

**Fact sheet**

**Title of the process**

**Estonia:  
Negotiations over the Conditions of IPPC Permit for the Kunda Pulp  
Plant Factory**

**Type of procedure**

- Mediation procedure  Procedure including mediation elements
- Other procedure

**Topic area**

- Urban and land use planning  Water management/supply and distribution
- Waste management  Industry, trade, enterprises
- Power industry  Telecommunications
- Traffic, transportation  General environmental policies (genetic engineering, nuclear policy, etc.)
- Nature conservation  Neighbourhood conflict
- Tourism  Other:
- .....

**Initiator(s)**

Estonian Fund for Nature

**Short description of the case**

In December 2001 AS Estonian Cell decided to build a pulp plant in Kunda on Estonia's northern shore. To start the construction, AS Estonian Cell needed an integrated environmental permit (IPPC) which should have determined the conditions to prevent pollution. The IPPC was issued in January 2003, but was challenged by the Estonian Fund for Nature (ELF) in administrative court because it did not determine adequate measures to prevent pollution. Therefore, there was serious threat to the marine environment of the Baltic Sea. After negotiations between ELF and Estonian Cell, mediated by attorneys of AS Estonian Cell, and with participation from the Norwegian parent company of Estonian Cell in negotiations, an agreement was made to change the conditions of the IPPC. ELF made an application to end the court proceedings and the new IPPC was issued in April 2003.

**Parties and other participants (number of individuals, names of participating public authorities, institutions, interest groups, etc.)**

- Estonian Fund for Nature (non-governmental environmental organisation; four individuals)
- AS Estonian Cell (developer)
- Larvik Cell (Norwegian parent company of the developer)
- OU Ecoman (environmental impact assessment expert)
- Laane-Viru Department of Ministry of Environment (public authority)
- Law firm Raidla & Partners (two attorneys)
- Marine Systems Institute at Tallinn Technical University (two marine environment scientists)
- European Bank for Reconstruction and Development

### **Client/financial sponsor**

---

The negotiations were financed by the following sources:

- AS Estonian Cell (Larvik Cell), as the developer, financed the services of the attorneys;
- the activities of the Estonian Fund for Nature (ELF) were financed from the following sources:
  - the participating lawyer worked on the environmental legal help project, financed by the Phare ACCESS programme of the European Commission;
  - the work of the members of the executive committee of ELF in general was financed by different Estonian and foreign funds;
  - the chairman of the board participated voluntarily and his work was not financed at all.

### **Procedural guidance by (e.g. professional mediators, etc.)**

---

Juri Raidla, attorney (Raidla & Partners law firm) – the negotiator

### **Geographic dimension**

---

- |   |                                   |                                     |
|---|-----------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> local | <input type="checkbox"/> regional | <input type="checkbox"/> state-wide |
| <input type="checkbox"/> international    | <input type="checkbox"/> EU-wide  |                                     |

### **Status of process**

---

- |   |                                       |
|---|---------------------------------------|
| <input checked="" type="checkbox"/> concluded | <input type="checkbox"/> in execution |
|---|---------------------------------------|

### **Start, end, duration of the process (if still in execution: estimated end)**

---

Whole process: 2001-2004 (four years)

Mediation process: January 3, 2003 – February 20, 2003 (1.5 months)