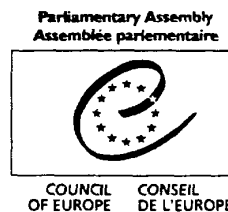


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Rosia Montana

Information report¹
Committee on Culture, Science and Education
General Rapporteur on the Cultural Heritage: Mr Eddie O'Hara, United Kingdom, Socialist Group

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¹ Approved by the Committee on 2 December 2004

I. Information report

Introduction

1. Rosia Montana is situated in the modern administrative county of Alba in the Apuseni Mountains of Transylvania, Western Romania. Its Roman name was Alburnus Maior and it has been a site for the mining of both silver and gold continuously for over 2,000 years. There are Roman and pre-Roman (extending over 5 km) and more recent underground galleries (over 70 km in all). The special local conditions permit the conservation of wooden objects. The area is well known as a result of the discovery in Roman galleries at Catalina Monulesti of waxed tablets containing records of mining administration and published in the nineteenth century by the German historian Theodor Mommsen as an important source of information about Roman law. Despite considerable reworking over centuries of the mining sites, there are still remains of Roman mining equipment. There are also associated surface remains such as baths, official buildings, temples, sanctuaries with votive altars, necropoleis, etc.

2. It is a mono-industrial area and there is strong local pressure to exploit the natural resources and provide jobs for the local miners. Currently, opencast mining is being carried out by the Romanian company Minvest. These are scheduled to finish by 2007. A new opencast mining project has been launched by Rosia Montania Gold Company (RMGC), a Romanian Company owned 80% by Gabriel Resources (a Canadian-based Company) with Minvest (owned by the Romanian Government) owning 19.3% and the balance owned by three small Romanian Companies. This has raised concerns on environmental and social grounds (required relocation of a substantial portion of the local population), issues which were less regarded when the Minvest operations were launched, and also on cultural grounds because of the history of the area. The initial RMGC project proposal was open to criticism for its lack of an Environmental Impact Assessment and it was withdrawn for resubmission (not yet made) with this deficiency to be corrected. In the meantime they are funding a major programme of archaeological research of the area in the course of which they are securing archaeological discharges for areas to be mined but also conducting rescue archaeology and providing an archaeological record of the area. They are also buying up property in the area.

3. Attention was first drawn to these issues in 2003 by academics, including the Romanian Academy, and non-governmental organisations, notably Icomos, Europa Nostra and a locally based organisation eponymously called Alburnus Maior. There was criticism of the archaeological discharges so far granted on the grounds that (a) they ignore unresearched sites above ground; (b) they do not cover underground mines; (c) they are procedurally incorrect.

4. The matter was raised by the General Rapporteur in the Sub-Committee on the Cultural Heritage in September 2003. On the invitation of Mr Giorghi Prisacaru, Leader of the Romanian Delegation, a study visit was carried out on 12-14 July 2004. This followed and complemented a similar visit in December 2003 by a delegation of the European Parliament Environment Committee. A considerable amount of documentation has also been assembled, including a report for the Romanian Parliament by a special commission headed by Mr Alexandru Sassu.

5. The study visit had access to everything requested. The major limitation was the time available. It would certainly have been interesting and useful to visit Catalina Monulesti and to assess the local built architectural heritage including the churches. An abundance of relevant information and a valuable overall perspective of the issues were gained. There remains however a number of questions still open that subsequent enquiry has not yet resolved.

The visit

6. The PACE delegation was composed of Mr Eddie O'Hara MP (General Rapporteur on the Cultural Heritage) and Mr Christopher Grayson (Head of Secretariat for Culture, Science and Education). The delegation was accompanied throughout by Mrs Mihaela Draghici (Romanian Delegation Secretary), Mr Dan Chirlomez (Head of Protocol in the Romanian Senate) and Ms Michaela Stătescu (interpreter).

7. In advance of the visit a mission statement was issued: see appendix. The programme of the visit is also appended.

Conclusions

8. Three types of cultural heritage are at stake in Rosia Montana: (a) moveable objects such as are collected and displayed in museums locally (including a new mining museum in Rosia Montana) and in Bucharest; (b) surface structures: protected buildings including churches of architectural importance which are not affected and significant archaeological finds such as the Roman circular funerary monument which are being preserved in situ; (c) underground: excavation continues of the Roman galleries, a visitable section is at present preserved at Orlea but has an uncertain future, a representative section could and should be excavated and preserved at Catalina Monulesti. The question then arises as to how that representative section should be determined.

9. The comments of the President of Alba County Council at the beginning of the study visit resonated to the General Rapporteur throughout: there is a need for both the mineral and the cultural resources to be exploited for the benefit of the local community. All relevant legislation must be observed to ensure that the cultural heritage is not violated; but it cannot be developed and exploited without the means provided by the exploitation of the mineral resources.

10. It would seem that measures are in place to ensure that all three aspects of the cultural heritage are adequately covered at present or as the project may develop. The immediate situation is controlled by progressive archaeological discharge. There is clearly a need for continuous monitoring of the site as excavation and mining proceeds step by step. This calls for continuing flexibility by both the mining company and the archaeologists. There is also a need to ensure the final stages of the project (landscaping, purification of soil and water, tourist facilities and access to museum and other sites).

11. The RMGC project would appear to provide an economic basis for sustainable development of the whole area with positive benefits on environmental and social as well as cultural grounds. From the cultural heritage point of view it might be seen as an exemplary project of responsible development. The funds currently made available by RMGC for research (archaeological, ethnological, architectural) are many times what could be expected from the Government. This has revived the international renown of the site. Further significant finds may still be made.

