

IMPLEMENTATION COMMITTEE
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY CONTEXT
PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT

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Palais des Nations
CH-1211 Geneva 10
Switzerland

Ref. EIC/IC/INFO/22 Construction of a temporary spent fuel storage facility at the Almaraz nuclear power plant

20 December 2018

Dear Ms. do Carmo Figueira,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003).

At its forty-third session, held in Geneva from 5 to 7 December 2018, the Committee continued its consideration of the information dated 27 January 2017 by the Portuguese political party Pessoas-Animaís-Natureza concerning the planned construction of a temporary spent fuel storage facility at the Almaraz nuclear power plant in Spain.

Further to its analysis of the information from Spain dated 20 February 2018 and from Portugal dated 4 December 2017, the Committee noted that at the time that Spain had carried out the relevant domestic environmental impact assessment procedure of the planned construction of the temporary spent fuel storage facility at the Almaraz nuclear power plant, the second amendment to the Convention had not yet been in force. Consequently, that activity did not yet fall under the Convention, i.e. was not yet listed in appendix I of the Convention. It also noted that further to the mediation exercise led by the European Union, both countries had reached an agreement on 21 February 2017 and had issued a joint statement on 29 April 2017.

At the request of the Committee, I am now writing to you to invite the Government of Portugal to provide the Committee with the clarifications on its current position concerning the activity and the applicability of the Convention, covering the following issues:

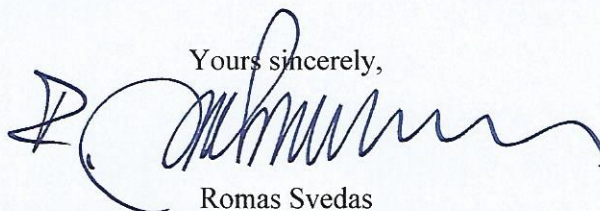
- (a) Whether the Government of Portugal continues to consider that a significant adverse transboundary impact in respect of the proposed activity was likely on the territory of Portugal;
- (b) Whether during the EU mediation process leading to the joint statement on the agreement in April 2017 the Governments of Portugal and Spain reached an agreement that a significant adverse transboundary impact on the territory of Portugal was likely;
- (c) Whether the correspondence between Portugal and Spain in autumn 2016 concerning the willingness of Portugal to participate in the environmental impact assessment procedure for the proposed activity was in accordance with article 2, paragraph 5, of the Convention.

Ms. Maria do Carmo Figueira
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Please provide the Committee with copies of this correspondence and their translation into English, including letters from Portugal to Spain dated 29 September 2016 and 19 October 2016 and the replies to these letters by Spain.

You are kindly requested to provide the required information to the Committee through the secretariat by **15 February 2019**. The Committee will continue consideration of the matter at its forty-fourth session (Geneva, 12 to 15 March 2019).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R. Svedas', with a large, stylized initial 'R'.

Romas Svedas
Chair, Implementation Committee,
Convention on Environmental Impact Assessment
in a Transboundary Context
Protocol on Strategic Environmental Assessment