Sub-regional conference

“Reducing Environment and Security Risks from Mining in South Eastern Europe and the Tisza River Basin”

Cluj-Napoca, Romania
11 - 13 May 2005

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<td>Austrian Development Agency</td>
<td><a href="http://www.ada.gv.at">www.ada.gv.at</a></td>
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<tr>
<td>ARD</td>
<td>Acid Rock Drainage</td>
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<tr>
<td>BAT</td>
<td>Best Available Techniques</td>
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<tr>
<td>BREFs</td>
<td>The Reference Document on Best Available Techniques</td>
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<td>CEU</td>
<td>Central European University</td>
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<td>EAP</td>
<td>Environment Action Plan</td>
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<tr>
<td>Acronym</td>
<td>Full Form</td>
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<tr>
<td>IPPC</td>
<td>Integrated Pollution Prevention and Control</td>
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<td>National Cleaner Production Center</td>
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<td>SEA</td>
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<td>SME</td>
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<td>TPP</td>
<td>Thermal Power Plant</td>
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<td>TRB</td>
<td>Tisza River Basin</td>
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<td>UK</td>
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<td>World Health Organisation / the European Regional Office</td>
<td><a href="http://www.euro.who.int">www.euro.who.int</a></td>
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Special thanks to Fritz Balkau

who is probably already enjoying
his more than deserved retirement,
for his generous contribution to the
UNEP work and in particular mining field.
It was an honour to work with you.
I. Introduction

Environment and Security (EnvSec) Initiative was launched by United Nations Development Programme (UNDP), United Nations Environment Programme (UNEP) and Organisation for Stability and Co-operation in Europe (OSCE) in 2003 in Kiev on the Fifth Pan-European Ministerial conference "Environment for Europe". The Initiative is aimed to provide a framework for co-operation on environmental issues across borders and promoting peace and stability through environmental co-operation and sustainable development. The North Atlantic Treaty Organisation (NATO) joined the Initiative last year as an associate partner.

Under the Initiative, UNEP carries out two-phases project “Reducing EnvSec Risks from Mining in South Eastern Europe (SEE)”. During the first phase Desk Assessment “Reducing EnvSec Risks from Mining in SEE” was developed with the aims to identify, delineate and catalogue mineral resource related sites that pose substantial risk to the environment, public health and safety, and regional socio-political stability in the SEE, and to provide information required to support work for trans-boundary risk and hazard reduction.

Currently, the project is entering the second phase, which will work towards implementation of the most promising options through demonstration at selected sites, and through an evaluation and testing of possible policy changes and trans-boundary co-operation mechanisms. At the same time some first actions to build national as well as local capacities in hazard identification and risk reduction will be proposed.

As the initiation of the second phase the sub-regional conference “Reducing EnvSec Risks from Mining in SEE and the Tisza River Basin (TRB)” was organized in Cluj-Napoca, Romania from 11th until 13th May 2005, in cooperation with Ministry of Environment and Water Management of Romania and with high-level participation of Mr. Klaus Toepfer, UNEP Executive Director, Mrs. Sulfina Barbu, Minister of Environment and Water Management of Romania, and Mr. Miklos Persanyi, Minister of Environment and Water of Hungary. The objectives of the conference were to draw up an Action Programme to reduce environment and security risks from mining in the region, including further assessments and pilot projects at high-risk sites, and to endorse guidelines for sustainable mining and closure of mines.

The Structure of the Conference

The conference consisted of three blocks:

- the EnvSec Programme for SEE - the objective of this segment was to allow the EnvSec National Focal Points (NFPs) and contacts from the Ministries of Environment and Foreign Affairs of the countries / territories in SEE to discuss
progress in the implementation of the EnvSec Initiative in the region,

- Mining Policies and Practices in SEE and TRB - the objective of the second segment was to discuss and develop recommendations for environmentally sound and sustainable mining practices in SEE and TRB. Discussions were based on the Desk Assessment and a paper on “Policies, practices and guidelines for sustainable mining: Mining for Closure and Closure of Mines for the Reduction EnvSec Risks”,

- High Level Round Table on Mining Policies and Practices - this segment brought together Ministers and high-level officials of Governments and participating organizations in a Round Table discussion on mining practices in SEE and the TRB.
II. The Environment and Security Programme for South Eastern Europe

1. Update by the Secretariat of the Environment and Security Initiative on Progress in South Eastern Europe since October 2004

During the “EnvSec Consultations for SEE,” held in Skopje, the Former Yugoslav Republic of Macedonia on 23 - 24 September 2004, following fields of action were identified and presented by the EnvSec Partners:

- managing and reducing trans-boundary risks of hazardous activities,
- management of trans-boundary natural resources,
- cross-cutting issues (awareness, information, education, etc.)

Under the each cluster Partners’ organisations are carrying out projects, starting with reducing envsec risks from mining in SEE with focus on Lojane mine in the Former Yugoslav Republic of Macedonia, as a very first pilot project, through improvement of the management of the trans-boundary natural resources such as: Sava, Tisza, Nistru and Prut Rivers, Prespa Lake, including a number of mountain ranges in the region. In addition, raising awareness, public participation during development of the projects, as well as, education and capacity building of specially targeted local groups present very important activities under EnvSec exercise.

1.1 Background of the Environment and Security in South Eastern Europe

Presentation by Mr. Raul Daussa, OSCE

Throughout this presentation main goals, framework and methodology of the EnvSec Initiative were explained. Moreover, main actors, chosen pilot regions and timeframes were presented. More information about the Initiative can be found at www.envsec.org.

Picture 3 Two facets of the environment and security
1.2 Managing and Reducing Trans-boundary Risks of Hazardous Activities

In the concept of environment and security mining operations and industrial activities, among other hazardous activities, are identified as activities that are posing potential trans-boundary risks in the region. The Initiative focus on programmes and projects contributing to the management of such trans-boundary risks, by providing in-depth risk assessments for decision-makers, identifying potential “hot spots” and recommending priority measures of mitigation and risk management on the national and regional level.

Reducing EnvSec Risks from Mining in SEE

*Presentation by Mrs. Jasmina Bogdanovic, UNEP Vienna*

During this presentation the brief overview of the project, including duration and phases was given. Main objectives of the on-going conference, with special attention to the second and third block were underlined.

The first phase of the project included development of Desk Assessment that tried to identify major environmental “hot spots” and possible trans-boundary implications in SEE. The second phase started with this sub-regional mining conference and it was aimed to draw an Action Programme, including further assessments and pilot projects and endorse guidelines for sustainable mining and closure of mines in the SEE region.

Feasibility Study for Lojane Mine

*Presentation by Ms. Anita Kodzoman, UNDP Macedonia*

The Lojane mine is abandoned mine since 1979 and the main environmental risks of this site are soil and underground water pollution, among many others. This mine was selected for the pilot project in order to provide the quantitative data and establish mining legacy and the capacity development needs. The negotiations with the government of Belgium and the Czech Trust Fund are in place. More information on this mine were given during the second day of the conference.

1.3 Management of Trans-boundary Natural Resources

EnvSec Partners are trying to improve management of trans-boundary natural resources in the region, under the second field of action, by strengthening trans-boundary and regional co-operation in the region, through specially designed workshops. Target groups of those workshops are representatives of the local Governments, non-governmental organisations (NGOs), local communities and other stakeholders. Moreover, recommendations for meeting short- and long-term community needs, regarding land and water resources of selected natural resources will be proposed.
Rapid Environmental Assessment of the Tisza River Basin, Including Environment and Security Risks

Presentation by Mr. Ron Witt, UNEP DEWA grids

The Environmental Assessment of the TRB was carried out by UNEP's Division of Early Warning and Assessment (DEWA) / Global Resource Information Database (GRID) ~ Europe office in Geneva, with support from the Regional Office for Europe (ROE) of UNEP in the framework of the EnvSec Initiative. The TRB Assessment looks at the entire series of issues - from the state of the natural environment to socio-economic factors - that are affecting and are affected by environmental change within the TRB. Key environmental problems and security concerns are identified, and recommendations on policy measures already taken, as well as new proposed solutions, are offered in the last section of the document.