12. Concern has been expressed by critics over the procedure (allegedly superficial archaeological discharges) and conservation ethics, involving the programmed destruction of Roman galleries. This concern does not appear to be entirely justified. The reworked galleries in the areas of the main pits Cârnic and Cetate appear empty of any archaeologically interesting remains. Tourist access to most galleries would be impossible. However the condition must clearly be imposed of continued archaeological excavation and monitoring of what is found.

13. More important in terms of protecting cultural heritage and the environment would be the application of similar controls to on-going mining on adjacent sites, such as those conducted by the Romanian company Minvest without any archaeological discharge or pollution control.

14. The Romanian Government is aware of and in control of the legal means it has to extract the maximum price from RMGC for the 300 tonnes it has identified in Rosia Montana whilst still leaving an adequate profit motive. For its part, RMGC recognises the price it has to pay. RMGC is reviewing the situation. It has withdrawn its environmental application and is to resubmit the project together with an Environmental Impact Assessment. Meanwhile, it continues to fund archaeological research and publications and to buy up property in the area. There is however no certainty that the project will go ahead and no fixed plan of what it might involve.

15. This present situation of indecision is not at all helpful for the area. Failure to confirm the RMGC project would remove any chance of local development for some time. The current mining activity of Minvest is due to close down in the next few years.

16. Opposition to the RMGC project is substantial. It is not altogether easy to explain. It has been linked to profiteering on local property values. It is very much fuelled by outside bodies, presumably well-meaning but possibly counter-productively. It seems in part at least exaggerated. The supposed environmental risks do not take account of modern mining techniques and in fact the RMGC project will help to clear up existing pollution caused by Minvest. The academic arguments are possibly correct in principle but appear excessively fundamentalist.

17. It seems true that the whole area has not been fully surveyed before archaeological discharge has been given and it is fair to argue that part once declared protected has now been reopened for commercial development. These aspects have to be clarified further. However fundamental principles have to be balanced with practical realities. Research does not necessarily imply the need for everything found to be preserved and the academic ideal of total in situ preservation is perhaps not always and altogether appropriate in a situation of rescue archaeology and a commercial world. This is certainly so in the case of in situ preservation of the Roman galleries at Rosia Montana. There are over 5 km of them, apparently with a limited variety of distinctiveness between them and few surviving remains in them. Most of them are inaccessible, indeed dangerous of access to tourists. Alternative proposals such as designation of the whole area as a cultural landscape to be developed for tourism lack viability. The only available source of funding for this is from the company which wishes to exploit the mineral resources. Certainly there is a need to determine and preserve a representative sample of galleries accessible for tourists, at Catalina Monulesti and/or Orlea, and certainly there is a need for continuous monitoring to ensure the preservation of anything of distinctive archaeological value which is revealed in the course of mining or archaeological exploration. This is the responsibility of the Ministry of Culture.

18. Key words for the sustainable development of Rosia Montana are opportunity for all, flexibility and trust. Comparable discussion surrounded the Ilisu dam project in Turkey and the development of sites for the 2004 Olympic Games in Greece, notably the rowing/canoeing/kayak centre at Schinias/Marathon and the equestrian centre at Markopoulo. There is another project requiring sensitive and sensible rescue archaeology which is closer to home for the Romanians: the recently launched construction of the Transylvanian motorway being carried out by the US company Bechtel.

19. The final decision on the RMGC project is to be taken by the Romanian Government. This is sensitive to pressure from the European Union. The goal of accession in 2007 is of the highest priority and the Government is thus extremely cautious about the environmental and cultural issues at stake. The cultural heritage dimension seems well served by both the company and the governmental bodies. This is reflected in the preliminary conclusions reached by the Sassu report and the delegation from the European Parliament. However the underlying presumption must be that where there is irreconcilable conflict of detail, the cultural interest must prevail. The cultural heritage is a finite resource.

20. A balance of benefit appears achievable to both the needs of the cultural heritage of Rosia Montana and the business of RMGC. If that balance is overturned by the demands of either the Government or the company the project may not go ahead. In that case there will be a considerable setback to the opportunity for the development of cultural tourism in this area of exceptional historic interest.

II. Summary of the study visit by Mr O'Hara on 11-15 July 2004

Alba Julia local authorities

1. The delegation went first to Alba Julia (Roman *Apulum*), the administrative centre of the County of Alba to meet local representatives MM Atanasiu (President of Alba County Council), Mr Sârbu (Prefect of Alba) and Mr Rustoiu (Director of Culture). Concern was expressed that both the mineral and the cultural resources of the area should be developed. The RGMC proposal offered some 450 mining jobs and over 1,000 related jobs, but mining should only be allowed in areas of no archaeological interest. Assurances were given that relevant legislation was being carefully observed. Museums were planned both above and below ground. However the cultural resource could not be developed and exploited without the exploitation of the mineral resource.

2. En route from Alba Julia to Rosia Montana the road passed through an area marked on the map as "metal-bearing mountains" and signs of largely derelict mining operations from the communist period similar to those of Minvest in Rosia Montana. Particularly stark was the mining of Zlatna (Roman *Ampelum*), once entirely devoted to copper extraction but since 1989 a wasteland (still toxic) of twisted metal machinery, empty factories and half-built apartment blocks. It is an area of high unemployment and there is a high incidence of congenital diseases in children born locally. On the approach to Rosia Montana what looked like a huge white slag heap by the roadside was in fact formed by tailings from Cetate. Isolated mature trees were growing on it but there was no ground cover of vegetation on it. Further on many houses in the area bore blue notices "Property of RGMC".

