

**TO: UNECE, ACCC Secretariat**

**Email: [aarhus.compliance@un.org](mailto:aarhus.compliance@un.org)**

**REF: ACCC/C/2016/140**

Dear Ms Secretary,

Please receive our answers to the committee's questions, concerning case no ACCC/C/2016/140:

1. *Have the annulment proceedings for all of the 2015 EIA permits for the quarry extensions within the scope of the communication now been completed? If not, please indicate the case references, and the quarries, for which the annulment proceedings regarding the 2015 EIA permit are still ongoing?*

2 cases are still pending in the first court:

**Cases no 14675/3/2017 and 14666/3/2017.** In both cases the court ordered experts opinions concerning the quality of EIA report. The fees of the experts are very high, as it results from the attached documents: for 14666/3/2017 about 35.929 lei, about 6200 eur and for 14675/3/2017 27.500 lei, about 5550 eur.

**In case no 14698/3/2017** the appeal was admitted, and the court has ordered an expert opinion concerning the quality of the EIA report. However, due to **the lack of resources to pay another expert fee** (around 6000 eur) and to the fact that Lupoaia Quarry is to be shut down until 2024, we had to drop the case.

**Case no 3875/3/2014 is still pending in court under the number 1669/93/2015\*\*** after the first court rejected our case and we are waiting the written decision to file an appeal.

2. *For those annulment proceedings which have to date been completed, were any of the 2015 EIA permits ultimately upheld by the court? If so, please indicate the case references, and the quarries, for which the 2015 EIA permits were ultimately upheld by the court.*

All the permits except for Roşia quarry were upheld by court. For Rosia quarry the extension procedure and EIA procedure are split and another EIA started where the same parcel object of the annulled EIA permit was included in another EIA procedure carried in for another parcel. We also filed a case in court concerning this issue that is now pending in court, case no 18694/3/2020.

3. *With regard to any of the 2015 EIA permits which were ultimately annulled by the court, were there any cases in which, by the time the EIA permit was annulled, the deforestation and/or excavation activities had already taken place? If so, please specify for which of the quarries (and court case references) that this was the case.*

According to the press declarations of the Energy Complex Oltenia representatives, the forests and the work to the extension of the quarry were not stopped and the forest was already destroyed during the court proceedings. We attached a press article concerning this issue.

For the communicant,

