Title of the process

**Estonia:**
Negotiating the Conditions of the Mining Permit for the Merko Oil-Shale Mine

**Type of procedure**
- ☑ Mediation procedure
- ☑ Procedure including mediation elements
- ☑ Other procedure

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

**Initiator(s)**
Estonian Fund for Nature

**Short description of the case**
OU Merko Kaevandused is going to open a new oil-shale mine near the Puhatu wetlands, a protected area under the Ramsar Convention. The environmental impact assessment (EIA) stated that mining could drop the water level of the wetland, but did not design any particular measures for protecting the swamp. The Ministry of Environment issued a mining permit without preventive measures. The Estonian Fund for Nature, an environmental non-governmental organisation, disputed the permit in court. After implementation of the injunctive relief by the court, OU Merko Kaevandused initiated negotiations about a possible settlement. The parties reached an agreement about changing the conditions of the mining permit and the court proceedings were ended.

**Parties and other participants (number of individuals, names of participating public authorities, institutions, interest groups, etc.)**
- Estonian Fund for Nature (ELF)
- OU Merko Kaevandused
Client/financial sponsor

The legal activities of Merko Kaevandused were financed by the developer itself. Legal activities of the Estonian Fund for Nature were financed through different ongoing projects, financed by European or Estonian funds.

Procedural guidance by (e.g. professional mediators etc)

The negotiations were guided by attorney Toomas Luhaaar, representing OU Merko Kaevandused

Geographic dimension

- [x] local
- [ ] regional
- [ ] state-wide
- [ ] international
- [ ] EU-wide

Status of process

- [x] concluded
- [ ] in execution

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

Whole process: February 2003 – February 2004 (one year)

Negotiations: October 2003 – February 2004 (five months)