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**Workshop on the application of the Espoo Convention
to the Lifetime Extension of Nuclear Power Plants**

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**Implementation Committee perspective on the application of the Convention
to the lifetime extension of the nuclear power plants**

The lifetime extension of **19** nuclear power plant units are currently under consideration by the Implementation Committee. According to Bankwatch, over the next 10 years more than **90** nuclear power plant units of the Espoo Convention Parties will reach the end of their initially foreseen technical lifetime.¹

The Implementation Committee's work is heavily **constrained** because of:

- Rapidly **increasing** number of nuclear power plants' lifetime extension cases;
- High **complexity** of these cases;
- **Controversial** opinions of the Convention Parties on the matter;
- **Lack of guidance** for the Committee and the Parties concerned;
- **Duty** of the Committee to examine the cases and to provide the concerned Parties with recommendations without undue delay.

Therefore, there is an **urgent need for the Guidance**. Work on developing the Guidance is of crucial importance. The Implementation Committee appreciates Parties' valuable assistance in this and is also happy to contribute to the work. Recognising the urgency of the matter, the Committee welcomed at its 41st session the steps proposed by the Bureau to proceed with the work following a two-step approach, starting with the development of "initial key elements of guidance". However, if the Guidance is not forthcoming or is delayed, then it is the responsibility of the Committee to pursue its work without the Guidance.

In 2014, some **findings of the Implementation Committee** on the lifetime extension of nuclear power plants were endorsed by the MOP and some not. The extension of the lifetime of units 1 and 2 of the Rivne nuclear power plant (Ukraine) was considered to be subject to the Convention, whereas general findings of the Committee on the extension of the lifetime of nuclear power plants were not supported by the MOP (see below).

The main objectives of the Convention are to ensure environmentally sound and sustainable development (Preamble, para 2) and to enhance, international co-operation in assessing environmental impact in particular in a transboundary context (Preamble, para 3). The Convention underlines the need and importance to develop anticipatory policies preventing, mitigating and monitoring significant adverse environmental impact in general and more specifically in a transboundary context (Preamble, para 3). It is important that the interpretation

¹ CEE Bankwatch Network letter to Implementation Committee of July 13, 2017.

of the Convention is in line with its main **purpose and objectives** – and does not undermine them.

All nuclear power plants must go through periodic safety reviews in accordance with the international rules in this field and unsafe plants should never be authorized to operate. However, the lifetime extension of nuclear power plants is not only about nuclear safety but also about the **environment**. During the lifetime of nuclear installation relevant changes in the surrounding environment may also take place, and these should be taken into consideration. And this is where the Espoo Convention enters into play: it is not a nuclear safety instrument, it is an environmental agreement. Safety and environment concerns are not antagonistic, in fact, both contribute to mitigating the impacts/risks on the population and the environment. The question is not about choosing to address only one or the other, but to regulate them both in a complementary and cooperative manner through the appropriate instruments.

The Espoo Convention is largely aligned with the EU Directive on EIA, but it is a legally distinct instrument from it with its distinctive provisions and terminology.

Can **accidents** at nuclear power plant be excluded? No, accidents cannot be excluded, even if relevant safety measures are implemented. Zero risk does not exist.

The process of nuclear power plants' lifetime extension is also about ensuring **public participation** and **transparency** in decision-making, and not only within one Party, but also in a transboundary context.

According to the Convention, the objective of the Committee is to assist Parties to comply fully with their obligations under the Convention providing advice and recommendations with the view to securing the constructive solution. Ultimately, the final decisions will be always taken by the MOP. The role of the Meeting of the Parties is to keep under continuous review the implementation of the Convention, and, in the end, it is up to the Parties to ensure that the Convention achieves its purpose and objectives that I referred to earlier. Therefore, the Implementation Committee continues to make every effort to ensure that the draft MOP decisions that it prepares are well founded, and in accordance with the objectives and the purpose of the Convention.

It would be very important that also the Guidance is prepared with the aim to guarantee that the objectives and the purpose of the Convention are duly fulfilled regarding nuclear energy-related activities.