The 65-page Environmental Assessment of the TRB is fully illustrated with maps and other graphic products and available through following web sites:

- UNEP/ROE, www.unep.ch/roe
- UNEP/DEWA~Europe, www.grid.unep.ch
- EnvSec Initiative, www.envsec.org


Presentation by Ms. Inkar Kadryzhanova, UNDP Regional Center in Bratislava

The overall long-term objective of this proposed project is to ensure that the integrated land and water management throughout the TRB meets the short and long-term requirements for optimum ecosystem function as well as the needs of the communities using the river. A subsidiary objective is to reduce the nutrient load into the Black Sea and improve its water quality.

To achieve the overall objective, the immediate objectives are to:

- develop and begin implementation of a planning framework at the regional and national level to deliver integrated management of water and land resources in the basin. The framework will be inclusive of the requirements of the European Commission (EC) Water Framework Directive and will build on assessment work undertaken by the UNDP as part of the TRB Sustainable Development Programme and the UNEP rapid environment status report of the Tisza basin,
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communities and stakeholders in the basin,
- mobilize funding for tackling priority transboundary issues in the next five to ten years, among others.

The long-term anticipated project outcomes are:
- establishment and functioning of an international river basin management body, within the existing legal framework,
- basin wide harmonised water policies and land use policies that will prevent future human interference in the natural processes of the basin,
- mechanisms for reversal or compensation for damage done in the past due to human interference.

The project proposal for the Global Environment Facility (GEF) funding (medium-size project) will soon be finalised and distributed to the riparian countries for review and endorsement by the GEF operational focal points.

Network Development of Local Actors from the Sava River Basin on Water Resources Management

Presentation by Mr. Raul Daussa, OSCE

After the completion of two national workshops in Brcko, Bosnia and Herzegovina in October 2004 and Sisak, Croatia in May 2005 with the participation of around 45 representatives from water suppliers, NGOs, and local / regional / national authorities, the last national workshop is scheduled for September in Serbia and Montenegro.

The project will conclude with a regional workshop in October 2005 that will be held in Zagreb, Croatia. As a side activity to the workshops, 40 participants joined a distance-learning course leading up to a diploma in International Environmental Law issued by United Nations Institute for Training and Research (UNITAR).

Real Time Monitoring and Decision Support Systems for International Rivers: Application to the Nistru and Prut Rivers

Presentation on behalf of NATO by Mrs. Jasmina Bogdanovic, UNEP Vienna

This project, which focuses on Moldova, Romania and Ukraine with strong leadership of Portugal, will be finalized by the end of this year. Regional co-operation and identification and development of the cross-border projects are priority areas.

In continuation, project objectives are to:
- purchase and install four automatic monitoring stations from Phoenix United Kingdom (UK),
- give a technical assistance and training by Phoenix and by the Portuguese Co-Director,
- establish a network for data and information exchange between Moldova, Romania and Ukraine.

The anticipated project outcomes are to:
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- collect data on water quantity and quality of the rivers Prut and Nistru,
- share data between Moldova, Romania and Ukraine.

Sustainable Management of International Waters – Prespa Lake

*Presentation on behalf of NATO by Mrs. Jasmina Bogdanovic, UNEP Vienna*

The presentation gave a short overview on the project that will end by 2008. This project is aimed to strengthen regional co-operation and to develop cross-border type of projects. Beneficiary countries from this projects are mainly Albania and the Former Yugoslav Republic of Macedonia with strong support of Greece and UK.

The main objectives of this project are:

- to understand the mechanisms behind the water loss in the Prespa Lake,
- to understand the changes in the water balance related to climate changes,
- to predict the effects of changes on quantity and quality of the Lake’s water,
- to establish recommendations on sustainable development based on the results of the project.

Expected project outcomes are:

- purchasing and installing the equipment (such as automatic meteorological station, water level recorder, equipment for the tracer injection experiment),
- training of young scientists,
- interpretation of satellite images,
- simulation and modelling of changes,
- monitoring report of meteorological data and tracer sampling data,
- recommendations for sustainable development to be presented to end-users at a final workshop.

Reducing Environmental Impacts of Agriculture in the Prespa Region

*Presentation by Mr. Peter Svedberg, UNDP Regional Center in Bratislava*

This project will seek to promote sustainable environmental practices in local communities in and around the Prespa Lakes in Albania and the Former Yugoslav Republic of Macedonia, by building the capacity of agricultural extension services and farmers’ associations on sustainable agricultural techniques. The long-term objective of the project is to significantly reduce the impact of agriculture on biodiversity, ecosystem function.
and water quality, through building the capacity of agricultural extension services and farmers' associations to promote sustainable agricultural practices in the trans-boundary region of the Prespa Lakes.

The project moved into implementation on 1st of February and the assessment of current capacities is under way. The submission of a report with recommendations was expected by the end of May. Installation of monitoring stations for insects and fungi took place in the beginning of May, along with trainings of stakeholders, an activity that will continue during the whole project. The regional inception meeting of the project staff in the two countries, was held in July in the Former Yugoslav Republic of Macedonia.

Enhancing Trans-boundary Biodiversity Management in South Eastern Europe

*Presentation by Mrs. Jasmina Bogdanovic, UNEP*

The project started in June this year and it will consist of two phases. In the first phase the Assessment of the state of trans-boundary mountain ecosystems, main threats and current management practices will be developed and, in combination with field trips, major critical sites in the region will be prioritised. These priorities will be, further, discussed with local stakeholders during regional workshop, that was announced tentatively for the October in Podgorica, Serbia and Montenegro. The first phase will be finalized by presenting the report on the first phase, including results from the workshop.

During the second phase, the project will support on-going Initiatives of trans-boundary co-operation of biodiversity and protected areas management, and facilitate collaborative and consultative processes (e.g. Peace Park).

Moreover, the project will support the establishment of the Network of Protected Areas and build capacity on selected topics at the sub-regional level. Second phase will be finalized by presenting the report on the second phase of the project and presentation of the results on the Sixth Ministerial Pan-European conference “Environment for Europe” to be held in Belgrade, Serbia and Montenegro in 2007.

1.4 Cross-cutting Issues (Awareness, Information, Education, etc.)

In order to improve awareness raising among local populations, access to information, help further enhancing the transparency of the local institutions and organisations and capacity building among local actors, including representatives of local governments, NGOs and many others, EnvSec Partners identified cross-cutting issues as a complementary field of action to the previous ones.

Postgraduate Course on Environment, Security and Diplomacy

*Presentation by Mr. Raul Daussa, OSCE*

The proposal is still under consideration as no feedback was received after Consultations in Skopje. The OSCE is preparing a feasibility study for Serbia and Montenegro that could be used as a basis for a regional study. During the later discussion the participants noted that Parliamentarians from the countries in focus would benefit as well of such course. EnvSec Partners are still studying the best approach to this project.

1.5 Environment and Security Initiative and European Union
Policy: Recent European Legislative Development Affecting Mining

Presentation by Mr. Philip, Peck, UNEP

In this presentation it was explained how the EnvSec Initiative seeks to act in parallel to recent policy developments in the European Union (EU), and where it differs. The session commenced with clarifications of which EU policy developments are directly targeted at mining activities, which are related to mining in some manner, and which act in combination with new and existing policies.

Very brief details were provided of existing EU policy items including inter alia:

- the Waste Framework Directive,
- the Landfill Directive,
- Integrated Pollution Prevention and Control (IPPC),
- Seveso II (revised) where tailings disposal for dangerous substances is covered,
- hazardous waste,
- Environmental Impact Assessment (EIA),
- Nature Conservation Directive(s).

These were then juxtaposed with two new policy developments. These being:

- the Directive of the European Parliament and of the Council on the management of waste from extractive industries (the mining waste directive), and
- the reference document on best available techniques (BATs) for Management of Tailings and Waste-Rock in Mining Activities (BREFs).

