

FROM:
Petr Hlobil
International Affairs Coordinator
CEE Bankwatch Network
Na Rozcesti 1434/6
190 00 Praha 9 – Liben
Czech Republic

TO:
Viktor Yanukovych
President of Ukraine
Administration of the President
of Ukraine
11 Bankova Str.,
Kyiv 01220
Ukraine

Bulgaria:

Centre for Environmental
Information and Education
(CEIE)

Za Zemiata, For the Earth

Croatia:

Green Action

Czech Republic:

Centrum pro dopravu a
energetiku (CDE)

Hnutí DUHA

Estonia:

Estonian Green Movement–FoE

Georgia:

Green Alternative

Hungary:

National Society of
Conservationists – Friends of
the Earth Hungary (MTVSZ)

Latvia:

Latvian Green Movement

Lithuania:

Atgaja

Macedonia:

Eko–svest

Poland:

Polish Green Network (PGN)

Russia:

Sakhalin Environmental Watch

Serbia:

Center for Ecology and
Sustainable Development
(CEKOR)

Slovakia:

Friends of the Earth – Center
for Environmental Public
Advocacy (FoE–CEPA)

Ukraine:

National Ecological Centre of
Ukraine (NECU)

CEE Bankwatch Network's
mission is to prevent
environmentally and socially
harmful impacts of
international development
finance, and to promote
alternative solutions and public
participation.

20 September 2012

Subject: The decision to construct the Khmel'nitsky nuclear power plant units 3, 4 in breach of Espoo Convention requirements

Open letter

Mr President,

On behalf of 15 European non-governmental organization – members of CEE Bankwatch Network, we appeal to you to stop the plans of the Ukrainian government to construct two new nuclear units at the Khmel'nitsky nuclear power plant. We ask you to use your vetoing power and not sign the law "On siting, design and construction of units 3, 4 at Khmel'nitsky nuclear power station" adopted by Verhovna Rada on 6 September 2012. The reason for our request is that this law is in direct violation of Ukraine's international obligations.

Ukraine has an obligation under the Convention on Environmental Impact Assessment in a Trans-boundary Context (the Espoo Convention) to consult with potentially affected countries and its public before taking final decisions on activities that may have a potential negative impact on other countries. Nuclear power stations pose a potentially large threat, not a mere negative impact, to people both in Ukraine and in neighboring states, and in case of a large accident, indeed to the entire continent. Therefore, constructing new nuclear reactors falls fully under Espoo Convention requirements.

Six potentially-affected states – Austria, Poland, Hungary, Slovakia, Moldova, Romania, the Republic of Belarus – have expressed their interest to participate in trans-boundary consultations on Khmel'nitsky 3,4. Though consultations began in summer 2012, these were not finished¹ when the Verhovna Rada passed the law "On siting, design and construction of units 3, 4 at Khmel'nitsky nuclear power station".

1 Letter from Ministry of Environment and Natural Recourses № 17696/17/10–12 from 06.09.2012

If you sign this law now, Ukraine will be in breach of Espoo Convention Article 2, paragraphs 3 and 6. It will also be in contempt of neighboring states and the rights of citizens to be informed and consulted on projects that could have an impact on their environment and health.

The project's design is yet another issue of concern. The proposed VVER-1000 (V-392B) reactor type has not been constructed elsewhere in the world and there is no experience with its safe operation. The proposal for the new nuclear units at Khmel'nitsky is to construct on top of the old foundations that date from the 1980s and were designed for a different reactor type. The damaged and flooded constructions that have stood under open skies for over a quarter of century add substantially to the overall risk of the project.

Despite the requirements of national law, the project has not gone through a State Environmental Review² – a procedure that should have helped to assess the risks and impacts from the proposed project and is meant to help authorities justify the risks of the project, or not.

Such lax approach to nuclear project design and assessment is unacceptable in a world that has already suffered the consequences of Chernobyl and Fukushima.

For these reasons we call upon you to veto this law.

Sincerely,

Petr Hlobil

² Ibid.