Introductory meeting in Rosia Montana

3. At the RMGC headquarters the delegation was met by Mr Dan Petrescu, deputising for Mr Richard Hill (Vice-President Operations of Gabriel Resources and Chairman and Managing Director of RGMC) who had been detained in Canada, and a group of archaeologists. These included Dr Paul Damian (Deputy Manager, National Museum of History MNIR Bucharest), Dr Corina Bors (Manager, Archaeology, Heritage Department, RMGC) and Dr Béatrice Cauuet (CNRS, University of Toulouse, France).

4. The delegation was first conducted to an exhibition of archaeological material and planning proposals, especially the plans for relocation of local residents. It was claimed that in a 2001 survey 85% were in favour, 10% against and 5% "didn't know". Also in local elections only 40 out of 1500 were against. The compensation offered for relocation was said to be very attractive compared with an average income of 100 euros per month.

5. **Mr Petrescu** presented the RMGC mining project. He contrasted the ongoing activity by Minvest which would terminate between 2004 and 2007. This was small scale, government subsidised and resulted in uncontrolled production of acid water discharging to a tailings dam of very marginal safety. The proposed RGMC project would employ open pit mining, it would be large-scale and hi-tech. It would involve water management and detox treatment of tailings. It represented 1.6 billion USD over 17 years for Romania, including the funding of cultural heritage, business start-ups and treatment of existing environmental contamination. So far 4.5 million USD had been spent between 2001 and 2003 on archaeology, which was more than the total Romanian national budget for archaeology 1990-2003. The downside would be changes to the local landscape, relocation of part of the village of Rosia Montana (though some of the historic part would be restored) and the loss of some galleries. He concluded that this was a good example of cultural heritage management meeting national, regional and local needs.

6. None of the maps in evidence proved to provide a reliable indication of the precise location of the facilities in the proposed RMGC project. Mr Hill later insisted the final details of the project had not yet been finally determined.

7. **Dr Damian** explained that he coordinated the Romanian Ministry of Culture "Alburnus Maior" National Research Programme launched in March 2001. He explained that the history of mining in

the area was documented from pre-Roman times; major activity occurred in the Roman period (2nd century AD); there was little activity between the 3rd and 14th centuries; subsequent main periods were under the Hungarian empress Marie-Therese (18th century) and under the communists in the 1970s. Haphazard archaeological discoveries occurred from the late 18th century, notably the 25 wax-coated wooden tablets found between 1786 and 1855 and published by Mommsen who was on site in 1851-53. Systematic archaeological exploration was only very recent. In 2000 there was a survey and trial trenches. In 2001 there were major excavations. In 2002-03 the focus was on the Cârnic-Cetate area. The main results of the Alburnus Maior programme so far were (a) excavation of 3sq. km, excavation of over 1,000 graves and uncovering of much evidence of rural and mining life in Roman Dacia; (b) establishment of a database and GIS location system for archaeological researches undertaken since 2001; (c) a series of publications funded by RMGC (already published is volume 1, consisting of 526 pages of the campaigns of 2000-2001; to be published are volumes 2 (circular tomb), volume 3 (necropolis), volume 4 (mines)); (d) preparation of movable exhibitions, of which one is planned for Toulouse in late 2004; (e) a school for Romanian archaeologists.

8. **Dr Cauuet** presented the exploration of the ancient mining networks that she had co-ordinated since 1999. She concentrated on Cârnic 1 (a helicoidal well yielding wood dateable between 675 – 355 BC); Cârnic 2 (a descending gallery of 125 steps cut in the rock); Cârnic 9 (4 levels); Cârnic 13 (with a lead base, a sort of mini ingot from a metal workshop) and Catalina Monulesti (where the wooden waxed tablets with inscriptions had been found in the late 18th and early 19th centuries).

9. **Dr Bors** presented the cultural strategy of the Rosia Montana project: RMGC was fully involved in the "Alburnus Maior" National Research Programme through funding, supporting heritage bodies, training personnel, establishing a computerized database for recording archaeological discoveries, and the GIS project. She asserted that the final purpose of the project was archaeological discharge and setting up a new mining museum at Rosia Montana. RMGC was committed to perform all the necessary investigations and all efforts had been made to avoid any unnecessary irreversible loss. Questions were put about whether the museum would be public or private (a new development in Romania) and on tourist access to ancient mine galleries. Dr Bors said that a RMGC Foundation would be set up to manage the future of the site.

French archaeologists

10. Lunch was taken with the French archaeologists who came from different parts of France and had been working together as a team for some years under Dr Cauuet. It is a fairly new and rigorous discipline and they were very fit, as was to be confirmed later during the visit to the site. Their general objective was to get as much as possible for archaeology in the time available.

Rosia Montana local authorities

11. The lunch was followed by a meeting with the Mayor of the Municipality of Rosia Montana, **Mr Virgil Nicolae Narita**, in his office above the old town hall. Councillors and church representatives were to have been present but the schedule had slipped. Mr Natira had been re-elected in 2000. He explained that the village of Rosia Montana (Roman *Alburnus Maior*) was founded in 131 BC and now had 4,000 inhabitants (approximately 100 families). The municipality he represented was made up of 16 villages. A poll taken in 2000 of those affected by the new mining project showed 86-88% in favour of the proposed investment and relocation, and 11 out of 13 councillors. It was felt that the only future for the area lay in further investment in mining. It was a mono-industrial area and most people were used to mining. Even though there was concern for the environment there was no certainty of EU subsidies. Individuals were left to negotiate their own terms for relocation and 30% had so far done so. This involved 1,600 of the total of 4,000 and affected a quarter of the villages in the municipality. Romanian legislation imposed conditions that had to be respected by the new mining project. The old centre of the village was to be preserved with an open air museum and artefacts. It would be linked to the re-located area by a new road. Other economic activities would be generated by the mining project, including tourism (lakes and the new mining museum) and "parallel exploitation". He mentioned that he himself had been a member of the NGO Alburnus Maior and asserted that the aim of those in the association was to protect their own family

house and land. It represented at most 190 votes, as opposed to the 700 it claimed, and membership had been falling. It had many connections with people outside the community.

