

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

Mr. Romas Svedas
Telephone: +370 677 42699
E-mail: romas.svedas@tspmi.vu.lt

Institute of International Relations and Political Science
Vilnius University
Vokieciu str. 10, LT-01130
Vilnius, Lithuania

Secretariat: Ms. Elena Santer, UNECE
Telephone: +41 (0)22 917 2090
E-mail: eia.conv@un.org, elena.santer@un.org

Palais des Nations
CH-1211 Geneva 10
Switzerland

Ref. ECE/IC/INFO/27 Serbia: Extension of Drmno lignite pit mine

9 October 2019

Dear Mr. Dumitrescu,

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 forty-fifth session, held in Geneva from 10 to 13 September 2019, the Committee continued to consider the information it had gathered on the extension of the capacity of the open-pit mine at Drmno in Serbia, close to the border with Romania, further to information by a Romanian non-governmental organisation ClientEarth dated 18 June 2018. The Committee recalled its previous deliberations on the matter¹ and examined replies by the Government of Romania on 30 May 2019 and by ClientEarth on 31 May 2019 in response to its letters of 9 April 2019 welcoming the information from Romania and ClientEarth noting that:

(a) Romania agreed that the environmental impacts of the extension of the Drmno mine had been addressed under the transboundary procedure regarding the construction of the third block of the Kostolac power plant. The two Parties had discussed and exchanged information on the matter during that transboundary procedure, including at a public hearing that had taken place in September 2017. Serbia had fully answered all the questions from the Romanian authorities and the public, including the NGO Bankwatch Romania. No likely significant adverse transboundary environmental impacts of the proposed activity on Romania had been identified, despite the planned increase of the production capacity of the open-pit mine;

Mr. Aureliu Dumitrescu
Focal Point for Administrative Matters
regarding the Espoo Convention
Ministry of Environment
Bucharest

¹ ECE/MP.EIA/IC/2019/2, paras. 52-55.

(b) Serbia would be ready to exchange sufficient information and hold discussions in accordance with article 3 (7) on whether a significant adverse transboundary impact on Romania was likely, should Romania consider that it was likely to be affected by the activity;

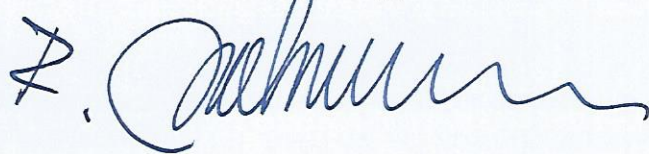
(c) Romania did not intend to make use of article 3(7) with regard to extension of the Drmno open-pit mine. It intended to observe any adverse transboundary impact of the activity based on the post-project analysis measures agreed in accordance with article 7 of the Convention with Serbia as provided for by the final decision of 28 September 2017;

(d) ClientEarth had not communicated to Romania its observations and concerns regarding the existing exploitation by Serbia of the Drmno mine and its views on the likely significant transboundary impacts after the transboundary procedure was concluded and the final decision was issued.

In light of the above I am now writing to you to inform the Government of Romania that the Committee decided that at this stage there was no need for it to pursue further its information gathering regarding the issue.

The Committee also requested your agreement that the correspondence between the Committee and your Government be placed on the Convention's website, as an illustration of the Committee's approach to information gathering. If there is no reply to this request by 11 November 2019, the Committee would understand that you agree with publication.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Romas Svedas', with a stylized flourish at the end.

Romas Svedas
Chair of the Implementation Committee