

Rosia Montana, Romania
6 August 2006

Dear Mrs. Sulfina Barbu,
Dear Mrs. Anca Boagiu,

Open letter regarding the Rosia Montana Project public consultations

The undersigned NGOs and individuals are interested parties in the Rosia Montana EIA public consultations. We have been closely following the developments regarding the consultations organized by the Rosia Montana project owner; especially the ones in Rosia Montana, Campeni, Abrud and Alba-Iulia.

We have taken note of recent official declarations regarding the Rosia Montana EIA procedure made by both Romania's Minister for the Environment and the Minister for European Integration.¹ We also understand them as a reply to the latest declaration made by Hungary's Minister for the Environment regarding the project proposal.²

Moreover, the reply given by the Romanian authorities clearly show that the EIA procedure serves to a political end and that the above-mentioned Ministries do not wish to take a deeper look into what actually is going on.

This is the reason why we are writing to you. First and foremost we allow ourselves to bring to your attention³ several declarations made by members of Romania's public who attempted to access the EIA report in one or more of the locations indicated by the Romanian Ministry for the Environment. As you can see, in several locations the report was simply not available; at other locations the documentation was only available until 16.30, thus making it impossible for people who work to consult the report. Last but not least, it is impossible to access the documentation at the libraries; this for the simple reason that they are closed for holidays during the months of July and August. We thus consider that public access to information was violated from the very beginning of the EIA procedure.

The Ministry endorsed RMGC's plan for the public consultations procedure without consulting affected parties on vital issues such as the choice of locations, moderators, etc. In light of this we would like to make the following observations:

a) locations: from a geographical and project relevance point of view, locations such as the towns of Zlatna, Brad and Deva make no sense whatsoever. However, we understand why they were chosen by RMGC; they are mining towns where promises for mining jobs fall on popular grounds.

b) moderators: the two persons agreed by RMGC and the Ministry for the Environment to moderate the public consultations are not impartial. Both are associated with the mining project. Nicolae Heredea PhD. Eng, manager of SC NHN ECOINVEST SRL, is accredited by the Ministry of Environment as an expert in the implementation of environmental balances and in environmental impact assessments in the fields of geology and radiological protection. In 2003 Mr. Heredea conducted for RMGC

¹ http://campanii.ngo.ro/rosiamontana/rosia_montana_mediafax_030806.pdf

² <http://today.reuters.com/stocks/QuoteCompanyNewsArticle.aspx?view=CN&symbol=GBU.TO&storyID=219754+01-Aug-2006+RTRS>

³ http://www.ngo.ro/rosiamontana/acces_eim/

geophysical research to identify and recover some archaeological vestiges at Rosia Montana. Mr. Heredea has also published a recommendation entitled "Approach methodology for environmental protection issues for the Rosia Montana gold mining project"⁴. This paper sets out conditions for the risky Rosia Montana project to be considered as ecologically safe as well as contributing to sustainable development. Since late autumn 2005, Mr. Heredea is the General Director of the Ministry for the Environment's Directorate for Biodiversity, Bio-security, Soil and Subsoil. Mr. Stefan Mihailescu, the second moderator is a representative of Bucharest's Technical University. This institution is one of the main contributors to RMGC's EIA report.

We would like to highlight one incident to portray the moderators' partiality. During the public consultation in the town of Campeni a local from Rosia Montana opposing the mine development asked questions as to how the Romanian government will in the event that the proposal is approved guarantee his constitutional rights such as property, private life and a clean environment. Mr. Mihailescu intervened and stated that only comments with direct relevance to the EIA report are acceptable. However, when promoters of the mine proposal made statements such as i.e. that the old should make the sacrifice and move away from Rosia Montana to let the young generation have jobs at RMGC, the moderator did not intervene. This is a violation of the general rules of public consultations, where any kind of comment is allowed, and a decision whether a comment is well-motivated or not is taken only afterwards.

