

From: Fund. Montescola [REDACTED]
Sent: Tuesday, December 6, 2022 1:12 PM
To: ECE-Aarhus-Compliance <aarhus.compliance@un.org>; Fiona Marshall [REDACTED]
Subject: ACCC/C/2021/186 (Portugal) - Ruling by the Administrative Court of Lisbon regarding the Borralha mine files

Dear Secretariat,

Ahead of the 77th meeting of the Committee to be held on 13–16 December 2022, Montescola would like to inform the ACCC that on November 29, 2022 the Administrative Court of Lisboa has issued a ruling in process 58/22.1BELSB regarding a request for environmental information to the Portuguese Mining Administration (DGEG) made on 28.03.2021 after consultations to provide a mining licence for the “Borralha” tin and tungsten mine were initiated in 04.03.2021.

While this is a separate case to the Mina do Barroso, as mentioned in our 13.10.2021 response to the ACCC, the Borralha case further illustrates the systemic misuse of the argument of “materials in the course of completion” as well as “industrial secrecy” as an excuse to refuse timely access to environmental information contrary to the consistent opinion of CADA as well as ACCC’s previous findings and general interpretations.

Yours sincerely,

Xoan Evans Pin, Director
Montescola

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