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Espoo Convention Point of Contact
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Your reference NV-06053-21 and "Nunasvaara South"

Consultation in accordance with Articles 4 and 5 of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) regarding plans for graphite mining at site Nunasvaara South

In a letter dated 25 August 2021, Sweden notified Finland according to article 3 of the Espoo Convention regarding planned graphite mining at site Nunasvaara South. In its answer to the notification on 11 October 2021, the Ministry of the Environment stated that Finland would participate in the EIA. The letter also included a description of issues that Finland considered important to include in the assessment of transboundary impacts.

Sweden sent selected material of the impact assessment of the project in a letter dated 5 May 2022. Also the permit application was sent to Finland for comments. It was sent to the Center for Economic Development, Transport and the Environment in Lapland, which is the competent authority of the Agreement between Finland and Sweden concerning transboundary rivers. Collecting of comments was arranged from 11 May to 27 June 2022 and the authorities and the public had the opportunity to comment on the material.

Statements were received from the Centre for Economic Development, Transport and the Environment in Lapland, the Fisheries authority of Centre for Economic Development, Transport and the Environment in Lapland, Regional Council of Lapland, City of Rovaniemi's Environmental Committee, Municipality of Ylitornio (joint statement with Rovaniemi 's Environmental Committee), Municipality of Enontekiö, Environmental Healthcare Authority of Tunturilappi (fell area of Lapland), Metsähallitus (Forststyrelsen), Natural Resources Institute of Finland, Finnish Association for Nature Conservation, Reindeer Herders' Association and Joint Property Management Association of the Water Area of Kukkola. The Finnish Safety and Chemicals Agency (Tukes), the Sámi Parliament, Centre for Economic Development, Transport and the Environment in Kainuu and Muonio-Enontekiö municipalities' environmental authority answered that they do not leave a statement. A summary of the statements in English is annexed to this letter (annex 1) and the statements themselves can be found in annex 2.



The provided material and its adequacy to show transboundary impacts

Based on the provided material, the comments received, and reflecting its own views, the Ministry of the Environment considers that the transboundary environmental impact assessment is not sufficient to form a view on the significance of the Nunasvaara South project's likely adverse impacts on Finland. Actually, the material does not contain at all an assessment of impacts on Finland. The issues pointed out in Finland's answer to the notification have not been assessed, including impacts on Finland's Natura 2000 area Tornionjoki-Muonionjoki (FI301912) which is not even mentioned. The only consideration is the table where the developer is commenting the Finnish feedback given in the notification phase. This cannot be taken as an assessment of transboundary impacts. Part of the data that the developer was referring to was not included in the provided material (e.g. annexes B9 and K9). Also part of the provided translations were of substandard quality, most likely by machine translated without a quality check.

By viewing the dates of the provided material of the Nunasvaara South, the EIA report was completed already on 21 April 2020 and submitted to the competent authority on 1 June 2020. This is more than a year before Finland was notified. The other provided material seems to have been produced and delivered to the authority also before Finland had responded to Sweden's notification. In Finland's view, this kind of assessment does not meet the obligations under the EIA Directive nor the Espoo Convention. Finland requests Sweden to deliver a transboundary impact assessment on the Nunasvaara South mine project that corresponds to Finland's concerns described in the notification letter and in this letter. When received, Finland will put the material out for public comments before delivering its answer to Sweden.

Request of holding discussions on transboundary impact assessment procedures

Finland is reiterating its wish to have a general discussion with Sweden how to develop the transboundary impact assessments to the direction where the environmental impact assessment is better oriented to the impacts of the affected Party. The aim is to find ways to streamline the transboundary procedures and avoid unnecessary additional rounds of consultations, which are time consuming and require extra resources from all parties.

Juhani Damski
Permanent Secretary



Seija Rantakallio
Senior Ministerial Adviser

Enclosures

Annex 1. English summary of given statements

Annex 2. Statements given in Finland

For information

Swedish Ministry of the Environment