To anyone who has participated in the public consultations⁵ it is evident that these are not used to inform the public about the impact and risks associated with the mine development but instead are a disingenuous public relations approach organized by RMGC. The latter has employed over a period of two months an army of mostly young people who they dress in Gabriel t-shirts and ask them to applaud or heckle when requested and depending on who's talking to the microphone. Promotion material including large banners inundate the rooms where the public consultation is taking place. What's more, in order to attend the consultations, RMGC employees request each person to put down their names and personal details in a list. All of this is intimidating and prevents many to engage in an open dialogue regarding their concerns. The quality of the consultations is extremely poor from the part of the replies given by the project owner. Whenever a pertinent question is raised by a member of Alburnus Maior or Greenpeace, the project owner's reply consists of a personal attack against one of the NGOs. It has also been observed that the moderators give more time to the company to reply to questions than to the persons asking the questions. We consider that all of the above is done in bad-faith and should not be the aim of a public consultation.

Many of these aspects mentioned above were observed and published by members of Romania's press⁶ who participated in one or the other public consultation.

We feel offended that the authorities dare to claim that until now the consultations have proceeded in a constructive and democratic manner. They are reminiscent of a time we all thought was long over. In light of Mrs. Boagiu's claim stating that the European partners are satisfied with the quality of the EIA public consultations, we

⁴ <http://www.nhn.ro/en/article/article1.htm>

⁵ See EIA Diary on www.rosiamontana.ro

⁶ see <http://www.evz.ro/article.php?artid=266427> and <http://www.prezentonline.ro/news.php?idnews=402>

allow ourselves to copy this letter to various European institutions to contribute to a better and more balanced understanding of the Rosia Montana public consultation procedure.

Yours sincerely,

1. Eugen David
President
Asociatia Alburnus Maior
Str. Berk, Nr. 361
517165 Rosia Montana
Alba County
Mob: +40740342104
E-mail: alburnusmaior@ngo.ro

2. Mircea Ioan Bocan
Octavian Goga, Nr 2A
Alba-Iulia
Alba County
Mob: +40788233873

3. Horia Ion Ciugudean
Archeologist
Str. Armsberg 2 bl 21 apt 14
Alba-Iulia
Alba County
Mob: +40740230920
E-mail: horiaion2001@yahoo.com

4. Adrian Grad
Network Campaigner
Greenpeace CEE
Str. Corneliu Coposu Nr. 117
400235 Cluj-Napoca,
Cluj County
Tel./fax: +40364 40 55 83
Mob: +40720 544 000
E-mail: ady.grad@greenpeace.ro

5. Dan Mercea
President
Centrul Independent pentru
Dezvoltarea Resurselor de Mediu
Str. Trascaului Nr. 2, Ap.13
Cluj-Napoca
Cluj County
Mob: +40744342831
E-mail:dmercea@yahoo.com

6. Luminita Dejeu
President
Fundatia Culturala ExtraArt
Str. Micus Nr.3 ap.3

Cluj – Napoca
Cluj County
Mob: +40745 939 981
E-mail: contact@extraart.ro

7. Hans Hedrich
Project Coordinator
Sighisoara Durabila
Str. Bastionului, Nr. 11
545400 Sighisoara
Mures County
Tel/fax: +40265 779917
Mob: +40747356810
E-mail: sighisoara@durabila.ro

8. Smaranda Enache
Co-chair
Piata Trandafirilor Nr. 5, Et III
Targu Mures
Mures County
Tel/fax: +40365401823
E-mail: senache@proeuropa.ro

9. Dan Calin Tocaciu
President
Asociatia Valea Soarelui
B-dul Pandurilor Nr. 43, Ap. 16
540506 Targu-Mures
Mures County
Tel/Fax: +40365 401378
Mob: +40722669964
E-mail: valeasoarelui@valeasoarelui.tk

10. Laszlo Szakacs
President
Asociatia de Mediu Rhododendron
Str. Bartok Bela, Nr. 1
540035 Targu-Mures
Mures County
Mob: +40745614606
E-mail: sz.rhodo@gmail.com

11. Dan Craioveanu
IT Director
Strawberrynet
OP 1, CP 24
Sfantu Gheorghe
Covasna County
Tel/Fax: +40267312238
Mob: +40722365181
E-mail: dan@ngo.ro

Cc: Aarhus Compliance Committee (ACCC/C/2005/15), Stavros Dimas, Josep Borrell
Fontelles and Miklos Persanyi