

In house Translation

SECRETARY OF STATE CABINET

No.....

To: Mr. Eugen Ioan COZMA
Vicepresident of National Environmental Protection Agency

Ms. Adi CROITORU
President of National Agency for Natural Protected Areas

Ms. Marioara Artemis GATEJ
General Commissioner, National Environmental Guard

Mr. Ion MUNTEANU
Governor, Danube Delta Biosphere Reserve Administration

All executive directors,
all County Environmental Protection Agencies

Ref: Public authorities' guide for public access to environmental information

Dear Madam/Sir,

Romania ratified the Aarhus Convention by Law no. 86/2000 for the ratification of the Convention on Access to Information, Public Participation in Decision - Making and Access to Justice in Environmental Matters, signed at Aarhus on 25 June 1998.

The importance of the Aarhus Convention derives from the fact that it touches the essence of the relationship between the public and public authorities, containing obligations of the Parties to the Convention towards the public.

The Aarhus Convention guarantees the right of the public to have access to environmental information and to participate in environmental decision-making, and thus links environmental protection to human rights.

We mention that the environmental information is included in the information of public interest provided by *Law 544/2001 on free access to information of public interest*, which is managed by the departments for public relations within the central and local public authorities.

The Implementation Committee is the body of the Aarhus Convention entitled to bring the Parties into compliance with the provisions of the Aarhus Convention is. It issues decisions on compliance for Parties, which are adopted and made public at the Meeting of the Parties in

front of the 47 States that have ratified the Convention, Member States or non-members of the European Union.

The publication of such cases shall undermine the image of the non-compliant Party in all international fora.

At the Meeting of the Parties to the Aarhus Convention held in Budva, Montenegro, in 2017, Decision VI/8h on Romania's compliance with the requirements of the Aarhus Convention was adopted, establishing that Romania has violated the provisions of the Aarhus Convention on providing/supplying the environmental information, upon request, to members of the public.

To address this non-compliance, the recommendations sent to Romania by the Aarhus Convention Compliance Committee include the measure to popularize the stipulations of the Convention regarding the responsibilities of public authorities to provide environmental information.

For this, in 2019, the Ministry of Environment, Waters and Forests elaborated the Guide of public authorities for public access to environmental information, which we attach to this address.

In order to respond as well as possible to the above-mentioned measure, please arrange for the guide to be posted on your institution's website for immediate public access to this document.

Thus, Romania will be able to communicate to the Aarhus Convention Compliance Committee on October 1, 2020, that it has taken important steps to implement the recommendations of this Committee.

This guide can also be consulted on the MEWF website at the following link:

<http://www.mmediu.ro/categorie/accesul-la-informatia-de-mediul/242>.

The guide is also attached to this address and is sent in electronic format to the e-mail address of your institution.

The contact person within MEWF is Sorina Bâra, counsellor in EIA Office, Impact Assessment and Pollution Control Directorate (tel. 021/4089588, e-mail: sorina.bara@mmediu.ro).

Please let us know, as soon as possible, the link where you will publish the guide on the website of your institution, at the following e-mail address: sorina.bara@mmediu.ro.

Sincerely yours,

Mircea FECHET

Secretary of State