

From: Catalina Radulescu <email address redacted>
To: Aarhus Compliance, Fiona Marshall, Crisanta Lungu, Csaba Kiss <email addresses redacted>,
Date: 15/06/2015 15:56
Subject: Re: ACCC/C/2012/69 (Romania) - Court of Appeal decision of 13 February 2014

Dear all,

Regarding the decision of the Court of Appeal which has just been communicated by the Romanian Government (para 25 of the draft findings), I would like to mention that we haven't received any of the information that we requested at points 1, 2, 3 or 4. On page 7, in the last paragraph there are mentioned from points 1 to 4 the requests from our petition. In the attachment, please find out requests in Romanian.

The Namr claimed that they provided the info on points 1 and 2. The court established that we received the info requested only at point 2. However, no information was actually disclosed. The Namr sent some documents very general: the list of classified information approved by Order no 202/2003, an impact assessment from 1998 done by Cepromin SA that was necessary for obtaining the licence agreement for gold mining at Rosia Montana. We were also informed that other information could be studied only at the NAMR office - but none of the information requested by us was mentioned.

I can also attach the information sent bu NAMR but also only in Romanian.

If you must have the translations of these document it would be a real challenge as we don't have any funds for translation at the moment, but if they are really important to you, I will try to do it myself (it would take some time) or find some funds from other organisations - currently I am working with Bankwatch Association Romania, CRJ is not interested in the case anymore and Greenpeace Romania suffered a profound change in the management and Rosia Montana might not be a priority anymore.

Thank you for your draft findings and please reject the Romanian Government's observations and maintain the findings as they are.

We hope that your findings will trigger some changes in the way important decisions with environmental impact as the archeological discharge certificate is. They need to start to be opened for public participation and we hope that more transparency will be added to the entire procedure. I have to mention that in many other cases important archeological sites were destroyed without any public participation or transparency to make room for large infrastructure projects as highways or subways etc.

There is also a practice in Romania not to provide information that is very important in the decision making process but to invite the public in the office of a public authority to study the documents there. Usually thousands of technical information. This would be impossible.

Therefore we thank you again for your findings and we will use them to try to make some changes related to the implementation of Aarhus Convention in Romania. Your findings will be important not only for Rosia Montana, as you can see, but for improving the general legislative framework related to public participation and transparency in environmental procedures.

Best regards

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