Dear Ms Twardowska,

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

At its twenty-eighth session, held in Geneva from 10-12 September 2013, the Committee continued its consideration of the information provided by a Belarusian NGO regarding the planned construction of nuclear reactors 3 and 4 at Khmelnitska Nuclear Power Plan in Ukraine, close to the border with Belarus. The Committee considered a reply from the Government of Ukraine, received on 11 June 2013, in response to its letter (of 25 March 2013), as well as the additional information provided by Ukraine on 26 August 2013.

The Committee asked the Chair to write to the Government of Ukraine, to request it to provide by 18 November 2013 the following:

(a) Clarification on the national legislation and the decision-making procedure regarding the location, design and construction of nuclear power plants;

(b) The English translation of the national legal provisions requiring the Government of Ukraine to take into account the outcomes of the transboundary EIA procedures, including consultations and public participation. Ukraine should clarify whether it was legally possible for it to change an existing decision regarding the site, design and/or construction of a plant based on the transboundary procedures;

(c) The full account of the transboundary EIA proceedings with each of the potentially affected countries that it had notified, in particular as regards consultations and public participation;

Ms. Katarzyna Twardowska  
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cc: Ms. Paulina Filipiak  
Expert, Department of Environmental Impact Assessment  
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In the Transboundary Context
Convention on Environmental Impact Assessment
Chair, Implementation Committee
Ursula Kohler Plumeck

Yours sincerely,

Consideration by the Committee at its next session.
You are kindly invited to provide the information to the Secretary by 18 November 2013 for
particular transboundary EIA procedure were sufficient for proper implementation of the Convention.
Poland considers that the legal, administrative and other measures taken by the Government of Ukraine in this
I am now with the request of the Committee to inform Poland of the above and to assess whether
the potentially affected Parties determined
Convention on how the adverse transboundary environmental impact was assessed and