The latter document addresses management of tailings and waste-rock for 14 metals, ten industrial minerals, coal and oil shale and is directly linked to the Mining Waste Directive.

The latter part of the presentation then provided details of how these new policy frames would act in combination with EU policy tools for managing and reducing trans-boundary risks (in particular Seveso II), with policy for management of trans-boundary natural resource, and in policy areas for cross-cutting issues such as public information gathering, public awareness and consultation, and capacity building. Further, the process of adoption, implementation and enforcement of all treaties, regulations and directives passed by the European institutions and judgements laid down by the Court of Justice (the European Acquis Communautaire) in SEE was briefly discussed.

The presentation concluded with a suggestion that interested parties should examine source documents in the following locations:

Picture 7 Aznalcollar, Spain, 1998
In this section, representatives of the Governments from the region gave an updated on the latest developments from the “EnvSec Consultations for SEE”, that was held in September 2004, in Skopje, the Former Yugoslavia. The session concluded with discussion during which was highlighted the importance of establishment of the cross-border environmental monitoring and early warning systems, as well as, trans-boundary biodiversity management.

2.1 Albania

Albania, having as an overall goal of its foreign policy the integration in EU, is fully dedicated to influence in any positive manner, through its highly appreciated moderating role, the acceleration of integration processes in the whole region. In this context, Albania has considered the EnvSec activities as a solid ground for fostering relations in the field of environment protection between and among all the countries in the region. Regarding the management of shared ecosystems and natural resources Albania has concluded several agreements and memorandums of understanding with the Former Yugoslav Republic of Macedonia, Greece and Serbia and Montenegro.

After the Consultations in Skopje, September 2004, Albania has appointed two NFPs of EnvSec, one from the Ministry of Foreign Affairs and other from the Ministry of Environment.

Regarding the first filed of action, Albania has significant environmental challenges created by the mining activities. As it is well known, Albania has produced the following main minerals: chromites, copper, ferrochromium, nickel and petroleum. The mining activities in the territory of the Republic of Albania are regulated by the Law on Mining of 1992, amended on September 2004. Also, there are in effect Law on Monitoring the Mining Activities and Law on Mining Closure.

There is a fact of high importance that up to now 97 mines have been closed and there are in the conservation 32 mines. In the future, closure of more mines is planned, or revitalized (some of them), in accordance with Albanian economical and environmental approach on sustainable mining development.

Regarding the second filed of action, currently, there are many on-going national projects on protecting the environment. In field of international co-operation the most prominent on-going project is the Lake Prespa Conservation.
and multilateral environmental co-operation. The country has institutionalized environmental co-operation with all neighbouring countries through framework environmental agreements that include management of shared natural resources and addressing risks from natural and accident hazards.

In view of the forthcoming EU membership Bulgaria has transposed the European legislation concerning IPPC, control of major-accident hazards and EIA.

Bulgaria is part to:

- the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters,
- the Helsinki Convention on Trans-boundary Effects of Industrial Accidents,
- the Helsinki Convention on Protection and Use of Trans-boundary Watercourses and International Lakes and the Espoo Convention on EIA in Trans-boundary Context, and
- the Danube and Black Sea Conventions and observes the obligations under the conventions.

In November 2004 an agreement between Bulgaria and Romania on co-operation in the field of water management was signed. The agreement creates conditions for efficient implementation of the relevant European legislation and Water Framework Directive in particular. It sets the mechanisms for efficient co-operation between the two countries in order to synchronize the measures for achieving a good environmental status of the Danube and Black Sea waters aiming at protection of human health and conservation of the rich biological diversity of Bulgaria and Romania. The agreement envisages also possibilities for active public and other stakeholders’ participation from the two countries in the planning of the water management on a basin principle.

Last month during bilateral meeting with the Ministry of Environment and Physical Planning of the Former Yugoslav Republic of Macedonia possibilities were discussed for establishment of a system for exchange of information in case of industrial accidents, nature disasters and other accidents causing air pollution, establishment of Belasitza Mountain as a trilateral protected area between Bulgaria, the Former Yugoslav Republic of Macedonia and Greece and drafting a Trans-boundary Strategy and Action Plan for ecotourism development in the region of Osogovo mountain.

Bulgaria sees the opportunity for co-operation under the EnvSec Initiative in the field of establishment of cross-border environmental monitoring and early warning systems and trans-boundary biodiversity management.

2.3 The Former Yugoslav Republic of Macedonia

The Former Yugoslav Republic of Macedonia takes an active part in the projects and activities of the international organizations and in particular the EnvSec Initiative. As a first step, the Former Yugoslav Republic of Macedonia has nominated the representatives from the ministries who will become the national environmental focal points. The main focus is on co-operation with all neighbouring countries, and in particular on the mining industry.

After the adoption of the law on environmental protection, Ministerial co-operation on the environmental activities has continued with the
establishment of the committee for crisis management. Co-operation with universities and the academy of sciences is also on-going. Establishment of the co-ordination body for the EnvSec Initiative is expected in September 2005.

2.4 Romania

Official representative from Romania informed the audience that Romania is determined to promote a coherent, pro-European and Euro-Atlantic policy towards the SEE countries, aiming at developing regional economic growth, promoting democracy, as well as ensuring security and stability in the region. In this context, the Ministry of Foreign Affairs of Romania pays special attention to the co-operation with EnvSec Initiative and is ready to continue to contribute in this framework to the EnvSec efforts to identify environmental problems posing security risks and to offer challenges or opportunities for co-operation in the SEE region.

Furthermore, it was highlighted that the EnvSec Consultations held in Skopje in September 2004 helped to better understand how important is to solve the environmental issues through co-operation between the countries involved.

From September 2004 the nomination process of the EnvSec NFPs was successfully finalised. Romania appreciates the idea to have such NFPs as direct links between the countries and the EnvSec Secretariat that will be able to act promptly in order to answer any question and to solve any issue that may appear on the EnvSec agenda.

In addition it was mentioned that during this period Romania is/was directly involved in organizing certain important regional and sub-regional meetings. Today when we are just starting our EnvSec Sub-Regional Conference, in Bucharest takes place the Eighth Summit of the SEE Co-operation Process (SEECP), a non-institutionalized regional co-operation structure aiming to consolidate and develop a real regional agenda through efforts coming from the SEE region. Romania is now at the end of its mandate as a Chairman-in-Office of the SEECP for the period 2004 - 2005 and we hope that in this position we have contributed to the improvement of the regional security and stability.

In addition, the latest developments on Bystroe channel were mentioned and explained and material distributed.

2.5 Serbia and Montenegro

Republic of Serbia

The representative from the Republic of Serbia informed participants, during his presentation, that existing problems did not change since Skopje 2004 and that they remind mostly the same. However, some actions in solving problems have been taken:

- Serbian Parliament adopted a set of laws that are regulating the area of environmental protection in December 2004:
  - the Law on Environmental Protection,
  - the Law on the IPPC,
  - the Law on the EIA, and
  - the Law on the Strategic Environmental Assessment (SEA),
specific tasks were delegated to local self-government units by those laws through specific trainings to the civil servants in all Government administration institutions,

under the Law on Environmental Protection a Fund for the environmental protection has been established with expectations to be operational during the next year,

the National Strategy for Sustainable Use of Natural Resources and Material Goods and the National Programme for Environmental Protection should be adopted this year,

the Law on Waste Management and the Law on Packaging and Packaging Waste are in the drafting stage,

the Draft Strategy for the Implementation of the Aarhus Convention is done within the framework of the Regional Environmental Reconstruction Programme (REReP) for SEE,

participation in Danube Regional Project regarding public access to information,

on-going successful co-operation with UNITAR and United Nations Economic Commission for Europe (UNECE),

the Agency for Environmental Protection was established in 2004, among other things.

