



REPUBLIC OF BULGARIA
MINISTRY OF ENVIRONMENT AND WATER

Ref.: Decision VI/8d of the Meeting of the Parties on compliance by Bulgaria with its obligations under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention)

Sofia, October 2018

Dear Ms Marshall,

I bring to your attention first report for the progress to date in implementation of the recommendations of the Compliance Committee to the Party related to communication ACCC/C/2012/76 concerning injunctive relief in procedures of reviewing environmental permits, according to paragraph 9, point (a) of Decision VI/8d, adopted by the Meeting of the Parties (on its sixth session held in Budva, September 2017):

As the national focal point for the Aarhus Convention for Bulgaria, the Ministry of Environment and Water has submitted to the authorities with competence in implementation of the recommendations of the Compliance Committee with regard to communication ACCC/C/2012/76, namely – the Supreme Judicial Council (SJC) and the Ministry of Justice, full documentation and all available information concerning communication ACCC/C/2012/76, with request to the SJC for opinion and suggestions for the implementation of the recommendations. The SJC has notified the Commission on Legal Affairs to the National Assembly, the Supreme Administrative Court and the National Institute of Justice (NIJ). In this regard, the NIJ has informed the Ministry of Environment and Water that the recommendations of the Compliance Committee related to communication ACCC/C/2012/76 are one of the priority topics on which the NIJ develops training programmes for the judges from the administrative courts. Given the strategic importance of familiarizing the administrative judges with the basic requirements of the Aarhus Convention, including the Compliance Committee's recommendations, the NIJ foresees the development of an e-learning to be conducted by the end of 2018. Access of Bulgarian magistrates to the recommendations of the Compliance Committee is ensured in the NIJ's protected internal network (virtual "reading room"). The NIJ is prepared to include training on the implementation of the Aarhus Convention in the Institute's training activities plan for the next year.

Fiona Marshall
Secretary to the Aarhus Convention
Compliance Committee
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Against this background, I take the view that the recommendation on providing training and guidance for judges and public officials in Bulgaria is being implemented, and the actions taken accordingly, will bring sustainability to the process.

I would like to express my confidence that the Compliance Committee will appreciate the progress and the efforts done by Bulgaria to implement the Committee's recommendations in connection with communication ACCC/C/2012/76, and in particular by the Ministry of Environment and Water as the national focal point for the Aarhus Convention, while, at the same time, the Compliance Committee may take into account the fact that, according to the Constitution of Bulgaria, the judiciary in our country is independent.

Yours sincerely,

Neno Dimov

*Minister of Environment
and Water*