On site visits (a) surface Cârnic and Cetate

12. The meeting with the Mayor was followed by a visit with Mr Petrescu, Dr Bors and Dr Damian to certain surface archaeological sites and the general topography of the area, notably Cârnic and Cetate. In one field a Roman necropolis was being excavated by some 50 people. These were summer workers recruited locally and supervised by Romanian archaeologists. A flip chart was used to demonstrate the work. Of interest was one cremation grave containing a miner's oil lamp.

13. At Cetate attention was drawn to the lunar landscape, polluted water and abandoned machinery of the Minvest mining operations. It was asserted that RMGC would be much cleaner and manage the sequence of mining operations in the open pit to avoid the mining of sensitive galleries discovered in the process until the proper archaeological review/recovery had been completed. An idyllic contrast was provided by the pastoral view from the Piatra Corbului ("Crow's Rock") to a green valley with lake, cottage and horse-drawn cart. This area of Carnic was to remain protected. Access was only by 4x4 vehicles.

14. It was noted that little remains of the civil structure. Two explanations are offered for this: given that "It is strange for people to come only to work, pray and die" (Dr Ioan Piso), it may that they are still to be found. Dr Bors offered an alternative and more probable explanation that they were temporary structures of which traces have been removed by subsequent surface disturbance. The many graves probably reflect the high mortality rate from mining.

On-site visits (b) Cârnic galleries

15. The surface visits were followed by visits to the underground galleries for which overalls, Wellington boots, gloves, helmets and torches were provided. These proved necessary for the uneven, wet, muddy conditions encountered underground. Strict safety instructions were given and all who entered had first to sign a formal disclaimer. An ambulance was in attendance. The group was guided by Dr Cauuet and her team of archaeologists. Three independent archaeologists (Drs Cataniciu, Ciudugean and Piso) were, with some reluctance on the part of the company, allowed to join the party.

16. No photography was allowed inside but the whole exercise was filmed extensively by the French archaeological team. Two hours were devoted to visiting the Cârnic galleries indicated earlier by Dr Cauuet. Initial access was by a long, horizontal modern tunnel. This joined up with neatly cut Roman galleries (with patina) and rougher excavated passages. The way wound up and around in a three-dimensional puzzle with occasional ladders up or down. Parts were dangerously open to bottomless pits. Lighting was by individual electric torches or (better) pressurized gas torches. Everywhere was damp and very muddy. Progress was hindered by the sticking of boots in the mud and the banging of helmets on rock. It was often not possible to move upright. Of interest were the Roman lamp niches and varying styles of gallery. Impressive was the difficulty of working in the galleries in near impossible conditions, whether by ancient miners or by modern archaeologists, or indeed by a PACE delegation. This was no tourist excursion and all emerged filthy.

On-site visits (c) Roman circular tomb

17. The following morning began with an early, unscheduled visit proposed by Dr Bors to a Roman circular mausoleum in the Gauri area. The site is isolated and access is very difficult, again only by 4x4. Apparently a new road will be constructed for tourist access to a 10 ha archaeological park containing the site. A formal presentation with on-site flip chart was made by Mihaela Simion, the Romanian archaeologist supervising the excavation and protection work. Volume 2 of the Alburnus Maior publications will be devoted to this complicated funerary structure. Workers were busily installing a corrugated plastic roof covering.

Meeting with NGOs in Rosia Montana

18. This visit was followed by a scheduled meeting with the NGOs. Before this started the delegation was presented by an irate representative of RMGC with an e-mail sent on behalf of the NGO Alburnus Maior to journalists who were to meet the delegation at the Orlea museum. This e-mail stated that the reason for the visit was "to investigate the archaeological discharge certificate given for the Cârnic Massif by the Minister for Culture and the Cults in January 2004". The General Rapporteur agreed to make a public clarification that this was not the case.

19. The meeting was attended at the outset by some 40 people and was opened by Mr Dan Chirlomez who presented the delegation and helped to conduct subsequent proceedings. By the end participants exceeded 100 and overflowed into the street.

20. **The General Rapporteur** made it clear that the delegation was present at the invitation of the Romanian parliamentary delegation and not of the NGO Alburnus Maior. The aim of the visit was not to investigate archaeological discharges (on which the delegation had no competence). The PACE had received conflicting messages over whether the cultural heritage at Rosia Montana was being taken into account and the study visit was to evaluate, examine and explore. He was aware of the different social, cultural economic and environmental dimensions involved, but his formal concern was with the cultural. He was holding meetings with representatives of RMGC and the Romanian authorities. He was here to listen to the local non-governmental representatives. His report would take full account of all that would be said at the meeting

21. **Dr Ioan Piso** (Professor at the University of Cluj and Director of the National History Museum of Transylvania, Cluj) was himself a miner's son and not in principle against the RMGC or progress as such. He believed however that Romania had more to lose than gain from the present project. When this ended in 10-15 years, the gold would have left the country leaving a few hundred unemployed and a lunar landscape with a 600 ha cyanide lake held back by a 180m high dam only 2 km from the town of Abrud.

