

TABLE OF CASES FOR ROSIA MONTANA

No.	CASE FILE	COURT	PARTIES	SUMMARY	OUTCOME
1	38498/2/2005	<ul style="list-style-type: none"> • First instance: Bucharest Court of Appeal • Appeal: Supreme Court of Justice (SCJ) 	<p>Plaintiff: Alburnus Maior</p> <p>Defendant: National Agency for Mineral Resources</p> <p>Third party: RMGC</p>	<p>Making the Defendant withdraw the mining exploitation license for Rosia Montana as a result of the Mininvest mining company being sanctioned by the Deva Environment Agency for not upholding environmental conditions for the Rosia Montana project.</p>	<ul style="list-style-type: none"> • First instance Claim rejected as unsubstantiated (Decision 811/20.03.2007) • Appeal <p>The court took note of the parties' decision to withdraw the case.</p>
2	8532/2004	<p>First instance</p> <p>Alba Court of Appeal</p>	<p>Plaintiff: Alburnus Maior;</p> <p>Defendant: Romanian Ministry of Culture</p>	<p>Suspending Archeological Discharge Certificate no. 4/2004 issued by the Ministry of Culture, for the</p>	<p>Request approved.</p> <p>The effects of the administrative act are suspended (Decision no. 24/24.10.2004)</p>

				archeological site of Carnic, Rosia	
3	2138/2004	<ul style="list-style-type: none"> • First instance Alba Court of Appeal; • Appeal SCJ • Retrial Brasov Court of Appeal (casefile 434/64/2006); • Appeal SCJ (casefile 434/64/2006*) 	<p>Plaintiff: Alburnus Maior;</p> <p>Defendant: Ministry of Culture</p> <p>Third party: RMGC</p>	Annulment of Archeological Discharge Certificate no. 4/2004 issued by the Ministry of Culture for Carnic, Rosia Montana.	<ul style="list-style-type: none"> • Alba Court of Appeal Approves the request and annuls the certificate (Decision no. 151/20.06.2005) • SCJ Accepts the appeal of the Defendant and Third party and sends the case for retrial before the Brasov Court of Appeal (Decision no. 2591/6.07.2006) • Brasov Court of Appeal Accepts the claims of the Plaintiff and annuls the certificate

					(Decision 157/F/CA-Fisc of 26.11.2007) <ul style="list-style-type: none"> • SCJ Rejects the appeals of RMGC and the Ministry of Culture, upholds the decision of the Brasov (Decision no. 4607/9.12.2008)
4	155/57/2005 (7491/2005)	First instance Alba-Iulia Appeal Court	Plaintiff: Alburnus Maior; Defendant: Romanian Ministry of Culture Third party: RMGC	Annuling Archeological Discharge Certificate no 5/2004 issued by the Ministry of Culture for the Rosia Montana.	First instance: The court found the claim to be barred by limitation.
5	5132/2005	<ul style="list-style-type: none"> • First instance: Alba Tribunal • Appeal Alba Court of Appeal (Case 1110/57/2006 – old format 2028/2006) 	Plaintiff: Alburnus Maior; Defendant: Alba Environment protection Agency Third party: RMGC	Asking the defendant to notify interested parties individually with respect to the environmental impact assessment procedure.	<ul style="list-style-type: none"> • First instance: Rejects the claim (Decision no.14/CA/2006) • Appeal Rejected the appeal of Alburnus Maior.

6	282/2006	<ul style="list-style-type: none"> • First instance: Alba Tribunal • Appeal Alba Appeal Court (casefile 3083/57/2006); 	<p>Plaintiff: Alburnus Maior;</p> <p>Defendant: Alba Environmental Protection Agency</p> <p>Third party: RMGC</p>	Annulment of a decision by which the geological exploitation from Rosia Montana and Bucium are declared as not having an important impact on the environment (and can be approved without an environmental approval).	<ul style="list-style-type: none"> • First instance: Rejects the Plaintiff's claims (Decision no 539/CA/31.05.2006) • Appeal Accepts the appeal of Alburnus Maior. Modifies the contested decision and annuls the administrative act (Decision 204/CA/2007)
7	283/2006	<ul style="list-style-type: none"> • First instance: Alba Tribunal • Appeal Alba Court of Appeal (case file 3082/57/2006) 	<p>Plaintiff: Alburnus Maior;</p> <p>Defendant: Alba Environmental Protection Agency</p> <p>Third party: RMGC</p>	Annulling environmental license issued by the Defendant for drilling activities in Rosia Montana.	<ul style="list-style-type: none"> • First instance: Rejects the claim • Appeal: Rejects the appeal
8	2135/107/2006	<ul style="list-style-type: none"> • First instance Alba Tribunal • Appeal 	<p>Plaintiff: Alburnus Maior;</p>	Annulment of the collaboration contract between the Township	<ul style="list-style-type: none"> • First instance: Accepts the claim. Annuls the contract.

