

4 September, 2017

**United Nations  
Economic and Social Council  
Economic Commission for Europe  
Implementation Committee, 39th session  
Convention on Environmental Impact Assessment in a Transboundary Context (Espoo  
Convention)**

**Communication by the representatives of Civil Society of Belarus and Lithuania  
regarding implementation by Republic of Belarus  
of the 6th MOP decision provisions VI/2 and  
Implementation Committee Decision on the compliance matters concerning Ostrovets  
Nuclear Power Plant construction.**

We highly appreciate the work, done by Implementation Committee (IC) for the 7th session of the MOP of the Convention. In particular, related to implementation by Republic of Belarus of 6th MOP Decision regarding Ostrovets NPP construction, we appreciate the work reflected in the IC finding and recommendations (EIA/IC/S/4) on the follow-up by Belarus to decision VI/2 by 6th MOP.

We also highly appreciate IC suggestion of creation an independent Expert body, which could carefully analyze all the details and provide the necessary advice to IC for taking final decision on the issue of Ostrovets NPP construction. We deeply regret that this suggestion was not adopted by the 7th MOP. Also we consider that the independent Expert body could make the construction of such dangerous installation as Ostrovets NPP more transparent for public of our countries. At the same time we warn about unacceptable risks that this NPP threatens for people and the environment of our countries.

We also regret that the MOP decision on follow up, concerning compliance by Belarus of the Convention during Ostrovets NPP construction, was postponed to the next extraordinary session planned in 2019, when supposedly, Belarus will have its Nuclear power plant running despite serious violations during its construction, particularly violations of the Convention's provisions. At that late data, implementation of this planned decision would be difficult or even impossible.

At the same time we consider that the IC draft decision for the 7thMOP regarding Belarus was unfairly facile. So the IC did not make an evaluation of the compliance by Belarus of the 6th MOP decision, when there are the evident facts of non-compliance or incomplete compliance of its provisions.

For example, Belarus did not fully complete the recommendation *C.64* of the decision 6th MOP VI/2 to invite a SEED IAEA mission. Belarus invited a SEED mission but excluded its 2 essential components, one is related to assessment of the site selection.

The other examples - in our opinion Belarus did not comply with recommendation C.51., prescribing that it make a final decision on NPP site selection in full compliance with article 6 of the Convention, as well as it did not comply with the recommendations C.53. There are other examples of non-compliance by Belarus of the provisions of the 6th MOP decision. We provide detailed information confirming this in the Annex 1 to this letter. Also we are ready to provide additional information on the compliance by Belarus on provisions, related to consultations with Lithuanian public.

We kindly request you to make assessment of the formal, procedural implementation by Belarus of the provisions of the 6th MOP decision, taking into account all the available information including ours.

Beside this, we are convinced that the IC finding, reflected in the item 39. of the IC follow-up decision EIA/IC/S/4, stating that Belarus “had undertaken all the required steps to reach the final decision as provided for in the Convention” is not well grounded. Our information refutes this statement and we provide it in Annex 1 to this letter.

We also request Committee of Implementation to imply for Belarus fair approach, when adopting decision on compliance matters, specifically taking into account that before the next, extraordinary MOP session Belarus NPP could be put in operation. **We call you to issue for Belarus the recommendation that it suspend its planned activity until at least the moment its NPP project is in full compliance with the Convention.** In our opinion, grave violations by Belarus of the Convention, reflected in 6th MOP Decision, and non-compliance of its provisions provide enough reasons for this. A similar recommendation regarding the case of construction of the Bystraya canal was issued to Ukraine. The importance of this case in our opinion is determined by the risks of this transboundary project, potentially affecting most or all of the countries of the EU.

*Civil society organizations of Lithuania:*

Lithuanian Green Party (*Lietuvos žaliųjų partija*)

Environmental Coalition of Lithuanian NGOs (*Lietuvos nevyriausybių organizacijų aplinkosaugos koalicija*)

Baltic Environmental Forum (*Baltijos aplinkos forumas*)

Lithuanian Fund for Nature (*Lietuvos gamtos fondas*)

Centre of Sustainable Development (*Darnaus vystymosi centras*)

Green Policy Institute (*Žaliosios politikos institutas*)

Environmental Community „Atgaja“ (*Bendrija „Atgaja“*)

Lithuanian Ornithological Society (*Lietuvos ornitologų draugija*)

LT Greens (*Susivienijimas „Žali.LT“*)

Young Greens (*Jaunųjų žaliųjų organizacija*)