

Information on non-compliance by Lithuania with Espoo Convention

Dear Mr. Nick Bonvoisin, Ms. Vesna Kolar Planinšič,

We are of the opinion that Lithuania is in violation with its obligations under the Espoo Convention while carrying out the EIA procedure for the construction of the nuclear power station.

Lithuania has violated the following provisions of the Espoo Convention:

Article 2, paragraph 1, which requires Parties to, either individually or jointly, take all appropriate and effective measures to prevent, reduce and control significant adverse transboundary environmental impact from proposed activities.

According to the final EIA report on the New nuclear power station in Lithuania the control (buffer) area of the nuclear power station is 3000 meters. Part of the territory of the Republic of Belarus is covered by the buffer area of the New nuclear power station in Lithuania in which the economic activity is restricted. Lithuania has not only taken any measures but also has not taken into account the concerns of the public of Belarus relating to prevention of the considerable harmful impact of the New nuclear power station in Lithuania on Belarusian territory.

Article 6, paragraph 1, which requires Parties to ensure that, in the final decision on the proposed activity, due account is taken of the outcome of the environmental impact assessment, including the environmental impact assessment documentation, as well as the comments thereon received pursuant to Article 3, paragraph 8 and Article 4, paragraph 2, and the outcome of the consultations as referred to in Article 5.

The final EIA report on the New nuclear power station in Lithuania has not comprised the concerns of the public of Belarus concerning:

Constructing the nuclear power station practically on the border with Belarus (about 2300 meters from the Belarusian-Lithuanian border);

Taking into account environmental state of lake Drisviaty (before commissioning of the Ignalina nuclear power station, on the territory of which the New Lithuanian nuclear power station will be situated) while compiling the EIA report on the New Lithuanian nuclear power station, in particular assessing the thermal pollution of lake Drisviaty used for the reactors cooling the former's belonging both to Lithuania and Belarus;

Absence of the assessment of the overall impact of all radiation hazardous objects installed and planned for installation in the area of the New Lithuanian nuclear power station as well as of the impact of the works relating to decommissioning of the Ignalina nuclear power station.

Article 6, paragraph 3, which requires the concerned Party to immediately inform the other concerned Party or Parties of the additional information on the significant transboundary impact of a proposed activity, which was not available at the time the final decision on that activity was made and which could have materially affected the decision, and which has become available to a concerned Party before work on that activity commences. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.

According to the information provided by Lithuania in 2010 after EIA and making a decision to construct the nuclear power station geological engineering survey and geotechnical prospecting were implemented on the site of the New Lithuanian nuclear power station. The survey results may considerably impact the decision on the construction of the New Lithuanian nuclear power station. The information on the results of such surveys has not been provided to Belarus yet.