

FILE NO. 49156/3/2009

ROMANIA

THE BUCHAREST COURT OF APPEAL – ADMINISTRATIVE DIVISION

CONCLUSION

Public hearing of 10.03.2011

The Court is formed by:

CHAIRPERSON: COSMA CARMEN VALERIA

JUDGE: PATRAS BIANCA LAURA

JUDGE: CIRJAN RALUCA MARIA

CLERK OF THE COURT: SIMION ELENA

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The case on docket concerns the appeal lodged by **the appellant-defendant MINISTRY OF ECONOMY, TRADE AND BUSINESS ENVIRONMENT** against the civil sentence no. 1040 ruled by the Bucharest Court – Section IX for Contentious Administrative and Tax Business in file no. 49156/3/2009 versus the **respondent-applicant GREENPEACE CEE ROMANIA 87** through its agent the **Legal Resource Centre**.

At the roll-call of the public hearing the respondent-applicant was present through attorney Radulescu Mihaela, who submitted a power of attorney; the appellant-defendant was missing.

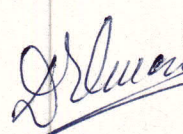
The procedure was duly performed.

The clerk of the court delivered the report on the case, then:

**The respondent-applicant** stated through its attorney that there were no more requests to submit, no more exceptions to invoke and no more exhibits to display, therefore it requested to take the floor and deliver its appeal.

**The Court**, taking into account that there were no more requests to submit, no more exceptions to invoke and no more exhibits to display, gave the floor for the delivery of the appeal.

**The respondent-applicant** requested through its attorney that the Court should dismiss the appeal as unfounded, while maintaining the decision on the substance of the case as being lawful and founded. It showed that its application concerned the refusal to communicate public information and that the information requested by the respondent-applicant had to be disclosed as, by virtue of international treaties, the public should even participate in the decision of establishing the location concerned. The decision clearly mentioned that the projects had to be analysed separately. It should be noted that the requirement of public consultation derived from the Espoo Convention, which was ratified by Romania, in the sense that the public should be

  
MINISTERUL JUSTITIEI  
Aut. Nr. 7626/2005  
★ LAURA DANIELA ★  
ELENCU  
TRADUCĂTOR AUTORIZAT

informed and consulted before a project was completed. It therefore claimed that the appeal should be dismissed and the decision on the substance of the case should be maintained.

**The Court**, in accordance with the provisions of Article 150 of the Civil procedure code, closed the debate and declared the case pending for a ruling on the appeal.

After it declared the case pending, the appellant-defendant appeared through its legal adviser Enachi Tatiana, who submitted written conclusions and a proxy.

**THE COURT,**

As it needs time to deliberate and allow the parties to submit written notes,

**HEREBY DECIDES:**

To postpone the ruling until 17.03.2011.

The decision was given in the public hearing of today, 10.03.2011.

**CHAIRPERSON,**  
COSMA CARMEN  
VALERIA

**JUDGE,**  
PATRAS BIANCA  
LAURA  
*[Illegible signature]*

**JUDGE,**  
CIRJAN RALUCA  
MARIA  
*[Illegible signature]*

**CLERK OF THE COURT**  
SIMION ELENA  
*[Illegible signature]*

**Conclusion**

**Hearing of 17.03.2011**

The Court, formed by the same members, as it needs time to deliberate,

**HEREBY DECIDES:**

To postpone the ruling until 24.03.2011.

The decision was given in the public hearing of today, 17.03.2011.

**CHAIRPERSON,**  
COSMA CARMEN  
VALERIA

**JUDGE,**  
PATRAS BIANCA  
LAURA  
*[Illegible signature]*

**JUDGE,**  
CIRJAN RALUCA  
MARIA  
*[Illegible signature]*

**CLERK OF THE COURT**  
SIMION ELENA  
*[Illegible signature]*



**Conclusion**

**Hearing of 24.03.2011**

The Court, formed by the same members, as it needs time to deliberate,

**HEREBY DECIDES:**

To postpone the ruling until 31.03.2011.

The decision was given in the public hearing of today, 24.03.2011.

**CHAIRPERSON,**  
COSMA CARMEN  
VALERIA

**JUDGE,**  
PATRAS BIANCA  
LAURA  
[Illegible signature]

**JUDGE,**  
CIRJAN RALUCA  
MARIA  
[Illegible signature]

**CLERK OF THE COURT**  
SIMION ELENA  
[Illegible signature]

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I, Elencu Laura-Daniela, holder of authorization no. 7626/2005 issued by the Ministry of Justice, hereby state that I am a certified translator between the Romanian language and English and that the official Romanian document presented to me has been accurately translated from Romanian into English to the best of my knowledge.

Translator,