Activities planned for the following period are to: prepare the action plans for the protection of air, water, soil, forestry, etc., establish the National Cleaner Production Center (NCPC), prepare local environmental action plans in 26 municipalities, strengthen international co-operation, identify bi/multilateral agreements needed between the countries (e.g. early warning), etc.

2.6 Kosovo (Territory under United Nations Interim Administration)

Main points stressed during this presentation were:

identification of hazardous activities posing potential trans-boundary risks:
- mining and industrial activities,
- other,

programmes and projects to manage trans-boundary risks:
- risk assessments for decision-making,
- “hot spots” identification,
- strategic priorities definition,

involvement of Kosovo (UNMIK) in EnvSec Initiatives:
- on-going,
- possible involvement in further activities:
  - cross-border environmental monitoring and early warning systems (EWS),
  - Environmental Assessment of Ibar and Sitnica River Basin including environment and security risks,
  - establishment of the international Peace Park project in the Prokletije / Bijeshkët e Nemuna Mountains,

conclusions:
- environmental protection in Kosovo (UNMIK) is facing big challenges. It is necessary to support economic and sustainable development, effective
infrastructure and environmental balance and achieve effective and efficient use of land and natural resources in a way that will prevent conflicts of economic and ecological interests,

- it is in the interest of all countries in the region not to make Kosovo’s (UNMIK) peculiar international juridical status an obstacle to develop profitable cross-boundary co-operation to protect the environment and prevent risks posed to public health and ecological balance.

3. Future Steps

The next Environmental Ministers conference “Environment for Europe” will be held in Belgrade in 2007, and therefore will be not only of major Pan-European importance, but also of significance of the region. Tangible outputs of the EnvSec Initiative culminating at the Belgrade Conference could include a charter on EnvSec, a regional programme on the reduction of mining risks, as well as a SEE network of mountain protected areas.

3.1 The Way to the Sixth Ministerial Pan-European Conference “Environment for Europe”, Belgrade, Serbia and Montenegro, 2007

Presentation by Mr. Otto Simonett, UNEP GRID-Arendal

The EnvSec Initiative was launched at the “Environment for Europe” conference in Kyiv in May 2003. The next venue of the Pan-European conference will be Belgrade in 2007. The EnvSec Partners will use this opportunity to showcase progress in the area - which already now, only two years after the Initiative’s launch is considerable. But besides showing progress there may be more, countries in the EnvSec sub-regions (currently SEE, Central Asia and the Caucasus) interested to endorse this co-operation through a protocol or sub-regional conventions. This session was aimed to put some of these ideas on the table and get feedback from the participants.

3.2 Preliminary Information on the Organization of the Sixth Ministerial Conference “Environment for Europe”, Belgrade 2007

Presentation by Mr. Aleksandar Vesić, the Representative of the Ministry of Science and Environmental Protection of the Republic of Serbia, Republic of Serbia, Serbia and Montenegro

Council of Ministers of State Union of Serbia and Montenegro established an inter-
Ministerial managing body with representatives of:

- the Ministry of Foreign Affairs of Serbia and Montenegro,

- the Ministry of Protection of Natural Resources and Environment and Environment of Republic of Serbia (currently Ministry of Science and Environmental Protection), and

- the Ministry for Protection of Environment and Spatial Planning of Republic of Montenegro,

aimed to coordinate organization of the Sixth Ministerial Pan-European conference “Environment for Europe”, to be held in Belgrade in 2007.

The Working Group responsible for organisational aspects of the event was established in September last year, while substantive part of the Conference will be main task of the Working Group of Senior Officials (WGSO). WGSO will be closely cooperating with European Environment Agency (EEA), Council of Europe, Commission of the European Communities, Organisation for Economic Co-operation and Development (OECD), European Bank for Reconstruction and Development (EBRD), OSCE, UNDP, UNEP, World Bank (WB), United Nations Educational, Scientific and Cultural Organisation (UNESCO), World Health Organisation the European Regional Office (WHO/EURO) and other organisations / institutions.
III. Mining Policies and Practices in South Eastern Europe and the Tisza River Basin

1. Overview of Issues and Options in Sustainable Minerals Development

*Presentation by Mr. Fritz Balkau, UNEP Paris*

Contemporary expectations are now that industry must optimize environmental and social outcomes as well as economic gain from its operations. This is a radical shift away from past practices that saw environment as a place for dumping wastes, or an inconvenient barrier to low-cost operation. At the same time, industry is now expected to pay much more attention to safety and security issues, including the protection of neighbouring and downstream (including trans-boundary) communities.

Modern technologies and management methods are now available to allow such “triple bottom line” objectives to be achieved simultaneously in most mining projects.

Improved transparency and communication is now also required in order to generate a supportive mood by affected stakeholders, including displaced or otherwise disaffected communities. Such advances are however only possible if a correspondingly modern investment policy and regulatory framework has been put in place. Government and industry need therefore to take measures that are complementary to ensure that the promised optimum performance is realized in practice. Collaboration is also desirable on the longstanding issue of abandoned and orphan mine sites, as these are too numerous and too costly for any one partner to be able to deal with them alone. UNEP has a number of programmes that provide countries and industries with information and assistance in addressing such problems.
2. Findings from the Environment and Security Desk Assessment Study and the Environmental Assessment of the Tisza River Basin

Presentation by Mr. Philip Peck, UNEP

This presentation provided the impressions and findings from the EnvSec Desk Assessment study “Reducing EnvSec Risks from Mining in SEE” that was produced in 2004. In addition, a number of mining related details and findings were presented from another important EnvSec study “Environmental Assessment of the TRB”. When viewed together, the two studies examined environmental risks, particularly those associated with mining, in most countries of SEE.

The Desk Assessment was performed in order to identify, delineate and catalogue mineral resource related sites that pose substantial risk to the environment, public health and safety, and regional socio-political stability in Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Serbia and Montenegro including Kosovo (UNMIK). The study aimed to provide information required to support work for risk and hazard reduction, particularly where such risks are of a trans-boundary nature. In contrast, the TRB study focused upon a wider range of items in the catchments area for the Tisza River (including portions of Romania, the Ukraine, Hungary, Serbia and Montenegro and

![Picture 10 Potential Accident Hotspots in the Tisza River Basin](image-url)
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Slovakia). These included:
- environmental policy items influencing activities in the TRB,
- socio-economic trends,
- the management of natural resources,
- the current state of the basin’s environment, and
- a range of environment and security issues related to natural disasters such as floods, droughts, landslides, potential high risk locations for accident pollution, the management of trans-boundary environmental impacts, and development alternatives for the TRB.

It was explained that the studies had found evidence of a multitude of sources for both chronic and acute pollution in the region and that most of the risk related “warning signals” for serious trans-boundary environmental accidents were also to be found in the subject countries. Details of serious Acid Rock Drainage (ARD), and heavy metal contamination were elaborated as was the risk of mass releases of toxic mine waste. As a part of this presentation, it was underlined that a significant number of sites or “hot spots” that appear to be of high hazard had been documented in the studies. Nevertheless, it was stressed that in order to provide the degree of site resolution required to prioritise action on the ground, a large amount of field assessment work remains to be done.

The presentation highlighted needs for (and opportunities offered by) trans-national cooperation surrounding a number of key issues related to past and present mining activities in the region. In this regard there was a high degree of overlap between the findings of the two studies. Key issue areas for priority action that were described included:
- risk reduction at abandoned and orphaned sites,
- risk reduction at operational sites,
- the development of new mining and re-mining operations aligned with sustainable development principles,
- the fostering of institutional frameworks for mining legacy management and sustainable mining and minerals processing, and
- the fostering of institutional frameworks and capacity building for better accident prevention, early warning systems, improved emergency preparedness and response measures.

In closing, it was stressed that there is a great need for proactive approaches to environmental and social risk reduction from this point onwards if mining related activities are to maintain or, indeed, win a licence to operate in the region.

