

**From:** Daniela Pineta [mailto:Daniela.Pineta@mmediu.ro]  
**Sent:** Friday, February 2, 2018 10:48 AM  
**To:** Ella Behlyarova <ella.behlyarova@un.org>  
**Cc:** Dorina Mocanu <Dorina.Mocanu@mmediu.ro>; Doina Doroftei <doina.doroftei@mae.ro>; Felix Zaharia  
**Subject:** Decision regarding RO at MOP 6-Aarhus  
**Importance:** High

Dear Ella,

I am writing to you hoping that you can help me regarding actions I have to do in order to bring Romania in line with the Aarhus Convention, according to the last Decision taken at MOP 6 in Budva.

Please, bring my letter in front of the Compliance Committee.

I kindly ask the CC to advise us on future actions to be undertaken by RO.

I would like to bring to the attention of the CC the following:

I am writing to you in order to get feedback and any other kind of comment/observations, regarding possible ways for Romania to implement the MOP 6 Decision issued for us. We have summarized below what we consider the main requirements.

We have analyzed possible new actions of implementation and decided to start with a round table for public institutions representatives. The main topics for the round-table will be those mentioned in the MOP decision (definition of environment information, requirement to provide reasoned statements for refusing a request for access to information, requirement to separate confidential from non-confidential information whenever possible and to make available the latter).

We will make, as well, an in-house translation of the findings of the CC and distribute them to the public authorities.

We would really welcome your answer/feedback to the following:

- What do you envisage to be other practical measures for implementation by Romania of the MOP decision, considering we already have the necessary legislation in force?
- More particularly, from your experience, what kind of activities can be implemented for the issue regarding court proceedings?
- In case we envisage having half a day training, can you assist by providing an expert on these issues? (regarding logistical aspects, we should mention that at this stage we do not have a special budget for this and cannot support travel and other expanses.)

I make further a Summary of the Main requirements – decision regarding Romania:

Take the necessary legislative, regulatory or administrative measures and practical arrangements to ensure implementation of the definition of “environmental information”;

the grounds for refusal and the requirement to interpret those grounds in a restrictive way, taking into account the public interest served by disclosure;

the requirement to separate confidential from non-confidential information whenever possible and to make available the latter; the requirement to provide reasoned statements for refusing a request for access to information;

Review its legal framework in order to identify cases where decisions to permit activities within the scope of article 6 of the Convention are conducted without effective participation of the public (article 6, paras. 3 and 7), and take the necessary legislative and regulatory measures to ensure that such situations are adequately remedied

Review its legal framework and undertake the necessary legislative, regulatory and administrative measures to ensure that the court procedures for access to environmental information are timely and provide adequate and effective remedies

Kindest regards,

Daniela Pineta

Head of the EIA Office

Ministry of Environment

Romania