



One of the many views in Montalegre which citizens fear will be destroyed by open pit mining

DGEG 'may appeal' ruling forcing disclosure of tungsten mine documents

By **Natasha Donn** - 5th December 2022

New challenge for citizens battling to save World Agricultural Heritage

Portugal's DGEG (Directorate-General of Energy and Geology) said today it is "analysing" a **court ruling that obliges disclosure of documents about the Borralha mines, in the municipality of Montalegre.**

Explains Lusa, the Lisbon Administrative Court (TACL) has **ordered the DGEG to disclose these documents to the Montescola Foundation, a non-governmental organisation based over the border in Galicia, Spain,** "stating that **director-general, João Bernardo, must pay a financial penalty** in the event of non-compliance."

The ruling was seen as a **major victory by citizens fighting to save their territory** from mining of any sort.

The Montescola Foundation is not alone in this battle; it is supported and partnered with the **Não às Minas (No to Mines) – Montalegre movement.**

Made aware of the Lisbon court's decision – published only a week ago – Lusa has been in touch with the DGEG which it cites as saying "as this is a matter of administrative litigation, the DGEG is

represented, under shared services, by the General Secretariat of the Ministry of Environment and Climate Action; the (court's ruling) is being **analysed for the purposes of filing the appropriate appeal.**"

At stake is the DGEG's refusal to make public information on the attribution of a licence for the company *Mineralia – Minas, Geotecnia e Construções, Lda.* to exploit tungsten and other minerals on the basis that the documents " contained commercial secrets whose disclosure would harm the interests of the project".

TACL judges did not accept **DGEG's arguments**, labelling them "**devoid of sense, in addition to revealing a poor understanding of the content of the legal principles that govern (DGEG) activity.**"

The government agency is not exempt "from complying with the duty of transparency and public or jurisdictional inquiry," judges added, ordering the DGEG to respond to the applicant's request within five days, as well as to pay procedural costs...

On hearing last week's result, Joám Evans Pim, director of the Montescola Foundation, welcomed what he termed the court's recognition that "**the DGEG impeded public participation by withholding information, thereby also violating the transparency and participatory measures granted by Decree-Law 30/2021 of 2021 on mineral deposits.**"

"There is **no point in guaranteeing participation and access rights in legislation if, when the time comes, administrations adopt prejudicial decisions** that are **diametrically opposed** to what the law says", he said.

Now, we have to see whether DGEG files that appeal.

Says Lusa today, activists demanding full disclosure of documents "argue the incompatibility of mining, whether of lithium, tungsten or any other mineral, with the classification of this region as World Agricultural Heritage and Biosphere Reserve."

The Borralha mines, in the parish of Salto, opened in 1902 and closed in 1986. They were once one of the main mining centres for tungsten (also known as wolfram) in Portugal.

However, the Borralha tungsten deposit is now considered to be among the most attractive in Portugal.

In October 2021, the DGEG awarded a 25-year exploitation licence with two 15-year extensions to the Borralha project under the aegis of Pan Iberia, which was recently taken over by Rafaella Resources from PanEx Resources.

Source material: LUSA