22. The archaeological discharges were not acceptable. An area of 1,100 ha had been discharged on the basis of excavations covering only 2.2 ha. The area of Rosia Montana was moreover protected by a law and that could only be over-ruled by another law. It was ridiculous that the galleries visited the previous day, and which were still being excavated in July 2004, had been discharged in January 2004 and the surface above them in December 2002. The archaeological approach was also misconceived. Attention should have been focused on the pattern of civil settlements in the area rather than on isolated temples and graves.

23. He criticised that state authorities for preferring the interests of a foreign company over the protests of local conservationists. Those in the National Commission for Archaeology who had opposed the RMGC project (as himself) had been removed from it. Rumours were circulated of intelligence reports of orders from Budapest. He hoped that Romania would enter the EU with its cultural heritage still intact.

24. **Mr Eugen David** (President of the NGO Alburnus Maior) criticised the decisions of local authorities and the Romanian Government that violated the European Landscape Convention (ratified by Romania in 2002). He drew attention to the transboundary impact of the RMGC project and claimed that its implementation would violate the stipulations of the Initiative on the Sustainable Spatial Development of the Tizsa River Basin. He called for the immediate release of the Environmental Impact Assessment by the RMGC the absence of which was at present delaying the development of any alternative economic activity in Rosia Montana. He asked the Council of Europe to take action.

25. He then presented a petition for all movable archaeological material to remain in Rosia Montana and all immovable remains to be preserved in situ. The petition contained 287 names – from Abrud, Carpenis, Corna, Daroaia Gura Cornii, Gura Rosieiei, Rosia Montana.

26. **The General Rapporteur** said he would welcome information on alternative proposals for the protection of cultural heritage and development of the area.

27. **Mr Andrei Jurcă** (President of the NGO Pro Rosia Montana) said that both NGOs shared awareness of the importance of the historical traces of mining in the area. He regretted the lack of

opposition to the destruction during the communist period of a Roman city and fortress. Much was being recovered now thanks to the money spent on archaeology by RMGC. The mining project included aspects to which his organisation was opposed – such as the relocation of churches.

28. But not every stone was worth preserving. In 2007 the mining subsidy would end; it was also important to think of the economic future of the area and ensure jobs. The present uncertainty was very damaging; the government should take a decision over whether the RMGC or another company should mine the area.

29. Gold mining was known to be polluting. Such problems were not limited to the locality; they had to be monitored and proper counter-measures taken by building a centre with modern facilities. This was what the majority of the local people of Rosia Montana wanted. He pointed out that most of those present in the room were not however from RM. Though 32% had accepted money from RMGC to leave, 60% of the local population wanted to stay. The area had been dedicated to mining for over 2000 years and the miners' torch should be kept going. It was infantile to propose (as did the Romanian Academy) alternatives such as farming on acid soil or an economy based on mushrooms and woodcarving.

30. **The General Rapporteur** ruled out of order speakers from outside the local resident community.

31. **A retired mining engineer** (unnamed) agreed with what had been said about the destruction in the communist period. This had however been necessary to exploit the mines. Romania still needed gold, but this should not go into the hands of a private company such as RMGC. He asserted, despite frequent interruptions, that a large majority of the local community were opposed to the painful process of relocation and did not want to leave.

32. **Mr Ioan Mera** (Orthodox priest from Rosia Montana) regretted that the mutual respect between local miners, farmers and gypsies had broken down since 1995 when differences began to develop over the future of mining in the area. He believed that God had created them to help the land, not to depopulate it. The common position of the various churches (Roman and Greek Catholic, Reformed and Unitarian Protestant, as well as Orthodox) was against the mining project that had already caused irreparable loss and now threatened church buildings and the local community itself. He was opposed to cyanide pollution and relocation of churches and graveyards. As a priest he believed it sacrilege to remove bones once committed to the earth.

33. **Mrs Tatiana Tanase** spoke in defence of life in the community of Rosia Montana in which she had been born and grown up. Without a project such as that proposed by RMGC young people would leave and only a few pensioners would remain. Those who opposed the project should come up with better alternative ideas.

34. At this point the **General Rapporteur** called for an indicative vote, having first identified by a show of hands of those present who were and were not from the local area. Those from the Rosia Montana locality were a clear majority and many more were unable to get in from outside. Of these locals, 75% were in favour of the RMGC project and 25% against.

35. **A miner** then pushed in from outside to speak up for the miners.

36. At this point the meeting broke up in some confusion. The General Rapporteur was faced outside with a barrage of reporters including TV. He refused to make any statement at this stage having made his opening statement in the meeting.

On-site visits (d) Orlea galleries and museum

37. There followed a visit to the Orlea galleries and open-air museum. This took the form of a descent down a long series of 157 stone steps leading to the top level of the Roman galleries. These were similar in section to the Cârnic galleries with Roman lamp niches apparent. However these galleries were lit by electric lights and the floor was flat and concreted. The galleries had been opened to the public in the 1970's. Whether they would be preserved was not certain as at one point

the guide pointed to marks in the wall of recent sampling by RMGC. Afterwards he gave a guided tour of the collection of machinery, of wood and iron and the lapidarium of the open-air museum. This area is the property of RMGC. The guide was a former miner. He claimed that there were 25km of galleries. Despite repeated requests that lobbying should cease, the representatives of the NGOs who had been allowed to participate in the visit continued to hector the General Rapporteur throughout the visit.

Debriefing at RMGC

38. The final event of the visit to Rosia Montana was a debriefing (not originally scheduled) with RMGC, now joined by Mr Richard Hill (President and Managing Director). Dr Bors (on contract to RMGC) and Dr Cauuet (independent French scientific research worker) were present and also Dr Damian (from the Romanian Government side).

