

**IMPLEMENTATION COMMITTEE  
CONVENTION ON ENVIRONMENTAL IMPACT ASSESSMENT IN A TRANSBOUNDARY  
CONTEXT  
PROTOCOL ON STRATEGIC ENVIRONMENTAL ASSESSMENT**

Ministry of Environment, Climate and  
Sustainable Development  
4, Place de l'Europe  
L-1499 Luxembourg

Palais des Nations

Switzerland

Ref. SEA/IC/INFO/5 Germany – High-level radioactive waste storage facility site selection

21 October 2022

Dear Mr. Leinen,

I am writing to you on behalf of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo, 1991) and its Protocol on Strategic Environmental Assessment (Kyiv, 2003).

At its fifty-fourth session, held in Geneva from 4 to 7 October 2022, the Committee continued in the absence of its member nominated by Germany, its considerations of the information it had gathered further to the information, dated 13 April 2022, from Nationales Begleitgremium – a committee implemented by German federal law assisting in site selection - concerning a site selection process for a high-level radioactive waste disposal facility initiated by Germany with a view to its completion by 2031, expressing concerns about the timeliness of the related strategic environmental assessment procedure to be conducted, including public participation, and possibly also, transboundary consultations in accordance with, respectively, articles 8 and 10 of the Protocol.

The Committee reviewed the information received from Germany on 15 August 2022, which clarified the steps in the ongoing planning procedure with respect to the site selection and asserted that strategic environmental assessment in accordance with the Protocol was an integral part of the first phase of the procedure and would be conducted prior to the decision (the federal legislative act) determining the siting regions to be explored. According to Germany, until that decision was taken, all options were open.

I am writing to you to inform you about the conclusions of the Committee as follows:

Mr. Joseph Leinen  
Nationales Begleitgremium (NBG)  
geschaeftsstelle@nationales-begleitgremium.de  
Berlin, Germany

Taking into account the above, the Committee agreed that

- (a) The information provided by Germany gave a clear picture of the main stages of the planning and decision-making process regarding the site selection and the related strategic environmental assessment;
- (b) Germany intended to ensure public participation in accordance with article 8 of the Protocol at a stage when all options were still open;
- (c) The information given by Germany was sufficient to conclude that there was no profound suspicion of non-compliance with regard to articles 8 and 10 of the Protocol at the current time.

Lastly, the Committee requests your agreement that the correspondence between Nationales Begleitgremium and the Committee be placed on the Convention's website as an illustration of the Committee's approach to the consideration of the matter and sufficient response from a Party to address the issue. If there is no reply to this request by **30 November 2022** the Committee would understand that you agree with publication.

Yours sincerely,



Joe Ducombe  
Chair of the Implementation Committee