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SETENA overruled nullity incidental plea

The Resolution Does Not Compromises The Future of the Crucitas Project

- The Minister of Environment should we aware of appeal

Yesterday, after four months of delay, and through an action obliged by the Constitutional Court, the Secretaría Técnica Nacional Ambiental, SETENA, notified Industrias Infinito S.A. (IISA) of resolution # 811-2003 that overrules the nullity incidental plea presented by the mining company on March 14th against resolution # 272-2003 that rejected the environmental Impact study for the Crucitas Project development.

After being informed of this resolution, IISA's General Manager, Jesús Carvajal, said: "This resolution does not take us by surprise, it just one more step to exhaust the administrative avenue. We know that our main strength rests on justice and the objective analysis from the Constitutional Court of the appeal on the grounds of unconstitutionality that is still in process".

Carvajal mentioned that in addition to the appeal filed before the Constitutional Court, the Foreign Trade Minister is evaluating the invocation to the Investments Protection Agreement between Costa Rica and Canada done on April 4th. Such agreement establishes a six month term that will be due on September for the Costa Rican government and IISA's parent company, Vanessa Ventures, to settle an agreement to avoid an international arbitration.

"With the present resolution, SETENA reiterates that the political will prevails over the most basic technical and scientific criteria, as we have reported during the whole process" Carvajal added. He also emphasized that SETENA limited itself to justify the first resolution.

In accordance to the law and after exhausting the administrative avenue with SETENA, the Ministry of Environment and Energy will now have to be aware of the appeal and reply.