39. **Mr Hill** regretted past mishandling by the previous management of the emotive issues involved. The company was now taking its responsibilities seriously with regard to the cultural heritage and was working well with the competent Romanian authorities on local and national levels. A proper balance had to be found between economic, social and cultural interests. The project envisaged ore extraction from the total area of Cetate-Cârnic-Orlea-Jig. Around 85% would come from the first two sites. Orlea and Jig were planned for exploitation in year 9 (11-13 years from now). Much could happen in the meantime. The situation would be constantly reviewed as more archaeological remains were uncovered. It should however not be taken for granted that the mining project would go ahead. The final decision had to be taken by the Romanians.

40. **The General Rapporteur** said that he had been impressed by the high quality of the rescue archaeology. This would not have occurred without the funding from RMGC and was a net gain. Having just come from the Orlea museum, he asked if the Orlea galleries or some other visitable gallery-site would be preserved as a museum.

41. **Mr Hill** believed that "cogent snapshots" should be preserved and made accessible to the public. It was difficult to find areas of surface settlement not disturbed by subsequent mining operations. However certain areas such as Piatra Corbului had already been identified for the preservation of surface and underground remains. He was afraid that EU regulations on wheelchair access and emergency exits would rule out most galleries for tourism. While the two main pits of Cetate and Cârnic were identified, the exact siting of the pits to the north (Orlea and Jig) had still to be defined. It was possible that a contiguous preservation area could be determined linking Catalina Monulesti to the north end of the town. He refused to submit detailed maps as the precise scope of the project had still to be finalised.

42. **Dr Cauuet** said that the question of how to develop the two northern areas should be reserved for future discussion. She wanted to preserve a whole mine and not just a representative section. She was interested in excavating parts towards the top end of Rosia Montana where the Roman workshops for treating minerals might have been located. Catalina Monulesti was another interesting area and as the rock there was unstable, the galleries were unlikely to have been reopened since ancient times. She felt that different ways should be found of presenting Roman galleries in order to improve on the concrete floor and lighting of Orlea. The immediate priority however was to complete excavation of the galleries in Cârnic.

43. **Dr Bors** said that 22 other sites had been identified by experts from Bucharest as having archaeological features similar to Rosia Montana

44. **Mr Hill** clarified the situation concerning Catalina Monulesti. That gallery was located in the Protection Area of the Historic Centre of Rosia Montana. Thus it would be preserved as that part of the locality would not be affected by the mining project. He refused to give a blank cheque for the future preservation of Catalina Monulesti. Any such excavations had to be based on their benefit to RMGC. The company was after all out for making a profit and not for archaeological research. But RMGC already had invested a good deal into cultural heritage and should be judged on its record. Modern mining companies had to be responsible and take into account the social implications in order to ensure sustainable development. As an example of how the area could be used later for

other purposes, RMGC envisaged the option to leave behind in Rosia Montana a boating lake and football fields as well as archaeological remains. He repeated his appreciation of professional relations with Romanian bureaucracy.

45. The delegation then transferred to Bucharest for meetings the following day with ministers, the Romanian Academy and Romanian parliamentarians and senators.

Ministry of Culture and Religious Affairs

46. **Mr Mircea Angelescu** (Director for Historical Monuments and Museums) was interested in the attention being paid to the mining project at Rosia Montana. The Ministry first knew of it in 2000 when an application had been made by RMGC for archaeological discharge. Following an initial survey in 2000, a national research programme "Alburnus Maior" was launched in 2001 and archaeological excavations started (surface and underground). The programme covered archaeology (with GIS mapping and digital software), architecture, ethnography and oral history; it was being funded by the company in line with the European Convention on the Archaeological Heritage (Valetta) and in 2001 amounted to ten times the Ministry's annual national budget for archaeology.

47. The legal position was that an investor could request archaeological discharge when research had been finalised. Reports on such research with conclusions were submitted each year to the National Commission for Archaeology (a consultative body composed of representatives of universities, museums and national research institutes) which then reported to the Ministry, where decisions were taken. The discharge procedure was progressive; it began on the surface; open-pit mining technique then permitted variation in the cutting out of subsequent steps to protect underground galleries that might come to light. He confirmed that discharge certificates had been given for certain underground galleries but refuted claims by lobby groups of irregularities in the procedure. These groups lacked scientific knowledge and confused issues. Almost half of the 400 archaeologists in Romania had been involved in Rosia Montana and the decisions of the National Commission had been unanimous. A team of archaeologists was to maintain an on site watching brief once mining work started (which it had not yet). All the archaeological procedures were in conformity with the legislation in force.

48. As regarded the architectural heritage, a protected area had been set up in the centre of Rosia Montana following discussion in 2002 in the National Commission for Historical Monuments. This area included 99% of the historical monuments, the Catalina Monulesti galleries and the buildings to be rehabilitated for a public museum. It was felt that in this way the cultural identity of the place would be preserved while giving the local community room for sustainable development including tourism.

49. Concerning the development of cultural tourism, the local council had submitted proposals to include the central protected area together with other heritage sites for which archaeological discharges had not been granted (for example the circular tomb monument and the more important galleries in Cârnic) and areas of natural interest (such as Piatra Corbului). He feared however that many of the galleries were too unsafe for tourist access. Talks were on-going with RMGC about a project for the company to open a museum at Catalina Monulesti.