3. Projects and Partnerships

3.1 Pilot Project “Closure of Lojane Mine”

Presentation by Mr. Dejan Mirakovski, for the Ministry of Environment and Physical Planning, the Former Yugoslav Republic of Macedonia

The main objective of this project is to carry out a Feasibility Study for the Lojane mine, which is identified as one of the mining “hot spots” that threaten the environment, public health and safety, both in local and a trans-boundary context. The antimony and chromium mine, almost on the border with Serbia and Montenegro, was closed in 1979 without any conservation measures taken. Nowadays, it presents abandoned mine site as waste storage.
This project will try to include following aspects: economic, legal, technical and environmental of sites clean-up, rehabilitation and future land usage, through collection of data, such as: topographic and morphological, climatic conditions, geochemical, hydro-geological, among many others.

The idea behind this project is to set up guidelines for decommissioning, rehabilitation and site closure with active participation of local communities and other stakeholders. Moreover, it will strength capacities of local institutions and companies facing similar problems. As a last part of the project, workshop on results of feasibility study will be organized.

3.2 Risk Mitigation – The Example of Rehabilitating the Baia Borsa – Nova Tailing Pond

_Presentation by Mr. Petru Danci, E.M. Borsa / Mr. Alexander Zinke, for Austrian Development Agency (ADA)_

The Baia Borsa mine (a branch of REMIN, Baia Mare) is located in northern Romania and exploits non-ferrous minerals. Its Novat tailing pond (valley type) is located in a remote mountain valley at 800 meters above sea level and was subject to a major accident in March 2000. After heavy rainfall on top of a big snow layer, the pumping station could not cope with the surplus water and the dam crest was overtopped. 40,000 tons of solid waste and 100,000 cubic meters of waters spilled out, with 20,000 tons of solids being transported further downstream into the Vaser, Viseu and Tisza rivers and creating a trans-boundary pollution incident.

After repairing and rebuilding of the dam in the year 2000, E.M. Borsa with its limited technical and financial capacity could not realize the complete rehabilitation and safeguarding of the damaged site. The continued risk of another big accident and the continuous pollution by leaked heavy metals raised the attention of Greenpeace, which consulted by Zinke Environment Consulting, Vienna, established in autumn 2001 a co-operation with REMIN and jointly prepared an investment portfolio (October 2002).

The Austrian government decided to finance the Novat rehabilitation project which was executed in 2004: The beneficiary did most of the works (larger pumping capacity, better dam drainage, new exfiltration pond and independent power generator, improved access roads) which were supervised by an independent expert team. REMIN co-financed 30% of the project, which has a total of only 284,000 Euros. As a result, the closed water circuit of the main and exfiltration ponds with the flotation plant could be re-established and the Novat site became safe again in November 2004. The ADA project can serve as an example of small scale, efficient and sustainable rehabilitation of a high-risk mining site.
3.3 Design of Remediation and Recultivation of the Mojkovac Lead and Zinc Tailings Impoundment

Presentation by Mr. Goran Sekulic, the Representative of the Ministry of Environment and Physical Planning of Montenegro, Republic of Montenegro, Serbia and Montenegro

Mojkovac mine was operational between 1976 and 1991 that was exploiting lead and zinc that established tailings impoundment nearby Tara River. Impoundment is also used as a waste deposit from the city Mojkovac and as such pose great health and environmental risks. In order to solve the problem biggest mining institutions gather together around the project for remediation and recultivation of this tailings impoundment. The project was presented more in depth, including concept design, in this session and it was highlighted that it is fully ready for implementation, but financial support is missing. Estimated cost only of the first phases of the project is 1,4 million of Euros, while for implementation of full size project 9 millions of Euros are still missing.

3.4 Governance Principles for Foreign Direct Investment in Hazardous Activities

Presentation by Mr. Stephen Stec, the Regional Environmental Center (REC) for Central and Eastern Europe

Principles of Good Governance are a tool for reducing risk in mining and other hazardous activities for stakeholders, operators, investors and authorities. Good Governance, entailing formal and informal institutions to establish a system of accountability and responsibility in decision-making to build trust and capacity to cooperate, is a crucial tool also for promoting development. The Good Governance principles were launched at the World Summit on Sustainable Development in Johannesburg 2002, and focus on investment, national as well as international. The principles cover themes including corporate good citizenship, company environmental policy, public participation and stakeholder relations, environmentally responsible corporate values, and accident prevention and management.

General principles on corporate responsibilities include the Polluter Pays principle, and public accessibility and precautionary principles. On hazardous investment, principles such as the utilisation of Sustainability Impact Assessments, continuous EIA, and financial assurance were highlighted.

The special context of mining requires special solutions: the long time-frame with regards to markets and legacy damages, environmental justice encompassing the situation for marginal communities and disadvantaged groups and minorities, and the strategic value of the production, are all factors that demand that the solutions take them into regard. The Cluj Declaration could endorse the
governance principles for Foreign Direct Investment in Hazardous Activities, and consider principles as a contribution to dialogue in potential mining projects.

### 3.5 Responsible Mining in Romania

**Presentation by Mr. Alexandru Ozunu, Environmental Partnership for Mining**

The mining is undergoing intensive restructuring, especially in Romania. In the region exists very strong needs for modernisation of mining and “recovering” of public trust. The mining problem is enlarged by insufficient funds and lack of actions and there are very strong requirements for defining the future work.

### 3.6 Mining and Communities: Dilemmas and Opportunities

**Presentation by Mr. Alexios Antypas, Central European University (CEU)**

Controversies over mining projects the world over during the 1990s have led to a fundamental re-evaluation of how the industry functions and relates to other stakeholders in the course of its operations. Increasingly, mining projects are viewed not simply as means of stimulating economic growth and profits, but are being considered for the role that they can play in the more ambitious project of sustainable development.

In order to contribute to sustainable development, and to avoid the pitfalls that intense conflict with other stakeholders can bring, mining firms must establish cooperative relationships with local communities and contribute to local sustainable development and community wellbeing. In addition to taking account of traditional local issues such as worker safety and occupational health, modern mining firms must grapple with more challenging community demands for community stability and integrity, indigenous rights, participation in decision making, environmental and social justice, and control over local mineral resources.

Best practices that contribute to industrial modernization, provide capital for sustainable development, abide by voluntary codes of conduct, and develop negotiated agreements with impacted communities are now recognized as integral to a socially acceptable mining industry in the 21st Century. Negotiated agreements can bring many positive benefits to impacted communities while providing needed stability and legitimacy for mining projects.

### 3.7 Improving Operational Control by Educating an Industry

**Presentation by Mr. Victor Roggeveen, for Shell**

During this presentation BOW TIE incident model (structured analysis of incidents) used by the oil industry were presented, while the similarities with Baia Mare accident was underlined. Other type of analysis called TRIPOD incident analysis can be used for similar processes on different sites for analysing incidents affecting biodiversity. Baia Mare case study is on-going and there will be documentary video, abstract for training purposes and other learning materials available very soon. In addition co-operation though EnvSec Initiative with Shell was proposed.
Conclusions from the Morning Session

- Helpful to understand the local situation.
- Utilize some presented initiatives as a start point for solving problems.
- Costs of remediation quite high (e.g. Mojkovac mine), the long term maintenance costs (how much per years, how many years) should be taken into consideration.
- No concerns regarding the emergency planning; lack of discussion regarding this issue.
- The final land use – decisions should be done before not after starting remediation.
- Mining sites are possible sources of low cost incomes – remaining might be cheaper than rehabilitation.
- Trust should be rebuild through demonstrations, talking is not enough.

4. Participation, Administration and Finance

4.1 Working Group I: Community Projects on and around Old Mine Sites, Re-mining and Commercial Minerals Development Opportunities at Old Mine Sites

Main discussion question: How do you turn a liability into an asset?

