

# The judges banned grubbing-up after the forest was cut

Alina POPESCU • Thursday, January 14, 2016, 20:30 •

**The court ruling annulled the 22 hectares of forest clearing decisions issued for the Rosia career in a final ruling. The decision became final in December, after the forest was already swallowed by the mining.**

Bankwatch Romania's non-governmental association won at the end of December the case against CE Oltenia and the Ramnicu Valcea Forest Guard, obtaining at the Bucharest Court of Appeal the final and irrevocable annulment of 27 grubbing-up decisions for 22 hectares of forest in Gorj County. The representatives of the association said that CE Oltenia divided the forest lot to be cleared because it needed a government decision being too big, and thus obtained approvals from ITRSV Ramnicu Valcea for smaller areas of one hectare. Thus, CE Oltenia would have avoided carrying out an environmental and social impact assessment. Another environmental agreement for the grubbing-up of 159 hectares was canceled in the first instance at the beginning of December.

Pandurul requested information from the EC administration in Oltenia about the state of forest areas for which Bankwach obtained in court the annulment of the grubbing-up decisions. Those in the complex say the forest areas included in the magistrates' ruling have already been cleared. "The areas in question have been grubbed up in accordance with the decisions issued by the forest regime and hunting-Ramnicu Valcea territorial Inspectorate. This ruling has no effect on the continuation of Rosia career", is shown in the EC's reply to Pandurul's request.

The representatives of the Bankwach association said they would decide what actions they would take in connection with the situation at Rosia career after they would get the decision of the magistrates that canceled the environmental approval for the clearing of the forest area. "The Oltenia energy complex invoked the fact that the surface has already been cleared and when the file is judged on the substance. As we could not verify the veracity of this information, once we receive the communication from the Bucharest Court of Appeal containing the justification for the favorable ruling, we will investigate both the situation on the ground and the situation

the legal means to continue to act, along with the lawyer we work with", explained Alexandru Mustata. Representative of Bankwatch.

### **The CEO, in the process of reaching a new environmental agreement**

As for the environmental agreement canceled by the court over the deforestation of Rosia, the APM Gorj said they are about to issue another one. This concerns the agreement requested by EC Oltenia to continue mining for all quarries in the complex. The first two quarries in Tismana I and II were the first for which APM Gorj issued this environmental agreement. "As early as January-March, the procedure was started to obtain an environmental agreement for the entire career, because the court raised the issue that an agreement would have been given only on grubbing-up and not on the entire activity, namely lignite extraction, deposit planning and lane routes. The impact assessment was carried out, as was apparent from the Court's reasoning taking into account the entire area of Rosia's career. In order to be sure of this area, I wrote a letter to the national Agency for mineral resources to confirm the license area in which there is coal resource. (...) The impact assessment was publicly debated in Farcasesti, including NGOs. It has been analyzed in the Technical committee, all additions to the author of the impact assessment have been requested, additions have also been made and the decision to issue has now been taken, the draft is to be prepared. This means a month at most", said Nicolae Giorgi, director of APM Gorj.

Read more: [http://www.pandurul.ro/articol/judecatorii-au-interzis-defrisarea-dupa-ce-padurea\\_74688.html](http://www.pandurul.ro/articol/judecatorii-au-interzis-defrisarea-dupa-ce-padurea_74688.html)

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