50. **Mr Stefan Ionita** (Director General for Religious Affairs) said that the intention was to preserve the cultural identity of the area. Historic church buildings would not be affected by mining. It was for the local authorities (not the Ministry) to decide on whether to relocate cemeteries. Procedures existed for reintering bones and there had been historical precedents. **Mr Angelescu** pointed out that no cemeteries would be affected by mining but that some lay in the area of the tailings lake and might be submerged. This was an example of emotive propaganda.

Romanian Academy

51. **Acad Dan Berindei** (President of the Section for Historical and Archaeological Sciences) stated that the Romanian Academy was free of political influence; its sole objective was the development of scientific research. It had decided to oppose the RMGC project because the mining project destroyed the area, because the risks of pollution presented greater potential economic disadvantages than advantages for Romania, and because partial preservation of the cultural heritage was no substitute for the total value of a very important site. Archaeological discharges were being conceded too easily. A treasure of humanity was at risk.

52. **Acad Mircea Sandulescu** spoke of the scale of the mining operations proposed – the 400m deep pit, the lunar landscape, the 600ha tailings lake and 180m high dam wall. As a geologist he stressed the danger for the Roman galleries from explosions, the risk of soil slide in the retaining dam and the long time it would take for flora and fauna to be re-established. He pointed out that local people did not want to leave the area and that no laws could force them to do so. The damage to Rosia Montana outweighed any profit and other sites in the Apuseni Mountains had more to offer. The Academy had commissioned a study on alternative activities in the area.

53. **Acad Alexandru Vulpe** believed Rosia Montana was a significant European archaeological site. On-going excavations were revealing it as one of the most significant mining sites in the world. The landscape was of national Romanian importance. The ideal solution would be to develop an archaeological park and leave as much as possible in situ. The 2000 year-old Roman galleries could be a very significant tourist attraction. He contrasted the Hallstatt salt mine (Austria) where nothing now remained of the archaeological material that had been excavated from the necropolis. He underlined the risk of cyanide poisoning which contravened EU legislation and thereby jeopardised Romania's admission to the EU.

Ministry of Environment and Water Management

54. **Mr Ioan Jeleu** (Secretary of State for Environmental Protection) described the structure of the ministry which was divided between environment, water management and European integration. **Mrs Liliana Bara** (Secretary of State for European Integration) detailed on-going negotiations in July and September with the EU on conditions for a transitional period relating to six sensitive environmental directives (Ch 22).

55. With regard to the Rosia Montana project, RMGC had first applied in 2002 for an environmental permit without giving the necessary technical papers (including an environmental impact assessment). In 2003 RMGC withdrew its initial request, undertaking to submit a new request in compliance with regulations. In the meantime EU harmonisation negotiations was going ahead and the situation was changing. Informal advice was being given by the EU Commission. Sensitive activities (such as mining and nuclear plants) would have to receive a permit from the government (rather than any individual ministry). A special commission would have to be set up (with scientific experts from Romania and from neighbouring countries). Water management was part of the environmental permit and the poor record of Minvest in the area had made this a sensitive issue. Cyanide processing was used in the EU but other techniques might be found to be more profitable and less polluting. When the risk involved in the project could be assessed, corresponding conditions would be drawn up (technological and relating to sustainability). The conditions could render the project no longer viable. If accepted, further controls would have to be imposed on the project on a step by step basis with assurances given in the form of monetary (possibly gold) deposits.

56. Pending an application from RMGC and its acceptance, activities such as archaeological excavation and purchasing of property were being carried out at the company's own risk and with no guarantee of the project going ahead.

Ministry of European Integration

57. **Mr Leonard Orban** (Deputy Chief Negotiator for Romania's accession to the European Union) was coordinating negotiations including Ch 22 environment and Ch 1 free movement of goods. Full compliance was now demanded before entry (and no transitional period permitted as had been the case with the earlier round of accessions).

58. The request for the Rosia Montana project had at present been withdrawn by RMGC. The main issues it raised were environmental and Ch 22 was particularly strict (with regard to environment and heritage). All new projects had to have an environmental impact assessment at the project stage. The Romanian Government planned to sign the EU Treaty early in 2005 and join the EU on 1 Jan 2007. The Rosia Montana project was therefore being very carefully watched lest it interfere with this timetable.

Romanian Parliament

59. **Mr Alexander Sassu** (Chairman of the Parliamentary Inquiry Committee on the Rosia Montana Project) explained that his report had been adopted by the Cultural Committee in June last year but not yet debated in Parliament. Nothing had significantly happened in the meantime. With 4 million USD spent on them the archaeological excavations in Rosia Montana were the most important in Romania for 200 years. There was no reason to halt these operations at present.

60. **Mr Radu Mircea Berceanu** (Vice-President of the Chamber of Deputies) said that the question was not a political issue in Romania but more a matter of interested parties - those outside Rosia Montana opposed the project as they could not hope to sell their property at the high prices paid by RMGC. He had visited the area and met young protesters who admitted they had been paid to demonstrate.

61. They both agreed that a balance had to be found between cultural, environmental and economic and social interests. The project was important in cultural terms, being one of the largest archaeological operations in Europe and if it did not go ahead, no funds would be available for archaeology in the area to continue. The project was also a pilot project for the economic development of the whole area. If it was stopped there would be no such chance again for some time. There would also be a serious social problem as the current mining activity of Minvest was to be closed down over the next 10 years.

62. They contrasted RMGC with companies such as Minvest that showed no respect for cultural heritage or the environment. But RMGC had to be careful if it was going to receive a permit for the new project. The EU Commission and Romanian Government were watching especially carefully the environmental aspects and could intervene decisively against it if Romania's entry into the EU in 2007 was in danger of being compromised.