Moderator: Mr. Fritz Balkau, UNEP DTIE

The session was in effect a brainstorming regarding different actions that may be taken. Suggestions given were:

- privatization of mines - selling them to private enterprises, returns to the population. Economic incentives are a presumption for this option - the mine needs to give some sort of profit for the company buying it. In the process of negotiations for the sale, it is important to maintain the "clean-up commitment", and ensure that it does not get lost in the process,
  - cultural projects, promoting Small and Medium Enterprises (SMEs), for example:
    - cultural projects, promoting Small and Medium Enterprises (SMEs), for example:
      - old mines turned into "mine museums",
      - agricultural/forestry projects, recultivating the mine site, including facilitating secondary enterprises (food processing, handicrafts, carpeting, etc.),
  - local Agenda 21s - giving the community a "vision" originally, rather than imposing it,
  - Environmental Action Plans (EAPs) initially promoting participation.

The applicability of these options faces challenges:

- the lack of capacity of the communities to organise themselves - the region suffers from the heritage of top-down government, not allowing civil society to organise itself,
- communities more readily endorse s.c. "brown field projects", projects where results are cleary and rapidly visible.
Nonetheless, other projects are equally important for the remediation of the sites, and the "clean-up for what" question is essential to these options. All above suggestions have the implication of being case specific; not all mines can be turned into museums. The mine project activities must include a feasible evaluation of the outcome of the clean-up; answer the question "clean-up for what?", a serious challenge is that once the mine leaves, it is difficult to save the communities building upon it.

4.2 Working Group II: Financing Risk Reduction and Clean-up, Bankability, Legal and Regulatory Action

Moderator: Mr. Philip Peck, UNEP

The second group addressed topics surrounding:

- the financing of risk reduction and clean-up activities,
- the bankability of mining projects, and
- legal and regulatory actions required to support projects for mining and mine closure and mining legacy clean-up.

At the commencement of the session, the audience was presented with an outline of the topics open for discussion. The following topics were displayed and the audience was requested to suggest specific areas of interest for discussion.

The discussion on the financing risk reduction (and clean-up) included:

- important financing issues,
- realities of finance markets.

Bankability, on the other hand, included:

- financial status of projects,
- financial arrangements,
- “quality of investors”.

The issue of legal and regulatory action took into account following:

- legal frameworks for mining,
- legal frameworks for closure,
- regulatory action for enforcement.

Throughout this working group particular circumstances demanding special considerations in the context of the mining industry were identified, such as great state ownership and thus interest in the industry, and large risks of environmentally devastating accidents deterring investors and insurers to take financial risks. Conclusions of the group regarded that clean-up should be goal-oriented in such a way as not to deter investment and thus acknowledge that it can never be 100% clean, a gap between the donors’ interests and project proponents often leads to less capable projects being funded, and the importance of documenting manual of common or best practice that "speak the same language" for mining was also underscored.

Detailed discussion on this working group is described under Annex III.
4.3 Introduction of Contemporary Environmental Monitoring System in Coal Mining Industry of Bosnia and Herzegovina

Presentation by Mr. Zvjezdan Karadzin, Tuzla Mining Institute

Bosnia and Herzegovina has extensive brown coal and lignite deposits, as well as mountainous terrain and ample rainfall. Therefore, Bosnia and Herzegovina utilizes a blend of both thermal and hydroelectric power plants for the generation of economical electricity.

Numerous surface and underground coal and lignite mines are scattered throughout Bosnia and Herzegovina. Many of these mines, particularly those clustered in the Middle Bosnia and Tuzla areas, respectively, provide fuel for the Federation’s two thermal power plants (TPP), the TPP Kakanj and the TPP Tuzla, which are both operated by “Javno Predsuzece (JP) Elektroprireda Bosnia and Herzegovina (EPBiH)”. The other two operational TPP Gacko and Ugljevik, situated in the Entity of Republic of Srpska, are operated together with respective mines as joint companies.

Rebuilding of the energy sector was one of the primary goals during the post-war period, since economical energy is vital both for the war rebuilding process itself, as well as for easing the transition to a market economy.

The cost of fuel is a tremendously large percentage of the cost of generating electricity at TPP. Consequently, improving and
modernizing the coal mines that provide the fuel is critical to providing economical energy to fuel sustainable economic growth.

Presently, not only coal, but entire mining industry of Bosnia and Herzegovina is passing through a difficult phase of transition. Several restructuring studies have been produced for coal industry of Federation of Bosnia and Herzegovina, developed by Tuzla Mining Institute, Marston&Marston company and German company Deutsche Montan Consulting (DMT) aimed to be a solid base for solving numerous problems this industry is facing with. The issues relating to obsolete technology, chronically overmanned mines, lack of funding required for maintenance of equipment and insufficiently safe working conditions in underground mines put in question survival of a number of mining operations.

In such a situation the environmental issues are inevitably put aside. Unfortunately, these issues were only marginally addressed in mentioned restructuring studies. However, such practice has to be ended soon. Further ignoring of these issues would lead to chaos both, on the account of environment and significant reduction of chances for Bosnia and Herzegovina to be included in contemporary European integrations.

This presentation gives a brief overview of an on-going pilot project carried out in Kreka lignite basin. It concerns introduction of contemporary environmental monitoring system in operations of “Kreka” Coal Mines Enterprise. This is conducted in the frame of the current preparations for inclusion of Bosnia and Herzegovina in European Environment Information and Observation Network (EIONET) and will be carried out using Geographic Information System (GIS) applications.

4.4 Management of Waste from the Extractive Industries in Slovakia

Presentation by Mrs. Vlasta Janova, the Representative of the Ministry of the Environment of the Slovak Republic

The presentation commences with summary of mining in the Slovak Republic, due to the long history of the mining practice and its long-term impact on environment. Throughout the years mining activities were / are making the changes in land configuration, hydro geological regime, chemical composition of surface, among many others. The very first complex inventory of the mining sites was done in the period from 1992 until 1997, and second one between 1998 and 2000, focusing activities on GIS creation, comprising all mining activities in this country. Furthermore, Impact Assessment on Mining is on-going, as well as, prioritization of the sites for remediation.

Picture 13 Poproc Mine, Slovakia
Question: How membership in EU influenced these activities, is there more funding?

Structural and cohesion funds are available for new member states, while inventory and priorities are already prepared. The law on Contamination is under preparation.

4.5 Mining and Environment

Presentation by Janos Foldessy, University of Miskolc, Department of Geology and Mineral Resources

The Hungarian representative explained that, due to the large population density in the areas of abandoned mining sites, the rate of unemployment is around 18 – 20% that raises social tensions. At the same time the competition for land use is very strong and mining is not a winner. In addition, large environmental problems, such as bauxite and red mud dumps, uranium, etc. are still present.

Furthermore, the main institutes and authorities in charge for mining were listed:

- Ministry of Economy, as a responsible body for the mining activities in the country,
- District Mining Authorities,
- Hungarian Geological Survey,
- Green Authority e.g. Ministry of Environment and Water, as a responsible body for environmental, natural protection and water management.

It was stressed out that the Hungary adopted already EU regulations and that Mining Act got into the force back in 1993.

In the final part of the presentation example of good environmental practice was given (Mecsek underground uranium mine), besides the future trends and developments in Hungary (such as: continuing with mining activities with financial and technical guarantees requirements, introducing new techniques that are more environmentally friendly, introducing industrial ethics).

4.6 Mining in Kosovo (The Territory under United Nations Interim Administration)

Presentation by Mr. Gani Maliqi, University of Prishtina

Problems around main abandoned mining site in Kosov Trepca complex were illustrated during this presentation. Trepca complex includes metallurgical and chemical facilities that, at the present time, have no on-going operations and can just be regarded as a number of contaminated sites passively generating dust emission to the air and water contamination through erosion and drainage waters. Removing hazardous materials, demolishing buildings and equipment (with no possibility of reuse), cleaning up the sites, stabilizing and covering waste dumps and ensuring that contaminated water streams are treated before being let out to the recipient are solutions for those heavily polluted sites.

