



**Access to Justice in Bulgaria -
practical lessons from the legal watch over energy
and extracting industry**

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The Project

“Extracting and Energy Industry Watch: Legal and Journalistic Practice for better transparency and accountability of energy and extractive industry”

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Partners: Center for Environmental Law and BlueLink Foundation

Main objective

Development of good legal and journalistic practice by pilot cases, publications and resource website - Extractive and Energy Industry Watch - to support **NGOs, local communities, and informal citizens groups.**

Main activities

1. Reaching out to NGOs, local communities, informal citizens groups and journalists
2. Monitoring and analysis of energy and extracting industry and selection of pilot cases
3. Work on the cases – in the court and before administrative authorities with the civil society groups and local communities
4. Preparing an analytical report on the cases and selected publications
5. Two trainings for journalists and civil society activists

EXTRACTIVE & ENERGY INDUSTRY WATCH

правен и журналистически надзор над добивната
промишленост

Търсене Extractive and Energy Industry Watch



РЕСУРСИ

за активни хора и граждански комитети

[Разгледай](#)



МЕДИЯ

журналистически надзор от *Веромедан.бг*

[Разгледай](#)



КАЗУСИ

предприети правни действия

[Разгледай](#)

The industry

Energy and extracting industries – powerful, sole employer, “beyond the pale”





Тежък труд, социална несигурност, замърсена околна среда и олигархичната собственост доминират въгледобива в България. Въпреки обещанията за борба с климатичните промени и постепенно оттегляне от въглищата, обаче, държавата не предлага алтернативи на цели региони, традиционно препитаващи се от тях.

„И сега има един квартал, казват му Еверест, в който два блока са освободени и никой не живее в тях. Това ще стане и с други 2-3 блока там. Само в къщите остава да живее някой. Ако не се инвестира в никакви заводи...“

С това многоточие приключва разговорът ми с Петър*. До края на миналата година той

Project cases

15 cases – on access to information, support to civil society actors in their participation in decision-making processes; court cases - challenging decisions of environmental authorities

Analysis based on:

1. background of the problem;
2. the public interest in each case;
3. the legal actions undertaken;
4. the development of the case and
5. the established or upgraded administrative and legal practice.

Types of cases

- Legal support in procedures for coordination and approval of investment proposals in the field of EEI (at the stage of conducting of feasibility studies, carrying out of EIA, issuing of integrated permits);
- Proceedings before administrative courts (e.g. appealing decision for licensing electric power generation pursuant to the Energy Act);
- Participation in access-to-information procedures (significance of the collected information in litigation and administrative proceedings).

Successful court case

12813/2014 of Supreme Administrative Court -
February 2017

The decision of the Ministry of Environment and Waters for approval of a work plan for prospecting and exploration of natural gas near the Black Sea coast was repealed.

The court found that the plan is subject to EIA/SEA.

Findings

- **Strong interest of civil society and local communities in the subject of monitoring and control of EEI**
- **local people do not have easy access to legal expertise and proper experts (support by national NGOs, projects)**
- **need for work with local leaders and NGOs, and local media for building up of knowledge, skills and contacts with good legal and media experts (addressing concrete needs)**
- **local campaigns are multifaceted: before the court, environmental authorities, local authorities, media**
- **coalitions and exchange of experience are important**

Achievements

- **the synergy between legal experts and journalists for better monitoring and control of EEI**
- **support and resources for NGO, local communities, journalists and lawyers to build up capacity, mutual trust, and shared experience**
- **cases won in the court (e.g. before the Supreme Administrative Court)**
- **follow-up of our work – Tran's gold mine**

Thank you for your attention!