		Alba Court of Appeal (casefile 2135/107/2006 – old format 4326/2006)	Defendant: Rosia Montana Village; Third party: RMGC	of Rosia Montana and RMGC to relocate the residential area of Rosia Montana in the area of Piatra Alba	(Decision 750/CA/2007) • Appeal: Rejects the appeals.
9	1411/107/2007	<ul style="list-style-type: none"> • First instance Alba Tribunal • Appeal Alba Court of Appeal 	Plaintiff: Alburnus Maior; Defendant: Roşia Montana Local Council	Contesting the legality of the decisions of the Rosia Montana local councils by which it approved the General Urbanism Plan of Rosia Montana and the Zonal Plan for the Industrial Development area of RMGC	<ul style="list-style-type: none"> • First instance: Rejects as unsubstantiated the legality contestations (Decision 842/CA/2007) • Appeal: Accepts the appeal formulated by Plaintiff Alburnus Maior, changed the contested decision and accept the legality criticism in respect to Local Council Decisions no.45 and 46/2002.

10	4506/2005	<ul style="list-style-type: none"> • First instance Court of Appeal Alba • Appeal SCJ 	<p>Plaintiff: Alburnus Maior;</p> <p>Defendant: Romanian Ministry of Environment</p> <p>Third party: RMGC</p>	<p>Asking the Defendant to return to RMGC the technical memoir submitted to initiate the environmental impact assessment procedure for the Rosia Montana project.</p>	<ul style="list-style-type: none"> • First instance Rejects the claim. • Appeal Rejects the appeal.
11	8037/2/2007	<ul style="list-style-type: none"> • First instance Court of Appeal Bucharest • Appeal SCJ • Judgement on merits after quashing initial decision Court of Appeal Bucharest (casefile 8037/2/2007*) • Appeal 	<p>Plaintiff: RMGC</p> <p>Defendant: Ministry of Environment, Attila Korodi</p> <p>Third party: Alburnus Maior and the Independent Center for Developing Environmental Resources.</p>	<p>Making the Environment Ministry to re-start the environmental impact assessment procedure for the Rosia Montana project as a result of the ministry decision to suspend the procedure.</p>	<ul style="list-style-type: none"> • First instance Rejects the claim • Appeal Accepts the appeal of RMGC, quashes the contested decision and asks for the case to be reopened. • Considerations on the merits after re-opening the case The court takes note of the Plaintiffs decision to give up on the second

					request. Takes note that the first request is left without judicial interest and rejects it.
12	2637/2005	<ul style="list-style-type: none"> • First instance Alba Tribunal • Appeal Court of Appeal Alba 	Plaintiff: Alburnus Maior Defendant: Alba County Council Third party: RMGC	Suspending urbanist certificate no. 68/2004 of RMGC for the Rosia Montana project	<ul style="list-style-type: none"> • First instance Accepts the claim. Suspends the certificate. (Decision no. 205/CA/15.06.2005) • Appeal Rejects the appeals
13	4018/107/2006	First instance Alba Tribunal	Plaintiff: Alburnus Maior and Center for Legal Resources, Bucharest. Defendant: Alba County Council, RMGC	Annuling the urbanist certificate no. 68/2004 of RMGC for the Rosia Montana project	Rejected the request as exceeding the status of limitation.
14	1245/117/2007	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Appeal Court of Appeal Cluj (casefile 	Plaintiff: Independent Center for the Development of Environmental	Suspending an administrative act. Suspending the second urbanism certificate of	<ul style="list-style-type: none"> • First instance Accepts the request. Suspends urbanism certificate no.

		1264/33/2007)	Resources Defendant: Alba County Council Third party: RMGC	RMGC, no. 78/26.04.2006, as a result of the expiry of the first one.	78/26.04.2006 until a solution is reached in case no. 1245/117/2007 in which the Plaintiff asks for the annulment of the act. (Decision of 20 July 2007) • Appeal Rejects the appeals (Decision no. 1623/19.09.2007)
15	1245/117/2007	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Appeal Court of Appeal Cluj 	Plaintiff: Independent Center for the Development of Environmental Resources Defendant: Alba County Council Third party: RMGC	Annulment of the second urbanism of RMGC, no. 78/26.04.2006	<ul style="list-style-type: none"> • First instance Accepts the request. Annuls urbanism certificate no. 78/26.04.2006 (Decision no. 2172/09.10.2007) • Appeal Rejects the appeals (Decision no. 814/27.03.2008)