The complex is currently under UNMIK administration and some environmental studies have been done, for example tailings closure plans and site clean-up programmes, and tailings rehabilitation actions undertaken. Regarding legislation in Kosovo (UNMIK), Environmental Protection Law already exist and Independent Commission for Mines and Minerals was established on the beginning of 2005. Moreover, draft of Mining Law was developed earlier this year and its status is to be approved.
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Some of the problems to be overcome were “brought to light”: lack of flexibility, poor management, large workforce and strong unions and above all unemployment.

4.7 Mining for Closure: Policies, Practices and Guidelines for Sustainable Mining and Closure of Mine

Presentation by Mr. Philip Peck, UNEP

With this presentation, the EnvSec Initiative launched a draft document intended to support the articulation and adoption of policies, practices and guidelines for (more) sustainable mining and closure of mines that are also strongly supportive of the reduction of environment and security risks in SEE. The document was presented as a foundation for formulating a new set of principles to guide corporate practice, regulatory frameworks, governance guidelines and financial and insurance markets towards for the support of a modern mining industry in SEE.

The key foci of the presentation was how to promote:
- operations that can ensure or facilitate the operation of existing and new mining operations in order to ensure and facilitate cost-effective closure that fulfils acceptable sustainability requirements,
- the re-mining or otherwise valorising “mining legacy” sites in order to make safe and remediate and close them (including finding other uses/economic value from sites), and
- the closure, making safe and remediation of legacy sites.

It was stressed that EnvSec has initiated this work because, to date, there has been no significant and visible attempt by international bodies to examine the issue of abandoned and orphaned sites. As such, no intergovernmental body is seeking to provide guidance to national and international institutions in their role as definitive stakeholders in mining activities. Further, it was highlighted that this

Conclusions of the afternoon sessions

- Mining industry is based on economy development.
- Reactivation of mining industries gives the possibility for development of environmental improvements programmes.
- All mining activities should be in compliance with environmental standards.

Follow up session

- Found community based solutions.
- Strong necessity for “mining” inventory – databases, mapping, etc.
- Define / find policy instruments.
- Organize training courses for capacity building and strengthening already existing capacities.
- Improve the mechanisms of knowledge sharing among countries in the region.
important deficiency in international action has serious implications for the region in focus.

After introduction of the topic, the presentation highlighted the many areas where policy failures or technical issues can lead to abandonment of mine sites – and how most or all such scenarios are avoidable. Good policy and practice embodying such preventative approaches was described as “mining for closure”. Further, the point was made that there are very clear advantages for governments and business to pursue such practices. A large number of such areas were highlighted and explained. A list of nearly 20 principles was then presented as guidance for how jurisdictions, policies and work approaches should be formulated.

In the closing part of the presentation, a number of suggestions for evolving institutional frameworks were provided. Dealing with mining in general, it was recommended that participants should:

- establish detailed and consistent mine closure requirements and procedures across the region,

- encourage the development of an independent mine closure law that establishes a single agency for implementation in each country and seek regional consistency

- embark on a capacity-building programme to enhance the ability of national agencies and mines inspectorates so that they can deal with the legacy of mining sites in the region and to ensure that new mining projects are based on sound environmental and security principles.

In the context of orphaned and abandoned mining sites, it was recommended that:

- countries in the region should inventories and prioritise amongst legacy sites in order to be ensure the best use of public and private funds,

- the potential of partnerships (including trans-national partnerships) for remediation of orphan and abandoned mining sites that focus on the creation of future economic and social values in the context of a healthy environment, should be explored, and

- different forms of partnership and innovative, flexible and forgiving frameworks for indemnification against potential liabilities in the first “case study site” rehabilitation projects, should be tested and experimented.

Presentation by Mr. Foldessy Janos, for EU

The proposed EU directive on waste management is being prepared and will include general provisions and principles on all types of waste, and thus cover waste from mining activities. The principles it applies is to prevent or reduce waste production and hazardousness, recycling and recovering of waste and energy from it, safe final disposal, and the principle of “polluter pays”. Also the Landfill Directive covers mining waste, insofar as it also covers authorisation systems, control procedures, pre-treatment of waste, methane recovery and the internalisation of costs. Other EU legislation relating to mining waste is: IPPC, Seveso II (revised), Hazardous Waste, Water Framework Directive, EIA, Nature Conservation (Habitats/Birds Directive).

The EU focus on Mining Waste Directive stems from the understanding that mining waste has a significant environmental impact and is a world problem, in that it leaks acid waters to ground waters and aquifers, suspended solids and dust spreads widely, and there are large volumes of hazardous substances involved. This illustrates the need of a specific legal framework, as the Waste Framework Directive only contains general requirements, and the Landfill Directive is insufficient and not suitable to handle the specific character of mine waste.

The proposed directive "Management of Waste from the Extractive Industries" is a “stand alone” directive, and once in force, the Waste Framework and Landfill Directives will not apply to mining waste. The Directive is designed so that the operator will take all measures, also after the closure, to prevent or reduce adverse effects on the environment and human health from a mining operation. It deals with major accidents by requiring safety managers and a safety management system, which includes internal and external emergency plans and a notification mechanism in the event of a major accident.

In the commentary session after the presentations, the necessity to translate the subject of the presentations into actions was noted. As there is no absolute safety and zero risk of accident, the notification mechanisms were highlighted as especially important, and also the importance of having barriers so that the consequences of accident are not spread too far. The systems of notification entail focal points, communication, and challenges such as trans-boundary issues. In this area, there are lessons to be learnt from other organisations, such as the Danube River notification system.
IV. High Level Round Table

Chairman: Mr. Fritz Balkau, UNEP DTIE

Those session brought together Ministers and high level officials of Governments and participating organisations in a Round Table Discussion on mining practices in SEE and the TRB. The Round Table discussed the outcomes of the first two blocks.

Keynote speakers at the Round Table were:
- Mrs. Sulfina Barbu, the Minister of the Environment and Water Management of Romania,
- Mr. Miklos Persanyi, the Minister for Environment and Water Management of Hungary,
- Mr. Klaus Topfer, the Executive Director of UNEP, and
- Mrs. Soknan Han Jung, UN Resident Coordinator in Romania.

Other panellists introduced were:
- Mrs. Stephanie Roth, the Representative of the Alburnus Maior NGO,
- Mr. Richard Hill, the Managing Director of the Rosia Montana Gold Corporation
- Mr. Janos Zlinszky, the Representative of REC, and
- Mr. Raul Daussa, the Representative of OSCE.

Ms. Sulfina Barbu, the Minister of Environment and Water Management of Romania

Opening remarks

The tradition of mining in Romania reaches back more than 1000 years, and the country is rich in variety of mineral resources. During the last decade, the development of the industry has moved towards minimizing the risks and the impact on the environment of accidents, and paying due attention to environmental management. Many activities are on-going in the country, such as the Tisza river basin project, co-financed by WB among others, and including EnvSec. There is a new department for protection of soil at the Ministry and a proposal for the waste management from the extracting industry. A reference guide for the best available techniques in mining has been finished with a EU working group. The report of the conference will establish the directions to follow in Romania and in the region, guided by the principles of partnership between government and civil society, having the goal of improving regional safety, and based on the aim of Romania as a future member of the EU.

The development issues also underscore the importance of the Millennium Declaration.

Mr. Miklos Persanyi, the Minister for Environment and Water Management of Hungary

From Hungary’s perspective, the handling of environmental issues and mining problems in the region is a priority, as proper environmental practices are needed in operating and closed down mining sites. Hungary supports and has an interest of the EU accession process in Romania. Another priority for Hungary is the implementation of...
the EU directives on management of waste and hazardous waste. To meet these directive requirements, measures in the TRB territory should be prioritised. Recent years experiences show serious losses in aquatic lifeline in the TRB. As potential pollution sources, mining activities and mining waste has a special role, and the pollution of downstream countries' territories, and specifically such activities on Hungarian territory, need to stop. There is an opportunity to use different funds for the pilot projects, one candidate of which is Baia Mare, and another one is the Rosia Montana project with its large public interest.

