



European Parliament, Brussels, 1st July 2015

Députée au Parlement européen

To:

Mr. **Jyrki Katainen**, European Commission Vice-President for Jobs, Growth, Investment and Competitiveness, Governor of the European Bank for Reconstruction and Development

Mr. **Marco Buti**, Director-General for Economic and Financial Affairs, Alternate Governor of the EBRD

Sir **Suma Chakrabarti**, President of EBRD

Mr. **Stamatios Tsalas**, Director General of Euratom Supply Agency

RE: Ukraine's Nuclear Power Plant Safety Upgrade Programme and the breach of its international obligations

Dear Sirs,

The EBRD and Euratom are cofinancing the EUR 600 million Nuclear Power Plant Safety Upgrade Program to modernise all 15 of the country's operating nuclear reactors. More than 50 per cent of the modernisation measures are planned to extend the lifetimes of the nuclear facilities in question.

The lifetimes of two of these reactors are designed to end this year: South Ukraine 2 in May 2015 (where operations are temporarily suspended pending necessary safety measures) and Zaporizhska 1 in December 2015. The designed lifetimes of another seven reactors of the same capacity will expire in the next four years. The Safety Upgrade Program is expected to be implemented by 2017.

The prolonged operation of nuclear reactors **implies an increased risk of a severe nuclear accident** with potentially devastating impacts on the environment and the people in Ukraine and beyond. Such risks cannot be fully mitigated through safety upgrades: elements at the nuclear power unit, like the vessel and containment buildings, cannot be changed.

The ongoing war in eastern Ukraine increases further the risks, because nuclear power plants are designed to operate only in times of peace. With the conflict zone only 260 kilometers from Zaporizhska – the largest nuclear power plant in Europe – the risk of a nuclear accident caused by malevolent behavior (sabotage, terrorism or an act of war) dangerously increases and threatens the whole of Europe.

Regardless of one's opinion on a country's energy mix, nuclear energy requires the highest levels of safety, and civil society plays an essential role in ensuring this. Both Euroatom and the EBRD are committed to apply the principles, standards and procedures established by international and

European law, namely the Aarhus Convention, the EU Environmental Impact Assessment Directive¹ and the Espoo Convention.

However in the case of two reactors – Rivne 1 and Rivne 2 – the Implementation Committee to the Espoo Convention found that **Ukraine had breached requirements of the Convention.**²

The Ukrainian government's approach appears unchanged in decisions pending this year. No environmental impact assessment in line with the EIA Directive was done for South Ukraine 2 and Zaporizhska 1, and Ukraine does not have adequate EIA legislation in place. Ukraine has not yet notified neighboring countries – as potentially affected Parties³ based on the Espoo Convention. Based on the initiative of the CEE Bankwatch Network, the governments of Slovakia, Hungary, Slovenia and Romania asked Ukraine about the programme and expressed interest to take part in the transboundary processes. A transboundary EIA would provide the necessary platform for assessing all the related risks of lifetime extensions at these nuclear facilities, as well as explore reasonable, safer alternatives to cover the country's electricity demand, including by improved energy efficiency and the development of renewable energy. Such an EIA will help Ukraine to enhance the quality of its nuclear decision-making processes and to consider:

- the impacts of a severe accident where substantial emissions of radioactive substances are let into the environment and provide this information to the public;
- the increased risks of a nuclear accident associated with a military conflict (malevolent behavior such as sabotage, terrorist attack, acts of war);
- energy security risks due to an almost complete dependency on nuclear fuel from Russia);
- a comparison with reasonable, safer alternatives, that accounts for the need to manage, store and dispose additional amounts of high-level radioactive waste and as well Ukraine's great potential for energy efficiency gains;

Such an EIA will also help to ensure the rights of European citizen to be informed and consulted on an activity that may have a dramatic impact on their lives, all while improving nuclear safety in the Europe.

We, Members of the European Parliament, therefore ask the EBRD and Euratom representatives to take steps for suspending the loan proceedings until a full trans-boundary EIA process for nuclear units lifetime extension is launched and carried out in accordance with international treaties to which Ukraine is a party.

Yours sincerely,

1 Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, including further amendments

2 http://www.unece.org/fileadmin/DAM/env/documents/2014/EIA/IC/ece.mp.eia.ic.2014.2.as_resubmitted.pdf;
http://www.unece.org/fileadmin/DAM/env/eia/decisions/Decision_VI.2.pdf

3 Art.1 of the Espoo Convention:

http://www.unece.org/fileadmin/DAM/env/eia/documents/legaltexts/Espoo_Convention_authentic_ENG.pdf



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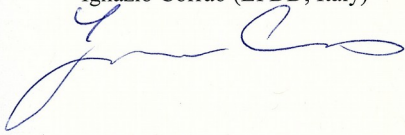
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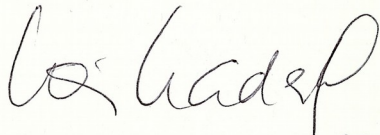
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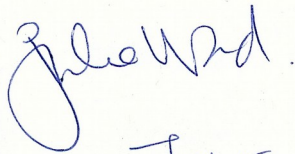
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