16	3779/117/2007	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Merits after moving the case Timis Tribunal • Appeal Timis Court of Appeal 	<p>Plaintiff: Independent Center for the Development of Environmental Resources</p> <p>Defendant: Alba County Council</p> <p>Third party: RMGC</p>	<p>Suspending administrative act.</p> <p>Suspending the third urbanism certificate, no. 105/27.07.2007, as a result of suspending the second urbanism certificate.</p>	<ul style="list-style-type: none"> • First instance Accepts the complaint. Finds that the administrative act is suspended. (Decision no. 820/CA of 21.10.2008) • Appeal Rejects the appeals (Decision no 398/12.03.2009)
17	1174/117/2008	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Appeal Court of Appeal Cluj 	<p>Plaintiff: Independent Center for the Development of Environmental Resources</p> <p>Defendant: Alba County Council and RMGC</p>	<p>Annuling administrative act.</p> <p>Annuling the third urbanism certificate of RMGC, no. 105/27.07.2007</p>	<ul style="list-style-type: none"> • First instance Accepts the complaint. Annuls the urbanism certificate no. 105/27.07.2007 (Decision no. 3159/6.11.2009) • Appeal The Court took note that the appellant withdrew its appeal.

18	5159/107/2010	<ul style="list-style-type: none"> • First instance Alba Tribunal • Appeal Alba Court of Appeal 	<p>Plaintiff: Alburnus Maior, Independent Center for the Development of Environmental Resources, Roșia Montană Cultura Foundation</p> <p>Defendant: Roșia Montană Local Council</p> <p>Third party: RMGC</p>	<p>Annulment of an administrative act.</p> <p>Annulment of local council decision no 1/2009 by which the Rosia Montana Local Council approved the new Urbanistic plans, the general one and the for the Rosia Montana industrial zone, initially adopted in 2002 and found illegal by decision no 75/CA/2007 of Alba Court of Appeal.</p>	<ul style="list-style-type: none"> • First instance Approves the request. Annuls local council decision no 1/2009 b. (Decision no. 1059/CAF/2011 of 24.05.2011) • Appeal Accepts the appeals of the Defendant and Third party. Partially modifies the decision, in that it rejects the res judicata claim in respect to decision no 75/CA/2008 of Alba Court of Appeal. Upholds the rest of the decision. (Decision 4.04.2012)
19	8318/117/2011	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Merits after moving the case 	<p>Plaintiffs: Independent Center for the Development of Environmental</p>	<p>Annulment of administrative act. Decision no. 2849/07.03.2011 on</p>	<ul style="list-style-type: none"> • First instance Accepts the complaint. (Decision no. 455/15.04.2014)

		<p>Covasna Tribunal</p> <ul style="list-style-type: none"> • Appeal <p>Brasov Court of Appeal</p>	<p>Resources and Alburnus Maior</p> <p>Defendants: Sibiu Environmental protection Agency, Alba Environmental protection Agency</p> <p>Third party: RMGC</p>	<p>the environmental approval for the urbanistic plan for the industrial area of Rosia Montana.</p>	<ul style="list-style-type: none"> • Appeal <p>Rejects the appeals (Decision no. 215 10.03.2016)</p>
20	740/117/2012	<ul style="list-style-type: none"> • First instance <p>Cluj Tribunal</p> <ul style="list-style-type: none"> • Merits after changing courts <p>Bacau Tribunal</p> <ul style="list-style-type: none"> • Appeal <p>Court of Appeal Bacau</p>	<p>Plaintiff: Independent Center for the Development of Environmental Resources, Alburnus Maior</p> <p>Defendant: Alba Environmental Protection Agency, Sibiu Environmental Protection Agency, Environmental Protection Agency.</p> <p>Third party RMGC, Pro Dreptatea Roşia</p>	<p>Suspending administrative act</p> <p>Suspending the application of decision no. 2849/07.03.2011 on the environmental approval for the urbanistic plan for the industrial area of Rosia Montana.</p>	<ul style="list-style-type: none"> • First instance <p>Accepts the complaint</p> <ul style="list-style-type: none"> • Appeal <p>Rejects the appeal formulated by the Alba Environmental Protection Agency.</p>

