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UNITED NATIONS

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14 October 2010

Ms. Crisanta Lungu
Executive Director
Greenpeace CEE Romania
20, Maior Ion Coravu str., sector 2
Buharest Romania

Ms. Catalina Radulescu
Strategic litigation manager
Center for Legal Resources
19, Arcului str., sector 2
Buharest Romania

Dear Ms. Lungu,
Dear Ms. Radulescu,

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)

On 2 September 2010, the secretariat of the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) received from you the above communication addressed to the Compliance Committee of the Convention. The communication concerns 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. The communication was submitted in accordance with the provisions of chapter VI of the annex to decision I/7 of the Meeting of the Parties.

The communication has been registered under the symbol ACCC/C/2010/51, which you are invited to cite in future correspondence on the matter. The main documentation relating to the communication will be shortly available on the Committee's web site at: <http://www.unece.org/env/pp/pubcom.htm>.

The Compliance Committee, having considered the admissibility of the communication at its twenty-ninth meeting (21-24 September 2010), has on a preliminary basis determined it to be admissible in accordance with paragraph 20 of the annex to decision I/7. A copy of the preliminary determination on admissibility is attached. Please note, however, that the Committee has not reached any conclusions with respect to the compliance issues referred to in the communication.

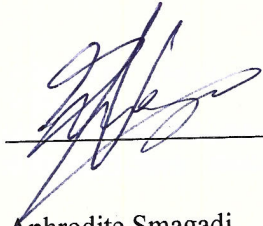
In order to facilitate further consideration of the communication, the Committee has requested the secretariat to invite you to address a number of questions that are annexed to this letter. Please provide any supplementary documentation which is necessary to substantiate your response to the questions. At the same time, you are

encouraged to avoid submitting to the Committee excessive documentation which is not strictly relevant to the allegation of non-compliance.

In a letter to the Party concerned, a copy of which you will receive for your information, the Committee has invited the Party to address other questions. You are welcome to respond to those question, if you so wish.

Please do not hesitate to contact the secretariat if you have any questions.

Yours sincerely,



Aphrodite Smagadi
Secretary to the Aarhus Convention Compliance Committee

Cc: Ms. Daniela Eugenia Pineta, Ministry of Environment and Forests, Romania
Mr. Constantin Pulbere, Ministry of Environment and Forests, Romania
Permanent Mission of Romania to the United Nations Office and specialized institutions in Switzerland

Encs. Preliminary determination on admissibility
Datasheet on the communication

ANNEX - Questions to the communicant

1. Please provide a list with all the decisions taken so far with respect to the proposed nuclear power plant, including dates and bodies that have adopted the decisions.
2. In your communication (page 3, at section B) you mention that “Normally the Ministry should have elaborated a new project regarding the energy strategy and this should be submitted to public consultation and only afterwards approved”. Could you please specify whether you refer to Romanian legislation or to practice in general, and what would be the relevant provisions, if any?
3. Could you please specify whether the “Romanian Energy Strategy Project for 2007-2020”, was available at the Ministry of Economy (or at any other public agency in Romania) in the English language on 14 April 2007, i.e. the date of you requested to access the document?