Further contacts with the media

63. At the end of the meeting with Mr Sassu and Mr Berceanu, the General Rapporteur gave an interview to waiting journalists in which he repeated the statement he had made at the meeting with the NGOs in Rosia Montana and confirmed that he would digest his findings and deliver his first preliminary report to the PACE Committee in October.

64. Finally the General Rapporteur gave an interview to the television journalist Cristina Oancea who was making a programme on gold mining in Romania. Asked about the significance of the Rosia Montana gold mines he referred to the stones from Rosia Montana in the National Museum, to Mommsen's waxed tablets and to the likelihood that much remained to be discovered through the programme of archaeological research which could be developed for tourism to the benefit of the local community. Asked if Rosia Montana would qualify to be designated a Unesco World Heritage Site he said that this depended on what was discovered and how it was developed, and that it would be for Unesco to decide. Asked about the Apuseni area he commented that he was impressed by its beauty. Asked about his most significant impression he said, visiting the gold mines, which had also left a physical impression on his head.

III. Appendices

(a) **Mission statement** (issued before the study visit on 7 July 2004)

Study visit on Rosia Montana by Mr Eddie O'Hara MP (UK) General Rapporteur on the Cultural Heritage, Committee on Culture, Science and Education, Parliamentary Assembly of the Council of Europe (Romania, 11-15 July 2004)

Rosia Montana (situated in the Apuseni mountains in the west of Romania) has been a site for gold and silver mining for over 2000 years. A new open cast mining project is under way. The General Rapporteur's attention has been drawn to the threat this poses to a site of cultural and environmental importance.

The aim of the study-visit is to

- evaluate the cultural importance of the site
- examine how far this is being taken into account
- explore scenarios for what might be done

The approach is culturally oriented. It complements environmental (European Parliament), commercial and social studies. It aims to place the cultural issues in the overall context.

The study-visit is being carried out at parliamentary level (and on the invitation of the Romanian delegation to PACE). It is not an expert mission. It is not linked to any non-governmental organisations.

In accordance with past practice, the role of the General Rapporteur is to seek to resolve problems of conflict of interest, to ensure proper account is taken of the cultural heritage and to do this in (and from) a wider European perspective. It is not judgemental, nor is it political in internal or external terms. Relevant recent examples have been investigation of the Ilisu dam on the Tigris in SE Turkey and the Olympic rowing facilities at Marathon.

Mr O'Hara will report back to the Committee on Culture, Science and Education (orally in September with a written report by October). Further discussion will follow. The aim is to assist the Romanian parliament in its handling of the situation.

(b) Programme of the study visit by Mr O'Hara to Romania on 11-15 July 2004

Sunday, 11 July 2004

22h15 Arrival of the delegation at Cluj airport and drive to Alba Iulia (24h00)

Monday, 12 July 2004

09h00 Meeting with Mr Mugurel Liviu Sârbu, Prefect of Alba, and Mr Teodor Atanasiu, President of the County Council of Alba

10h00 Drive from Alba Iulia to Roşia Montana

11h30 Meeting with representatives of the Rosia Montana Gold Corporation. Presentations on RMGC by Mr Dan Petrescu, Dr Corinna Bors and Dr Béatrice Cauuet and on the "Alburnus Maior" National Research Programme by Dr Paul Damian (MNIR)

13h30 Lunch in Abrud with members of the French archaeological team

15h30 Meeting with Mr Virgil Nicolae Narita, Mayor of Rosia Montana

17h00 On-site visits (a) surface Cârnic and Cetate (b) Cârnic galleries

Overnight in Albac

Tuesday, 13 July 2004

09h00 On-site visit (c) Roman circular tomb (Gauri)

09h30 Meeting with representatives from Alburnus Maior and Pro Rosia Montana non-governmental organisations

11h00 On-site visit (d) Orlea galleries and open-air museum

13h00 Meeting with Mr Richard Hill, President and Managing Director, RMGC

13h30 Drive to Cluj (via Baia de Arieş and Turda Gorges and lunch at Săvădisla)
visits in Cluj (Rex Matthias statue and St Michael's Church)

18h45 flight departure for Bucharest

Wednesday, 14 July 2004

09h00 Meeting in the Ministry of Culture and Religious Affairs with Mr Mircea Angelescu, Director for Historical Monuments and Museums, and Mr Ştefan Ioniţă, Director for Religious Affairs

10h00 Meeting in the Romanian Academy with Acad. Dan Berinder, President of the Section for Historical and Archaeological Sciences, Acad. Ioan Sandulescu and Acad. Alexandru Vulpe

11h00 Meeting in the Ministry of Environment and Water Management with Mr Ioan Jeleu, Secretary of State for Environmental Protection, and Mrs Liliana Bara, Secretary of State for European Integration

12h00 Meeting in the Ministry of European Integration with Mr Leonard Orban, Deputy Chief Negotiator for Romania's accession to the European Union

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- 13h00 Lunch hosted by Mr Gheorghe Buzatu, Vice-President of the Senate
- 15h00 Meeting in the Palace of Parliament with Mr Alexandru Sassu, Chairman of the Parliamentary Inquiry Committee on the Roşia Montana Project, and Mr Radu-Mircea Berceanu
- 16h15 Visit of the National Museum of History (Lapidarium and Treasury Hall) and the Curtea Veche (old quarter of Bucharest)
- 17h00 Interview for Romanian National Television
- 19h30 Dinner hosted by Mr Ghiorghe Prisacaru, Chairman of the Romanian Delegation

Thursday, 15 July 2004

- 9h20 Departure of the delegation from Bucharest airport

(c) Map

