Unedited

Decision IS/1g on compliance by Ukraine with its obligations under the Convention in respect of the extension of the lifetime of the Rivne nuclear power plant

As adopted by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context, at its intermediary session (Geneva, 5–7 February 2019)

The Meeting of the Parties to the Convention,

Recalling article 11, paragraph 2, and article 14 bis of the Convention on Environmental Impact Assessment in a Transboundary Context,

Recalling also its decision VI/2, paragraphs 68–71, concerning compliance by Ukraine with regard to the lifetime extension of reactors 1 and 2 of the Rivne nuclear power plant,

Recalling further its decision at its seventh session to finalize its deliberations on the review of compliance with the Convention at an intermediary session, based on a revised draft decision to be prepared by the Implementation Committee and taking into account the work carried out and progress achieved before and during the seventh session,[1]

Having considered the relevant sections concerning Ukraine in the report on the activities of the Implementation Committee to the Meeting of the Parties to the Convention at its seventh session[2] and in the reports of the Committee on its thirty-ninth,[3] forty-first[4] and forty-second sessions,[5]

Recalling its decision IS/1 on general issues of compliance with the Convention adopted at the intermediary session,

1. *Notes with appreciation* the regular information provided by Ukraine further to paragraph 71 of decision VI/2, concerning the Committee initiative regarding the extension of the lifetime of reactors 1 and 2 of the Rivne nuclear power plant;

2. *Notes* the steps taken by Ukraine to comply with the provisions of the Convention referred to in paragraphs 69 and 70 of decision VI/2 with respect to the extension of the lifetime of reactors 1 and 2 of the Rivne nuclear power plant;[6]

3. *Welcomes* the adoption by Ukraine of the Law on Environmental Impact Assessment in May 2017 followed by a number of pieces of secondary legislation;[7]

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[1] See ECE/MP.EIA/23-ECE/MP.EIA/SEA/7, para. 27. See also draft decision VII/2 (ECE/MP.EIA/2017/8).

[2] ECE/MP.EIA/2017/4-ECE/MP.EIA/SEA/2017/4, paras. 17–20.

[3] ECE/MP.EIA/IC/2017/4, paras. 21–25.

[4] ECE/MP.EIA/IC/2018/2, paras. 20–29.

[5] ECE/MP.EIA/IC/2018/4, paras. 27–31.

[6] ECE/MP.EIA/IC/2018/2, para. 21.

[7] ECE/MP.EIA/IC/2018/4, para. 20.

4. *Requests* the Government of Ukraine to adopt without delay the remaining secondary legislation, with a view to fully aligning its national legislation with the Convention;

5. *Notes* that Ukraine has notified potentially affected Parties, namely, Austria, Belarus, Hungary, Poland, the Republic of Moldova, Romania and Slovakia, regarding the extension of the lifetime of reactors 1 and 2 of the Rivne nuclear power plant,[8] and that some of the potentially affected Parties have requested Ukraine to provide additional information, including all the information listed in article 3, paragraph 2, of the Convention;

6. *Endorses* the findings of the Implementation Committee at its forty-first and forty-second sessions that, despite the positive steps taken, Ukraine remains in non-compliance with its obligations under the Convention, as referred to in paragraph 70 of decision VI/2;

7. *Requests* Ukraine to continue the transboundary environmental impact assessment procedure with the Parties wishing to participate in the procedure in order to bring the project into compliance with the Convention without delay, including:

(a) Preparing the environmental impact assessment documentation, including transboundary aspects, pursuant to article 4 of the Convention and also taking into consideration the comments received from the potentially affected parties;

(b) Consulting with authorities and the public of the affected Parties based on the environmental impact assessment documentation, as set out in article 5, article 3, paragraph 8, and article 4, paragraph 2, of the Convention;

(c) Revising the final decision on the lifetime extension of reactors 1 and 2 of the Rivne nuclear power plant, taking due account of the outcomes of the environmental impact assessment procedure, including the environmental impact assessment documentation and comments received from the affected Parties, further to article 6 of the Convention;

8. *Underlines* the need for Ukraine to complete the transboundary environmental impact assessment procedure in order to reach compliance with the Convention;

9. *Requests* Ukraine to report by the end of each year to the Implementation Committee on the steps taken to carry out and finalize the transboundary environmental impact assessment and to notify the relevant stakeholders once the revised final decision is taken;

10. *Requests* the Committee to report to the Meeting of the Parties to the Convention at its eighth session on compliance by Ukraine in respect of the lifetime extension of the Rivne nuclear power plant.

[8] ECE/MP.EIA/IC/2018/2, para. 21.