			Montană Association, Union Future of Mining in support of Alba Environmental Protection Agency.		
21	8243/117/2011	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Merits after moving the case Buzău Tribunal 	<p>Plaintiff: Independent Center for the Development of Environmental Resources, Alburnus Maior</p> <p>Defendant: Alba County office for Culture and National Heritage</p> <p>Third party: RMGC</p>	Annulment of administrative act Annulling Archeological Discharge Certificate 9/2011 for Carnic, Rosia Montana.	Proceeding pending before the first instance.
22	789/117/2012	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Merits after moving the case Suceava Tribunal • Appeal Court of Appeal Suceava 	<p>Plaintiff: Independent Center for the Development of Environmental Resources, Alburnus Maior and Save Bucharest Association</p>	Suspending the application of an administrative act Suspending the application of Archeological Discharge Certificate 9/2011 for	<ul style="list-style-type: none"> • First instance Accepts the claims (Decision no. 658/ 30.01.2014) • Appeal Rejects the appeals (Decision no. 4379/

			<p>Defendant: Alba County office for Culture and National Heritage</p> <p>Third party: RMGC</p>	<p>Carnic, Rosia Montana.</p>	<p>15.04.2014)</p>
23	9498/117/2013*	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Merits after moving the case Bistrita-Nasaud Tribunal • Appeal Court of Appeal Cluj • Merits after quashing and sending the case for a new trial. Bistrita-Nasaud Tribunal 	<p>Plaintiff: Independent Center for the Development of Environmental Resources, Alburnus Maior and Salvati Bucharestiul Association</p> <p>Defendants: Alba County Council and RMGC</p>	<p>Annulment of administrative act. Annulling the fourth urbanism certificate obtained by RMGC, no. 47/22.04.2013, issued by Alba County Council for RMGC to modify the urbanistic plan for Rosia Montana and obtaining the construction permits for the Rosia Montana project.</p>	<ul style="list-style-type: none"> • Merits after moving the case Rejects the claims as inadmissible (Decision no. 625/28.05.2015) • Appeal against decision 625/28.05.2015 Accepts the appeals and send the case for a new judgement. (Decision 52/18.01.2016) • Merits (new proceedings) Approves the claims and annuls urbanistic

					certificate no. 47/ 22.04.2013. (Decision 390/ 07.10.2016). No appeal submitted.
24	28/64/2015	<ul style="list-style-type: none"> • First instance Brasov Court of Appeal • Appeal SCJ 	<p>Plaintiff: APM Sibiu, RMGC, APM Alba</p> <p>Defendants: Independent Center for the Development of Environmental Resources, Alburnus Maior, Romanian Ministry of Culture, National Institute for Heritage.</p>	<p>Contesting the legality of an administrative act</p> <p>Legality of Order no. 2361/2010 issued by the Romanian Ministry of Culture, published in the Official gazette no.670 bis/ 01.10.2010 which includes as historical monuments of national importance the Galleries from Carnic, Rosia Montana, the Roman</p>	<ul style="list-style-type: none"> • First instance Rejects the complaint (Decision no. 54/28.05.2015) • Appeal Took note of the decision of RMGC to give up on the appeal formulated (Decision of 27.11.2015)

				settlement from Alburnus Maior, Orlea area and the Roman mines from Alburnus Maior, Orlea area.	
25	735/117/2011	<ul style="list-style-type: none"> • First instance Cluj Tribunal • Appeal Court of Appeal Cluj 	<p>Plaintiff: Independent Center for the Development of Environmental Resources, Alburnus Maior.</p> <p>Defendant: Local Council of Rosia Montana</p> <p>Third party: RMGC, Pro Dreptatea Association and Pro Rosia Montana Association</p>	<p>Suspending administrative act.</p> <p>Suspending the effects of the Local Council decisions of Rosia Montana, nos. 45 and 46 of 19.07.2002 by which it approved the general urbanistic plan and the zonal urbanistic plan for the RMGC industrial area.</p>	<ul style="list-style-type: none"> • First instance Rejects the complaint (Decision. 2723 din 27.05.2011) • Appeal Rejects the appeal (Decision of 06.06.2012)

26		<ul style="list-style-type: none"> • First instance Cluj Tribunal • Appeal Court of Appeal Cluj 	<p>Plaintiff: Independent Center for the Development of Environmental Resources, Alburnus Maior and Save Bucharest Association</p> <p>Defendant: Local Council of Rosia Montana and RMGC</p> <p>Third party: Future of Mining Union.</p>	<p>Annulment of an administrative act. Annulment of decision no. 45/19.07.2002 of the Local Council of Rosia Montana approving the general urbanistic plan and Decision no. 46/19.07.2002 approving the zonal urbanistic plan for the industrial area of Rosia Montana.</p>	<ul style="list-style-type: none"> • First instance Accepts the complaint (Decision no. 3756/26.11.2015) • Appeal Rejects the appeal (D. 619/ 09.05.2016)
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