



Marqués de Leganés 12 - 28004 Madrid
Tel: 915312739, Fax: 915312611
secretaria@ecologistasenaccion.org
www.ecologistasenaccion.org

5 January
2019

To: aarhus.compliance@un.org
(Aarhus Convention Compliance Committee)

File of reference: ACCC/C/2017/153

Dear ACCC Chair,

Ecologistas en Acción (EenA) is a grassroots confederation of more than 300 environmental groups in Spain established in 1998 and currently involving over 30,000 members. EenA is also a member of the European Environmental Bureau and is one of five Spanish environmental organizations present in the Advisory Council for the Environment of the Spanish Ministry for Ecological Transition.

Since its early beginnings EenA has monitored destructive mining projects across Spain, being actively engaged in dozens of cases through judicial litigation, appearance in administrative proceedings and social mobilization. For these reasons, we have taken special interest in the development of the Committee's procedure ACCC/C/2017/153 and would like to request that our view as an external observer is heard and considered.

Very often, access to environmental information on mining projects is a first barrier for effective public participation. Although we have encountered similar problems across Spain, which stems from an absence of a culture of transparency and public participation in many public administrations, the situation experienced in Galicia in relation to access to environmental information on mining has no parallel in that the number of persons and organisation requesting, unsuccessfully, to access the relevant files is significantly higher than in other Spanish regions.

In that regard and having heard many testimonies of those attempting to access the file of mining projects in Galicia from Galician Directorate General of Energy, we have concluded that there is a clear case of systemic and constant obstruction to the public's



rights to access environmental information. This is of especial concern to EenA considering the magnitude and impact of the projects in question, some of which have been documented in detail by the communicants. To illustrate this point we enclose the two most recent *Black Flag* Reports issued annually by the Marine Area of EenA. The reports address the most significant environmental impacts affecting the sea in every coastal province of Spain.

In the 2017 Report the 'black flag for polluting emissions in A Coruña' was 'awarded' to the San Finx mines. The short report documents the pollution of the Muros-Noia estuary area and the risk that the San Finx mine tailings dams represent to the environment and mussel production areas. The report also documents how the mining development project, lacking environmental impact assessment, does not address pressing environmental issues such as the treatment of mine drainage with high levels of heavy metals or the continuing problem of the abandoned tailings dams.

In the 2018 Report the 'black flag' for bad environmental administration in A Coruña was 'awarded' to the so-called Touro Project for open pit copper mining. The report, which also mentions continuing environmental emissions from other mines in the same province (including San Finx and Monte Neme operations) highlights how the abandonment and lack of adequate restoration of the Touro mining facilities caused considerable impact in the river and marine ecosystems. It also states how most of the municipalities of the affected river basin and estuary area have already passed resolutions against the reactivation and enlargement of the mine, which is to serve as stepping stone for wider mining operations in Santiago de Compostela copper belt.

We sincerely hope that such information is useful to the Compliance Committee to deal with in relation to the above-mentioned procedure. I would personally like to express my availability as EenA coordinator for mining issues and that of the EenA confederation to present any further evidence that may be required.

Yours faithfully,



Elena Solis *Campaña Minería*
Confederación de Ecologistas en Acción
(+34)636 75 91 37
mineria@ecologistasenaccion.org
www.ecologistasenaccion.org/mineria

Note: Please find the pages referring to the San Finx and Touro mining developments from the Black Flag Reports for 2017 and 2018 attached.