensure that the Convention is fully applied in the context of any future decision-making regarding Tihange nuclear power plant, including that:

(a) All impacts of operational states and accidents are properly taken into account during the environmental impact assessment procedure;

(b) When considering whether the lifetime extension constitutes a major change, the activities implemented to prepare for long-term operation prior to the last licence modification, are taken into account;

(c) Belgium notifies, in accordance with article 3 (1) of the Convention, any Party that it considers may be affected, including Germany;

4. *Recommends* that Belgium follow the good practice recommendation of the Meeting of the Parties that, given the great public concern and national interests involved when it comes to nuclear energy-related activities, a wide notification, that is to say, beyond neighbouring Parties, could prevent later misunderstandings and potential disputes.⁴

¹ ECE/MP.EIA/2023/6.

² ECE/MP.EIA/IC/2023/10.

³ ECE/MP.EIA/2023/13–ECE/MP.EIA/SEA/2023/13.

⁴ Good Practice Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/2017/10), para. 28, endorsed by the Meeting of the Parties at its seventh session (Minsk, 13–16 June 2017), through decision VII/6 (ECE/MP.EIA/23.Add.2–ECE/MP.EIA/SEA/7.Add.2).