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Ref: ACCC/C/2010/51

6 March 2014

Mr. Octavian Patracsu
Director
Directorate for Impact Assessment and Pollution Control
Ministry of Environment and Climate Change
12th Libertății Blvd., sector 5, Bucharest
Romania

Dear Mr. Patracsu,

Re: Communication to the Aarhus Convention Compliance Committee concerning compliance by Romania with provisions of the Convention in connection with the proposed construction of a nuclear power plant and the approval of the Energy Strategy (Ref. ACCC/C/2010/51)

At its forty-second and forty third meetings (Geneva, 24-27 September 2013 and 17-20 December 2013 respectively) the Committee considered the relevant parts of its revised draft findings in the light of the comments on those findings provided by the communicant in its letter of 13 August 2013 (no comments were received from the Party concerned). After re-examining the available evidence in the light of the communicant's comments, the Committee considered that it had been under the inaccurate impression that the information which was eventually disclosed to the public was an important part of the information that had been requested by the communicant. The Committee therefore decided to take the extraordinary measure of revising for a second time its findings in this respect and to request the secretariat to send the new draft findings to the Party concerned and the communicant for comment in accordance with the procedure set out in paragraph 34 of the annex to decision I/7. The Committee agreed to take into account any comments when finalizing the findings at its forty-fourth meeting.

In the light of the above, please find enclosed the second revised draft findings of the Aarhus Convention Compliance Committee regarding communication ACCC/C/2010/51 which are being sent to the Party concerned and the communicant for comments pursuant to paragraph 34 of the annex to decision I/7.

The revisions made to the draft findings by the Committee at its forty-third meeting are shown in track changes in the attached document. You are invited to reply with your comments on the **text shown in track changes only by 20 March 2014**. Please note that comments are only invited on the text shown in track changes as both parties have already had an opportunity to comment on the other parts of the draft findings.

In finalizing the findings at its forty-fourth session (Geneva, 25-28 March 2014), the Committee will take into account any comments you submit on the draft by the set deadline.

Due to the fact that the fifth session of the Meeting of the Parties will take place very soon (Maastricht, the Netherlands, 30 June – 2 July 2014), the Committee is making its recommendations directly to the Meeting of the Parties. Nonetheless, the Committee considers that it is important for the Party concerned to indicate its agreement to the Committee making the recommendations, and would encourage you to do so and to take, or at least start, the recommended action as soon as possible, before the fifth session of the Meeting of the Parties. If you do not agree with the above, please indicate this clearly in your comments, or the Committee will assume that you agree.

Please do not hesitate to contact the secretariat if you require any further information.

Yours sincerely,



Fiona Marshall
Secretary to the Aarhus Convention Compliance Committee

- Cc: Permanent Mission of Romania to the United Nations Office and other international organizations in Geneva
Crisanta Lungu, Executive Director, Greenpeace CEE Romania, Romania
Catalina Radulescu, Strategic litigation manager, Center for Legal Resources, Romania
- Enc: Revised draft findings on communication ACCC/C/2010/51