

The Hague, 10 October 2013



To all Members of the Senate and the Chamber of Deputies, Parliament of Romania

Re: Future of the Roşia Montană area and its cultural and natural environment

Dear Members of the Parliament of Romania,

We write to you on behalf of the Board of Europa Nostra, a pan-European federation of heritage NGOs which is recognised by the European Union, the Council of Europe and UNESCO as their civil society partner active in safeguarding cultural and natural heritage. Over the last years, we have consistently expressed our serious concern about the anticipated negative impact of the open-cast gold mine project as proposed by the Rosia Montana Gold Corporation (RMGC) on the cultural heritage and environment in the wider area of Roşia Montană. Recently, Europa Nostra decided to include the historic mining landscape of Roşia Montană on the first list of the “7 Most Endangered monuments and sites in Europe”, a programme launched on the occasion of our 50th anniversary, with the European Investment Bank Institute as its founding partner, and the Council of Europe Development Bank as an associate partner.

Today we wish to address all members of the Romanian Parliament since you have been asked to vote on the draft law concerning the proposed open-cast mining project in Roşia Montană, now being evaluated by a Joint Special Commission set up by your Parliament.

Europa Nostra wishes to convey to you its serious concern regarding the draft law on Roşia Montană, as proposed by the Romanian government. This draft law contains provisions which constitute a dangerous precedent for your country since they violate some of the basic principles of human rights, the rule of law and separation of powers, which form part of the core values protected and promoted by the Romanian Constitution and also by the European Union, through treaties which have been ratified by Romania.

To illustrate our position, we wish to mention only a few examples:

- giving powers to a private company allowing it to override the national laws of Romania including the law on the protection of cultural heritage (*e.g. Chapter 2, art 4 and 5*),
- removing the rights of some private owners for the benefit of a private company (*e.g. Chapter 2, art 5*), or
- circumscribing the power of the judiciary (*e.g. Chapter 2, art 4*).

**The Voice of
Cultural Heritage
in Europe**

**La Voix du
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en Europe**

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For a more detailed critical analysis of the draft law related to Roşia Montană we refer to the documents prepared by our two Romanian member organisations, Pro Patrimonio and Alburnus Maior.

The draft law on Roşia Montană has caused wide-spread protests by concerned citizens in Romania and beyond. The mining project, as proposed by RMGC, therefore contains risks not only for the environment and cultural heritage of your country but also seems to put seriously at risk the trust between citizens and public authorities. The approval of the proposed law could therefore have far-reaching consequences for democracy and social cohesion in your country.

We are aware of the fact that RMGC has threatened to request from the Romanian government extremely high compensation if your Parliament does not give a green light to starting the company's operations in Roşia Montană. Such threats are, in our opinion, unfounded since the company must have been well aware that its operations could not start before being granted various permissions under Romanian and EU law and that it was always uncertain whether or not such permits would be granted.

In the light of the above considerations, Europa Nostra calls on all Romanian MPs to take this opportunity to start a genuine and thorough discussion on alternative development plans for the entire area of Roşia Montană. The expert panel of our “7 Most Endangered” Programme”, which included experts of the EIB Institute, took the view that such development could:

- bring long-term jobs to the area;
- provide for sustainable development and social cohesion based on the cultural and natural assets of the area site;
- protect the cultural heritage of the area with its unique historical mining landscape, with 150 km of pre-Roman and Roman galleries, many still unexplored, its archaeological artifacts and its settlements witnessing an uninterrupted industrious life; and
- ensure for present day local communities and for the generations to come a way of life and work in accordance with their past and their traditions, and also in accordance with their skills and ambitions.

In our view, such a development plan should include in particular:

- the improvement of the infrastructure and services of the region;
- the conservation of the mining landscape and the old galleries (including emergency conservation measures);
- the restoration and conservation of listed historic buildings;
- the improvement of polluted soil and water and of the condition of the former open-cast mines;



- the encouragement for organic agriculture; and
- the promotion of sustainable tourism and other locally based economic activities.

We were particularly pleased and encouraged to see that the Romanian Academy, the most respected scientific forum in Romania, in its recent Statement fully endorsed a solution of sustainable development for Roşia Montană. The same applies to the important Resolution adopted on 6 October by the Executive Committee of ICOMOS which calls on the Romanian authorities to make Roşia Montană a model in developing and applying appropriate policies and practices in the conservation of historic places.

More specifically, we are of the opinion that the work already done in preparing the application for the possible inclusion of Roşia Montană and its heritage on Romania's Tentative List for nomination as an UNESCO World Heritage Site should be pursued in consultation with ICOMOS and the UNESCO World Heritage Center in Paris.

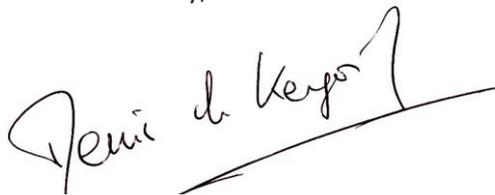
To conclude, we wish to inform you that, following the recent inclusion of Roşia Montană's historic mining landscape on the first list of "7 Most Endangered", a delegation composed of high representatives of Europa Nostra and the EIB Institute is planning to visit Romania in the coming months. On that occasion, we look forward to meeting with representatives of the Romanian government and parliament and discussing with them long-term development plans for Roşia Montană in line with the above-mentioned considerations.

We remain confident that with the help of EU Structural Funds which are available for Romania, and currently under discussion for the period 2014 - 2020, the Romanian authorities will be able to define an alternative plan for the development of the Roşia Montană area which would be sustainable, respectful of its environment, culture and heritage and which will meet with the full agreement of the citizens of Romania.

Thanking you in advance for taking our views into due consideration,

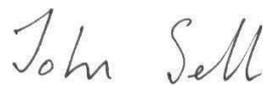
On behalf of the Europa Nostra Board,

Yours sincerely,



Denis de Kergorlay

Executive President



John Sell

Executive Vice-President

Annex: Press release announcing the first list of "7 Most Endangered"