Mr. Klaus Töpfer, the Executive Director of UNEP

Mining without consideration of its impact on the environment is unsustainable, there is a producer responsibility until the end of the life cycle that needs to be acknowledged. In this regard, the understanding that there are more costs to handle afterwards, rather than planning in advance is a concept to be embraced by mining actors. It is also important when the costs are paid and who pays, and how. Health problems are “payments” that are often overlooked. Liabilities for consequences and Good Governance are closely interlinked with economic development, social justice and the environmental protection. The whole region will now identify “hot spots” as an outcome of this meeting, and the pilot projects will draw lessons to be used in other countries of the world. Clean up activities are also job-intensive, and there is an opportunity for integration of the people who lost jobs as mines have shut down. The issues suggest that sustainable mining is not only a question of mining people, but also a common concern of us all.

Ms. Soknan Han Jung, the UN Resident Coordinator in Romania

The UN in Romania has assisted the host country while suffering the floods in the spring, where thousands of people were displaced. When adopting the Millennium Declaration and the Millennium Development Goals (MDG), world leaders committed themselves to reduce the global poverty. The concept of sustainable development is tangible and evident: if people are poor environment suffers. The EnvSec Initiative has as its target to promote cooperation on environmental problems. Mining is a specific target of criticism in this context, because it has such visible impacts on the environment. At the same time, the mining sector is an important contributor to local and national economy, and a major source of income in SEE. How to prevent accidents is thus a priority issue, and to reduce risks and consequences from mining. Good Governance and industrial structures to achieve environmental goals, social benefits and a balanced economy are crucial factors on how mining can contribute to the well being of people. Some priority areas of intervention are access to relevant information to improve the public participation, partnerships between the private sector, governments and civil society, respect for the biodiversity, maintaining social cohesion and protecting cultural diversity. The large number of Initiatives under the umbrella of EnvSec will help coordinate better and pull the resources together.

Mrs. Stephanie Roth, the Representative of the Alburnus Maior NGO

Remarks made during the conference regarding the property owners that have come together to form Alburnus Maior implied that they are seeking parts of the profit of a mining
enterprise in Rosia Montana. This is not true. As the organisation opposes the project altogether, there can be no wish to take part in any profit. In addition, statements were made regarding Alburnus Maior being part of a global anti-mining campaign, which also is not true. There is a global campaign against irresponsible mining, consisting of communities all over the world who have been directly affected by mining, of which Alburnus Maior is a part. This campaign, including this NGO, is pushing for the enforcement of sustainable development and justice. Thus, Alburnus Maior considers the above-mentioned statements as being defamatory, and if the discussion is to take community voices into regard and empower them, it is important not to label into clichés, but listen to what they actually have to say.

Mr. Richard Hill, the Managing Director of the Rosia Montana Gold Corporation

The private sector takes a position in relation to mining that acknowledges its costs and benefits in the history of Romania. It also recognises the need to be aware of the place of mining companies in society and their responsibilities, and the importance of working with the local community in a longer term and sustainable manner. The mining industry relies on the voluntary action of its investors, and for companies to meet the wide range of demands placed on them there is a need for a system with appropriate technical and commercial conditions as well as the conditions to maintain social wellness. This could be obtained through a framework, which provides a holistic approach to the wide range of issues. The challenges to be met are that the mining industry has a bad reputation that has caused a decrease of trust in mining enterprises; there is great unevenness of the standards and expectations in the different parts of the world; and that it is not well recognised that the industry does have the technical capacity and the willingness to understand and ameliorate the current risks, the need to ameliorate past poor mining activities, and to leave acceptable conditions after mining. However, these actions require money (which consumers need to recognise) and active and realistic social input (in which local communities need participate constructively).

Mr. Janos Zlinszky, the Representative of REC

Solving problems in the democratic way is an imperative principle. SEE is a diverse region, and we have to seek sustainability in the interventions, and in this regard REC has tried to promote environmental democracy in the region over past 15 years. Precautionary principles have a specific importance, and REC therefore offers its participation in the finalizing the Mining for the Closure document. REC has experience in the multi stakeholder use, and creating a local vision is a first step in launch of multi stakeholder programme in the trans-boundary area. The sharing of natural resources is a tool for building trust, and building peace, and the facilitation work in stakeholder co-operation and communication is imperative in this work. There exists a capacity building need in the civil society, and a need for improvement of the access to information.

Mr. Raul Daussa, the Representative of OSCE

The OSCE representative stressed the fact that being a partner to the EnvSec Initiative, the OSCE can play a relevant role in reducing risks of mining in SEE, by implementing
activities in the field of good governance and private sector development, as well as promoting public participation on environmental decision-making and building the capacity of local actors.

During this session Cluj Declaration was adopted (see Annex IV).
Comments on this Report
by the Ministry of Science and Environmental Protection
Directorate for Environmental Protection
Republic of Serbia
Serbia and Montenegro (from 23 September 2005)

“The report is very thorough and covers all aspects of the conference. A clear picture is given of the topics that were discussed and conclusion that resulted from the various sessions.

The future prospects are given clearly, so a practical aspect of future actions may be expected.

Our most valued expectations as we had presented, are the risk of reduction by means of trans-boundary cooperation, including a network for data exchange and the development of an early warning system. This has been approved as one of the main future objectives.

We also insisted that more attention should be paid to design of tailings, for most of the occurred accidents are connected with excess rainfall. This would also include taking into account climate change, meaning the possible impact on design of tailings. We could not find any trace of this topic in the report.”
Wednesday 11 May 2005 (day one), Hotel Fulton

Arrival of the participants
15.00 – 15.15 Registration of the participants

THE ENVIRONMENT AND SECURITY INITIATIVE IN SEE (BLOCK I)

15.00 – 15.15 Opening session

- Opening remarks by EnvSec Partners
  
  Chairwoman: Ms. Inkar Kadyrzhanova, UNDP

15.15 – 17.00 Session 1: Update by EnvSec Secretariat on Progress in SEE since October 2004

- Background of the EnvSec in SEE
  
  Presentation by Mr. Raul Daussa, OSCE

- Managing and reducing trans-boundary risks of hazardous activities

- Management of trans-boundary natural resources

- Cross-cutting issues (awareness, information, education, etc.)
  
  Presentations by EnvSec Representatives, Ms. Inkar Kadyrzhanova, Ms. Anita Kodzoman, Mr. Peter Svedberg, UNDP, Mr. Raul Daussa, OSCE, Mrs. Jasmina Bogdanovic, Mr. Ron Witt, UNEP

- “Recent European Legislative Development Affecting Mining”
  
  Presentation by Mr. Philip Peck, EnvSec Consultant

- Discussion

17.00 – 17.30 Coffee/tea break

17.30 – 19.00 Session 2: Country Presentations on EnvSec Fields of Actions in SEE

- Up-dates since the “Environment and Security Consultations for SEE”, Skopje, FYRoM, 23-24 September 2004
  
  Presentations by countries

- Status of National Focal Points (NFPs) and National Coordination Groups (NCGs)
Presentation by Ms. Inkar Kadyrzhanova, UNDP

- Discussion

Session 3: Future steps

- The way to the 6th Ministerial Pan-European conference “Environment for Europe”, Belgrade, Serbia and Montenegro, 2007

Presentations by Mr. Aleksandar Vesic, Ministry of Science and Environmental Protection of the Republic of Serbia, Serbia and Montenegro / Mr. Otto Simonett, UNEP

- Discussion

20.00 Dinner

Thursday, 12 May 2005 (day two), Hotel City Plaza

08.30 – 09.00 Arrival and registration of participants (continued)

MINING POLICIES AND PRACTICES IN SEE AND THE TRB (BLOCK II)

09.00 – 09.30 Opening Session

- Opening
  - Opening remarks by UNDP Representative, Ms. Natalia Alhazishvili
  - Opening remarks by OSCE Representative, Mr. Raul Daussa
  - Opening remarks by UNEP Representative, Mr. Fritz Balkau

Chairman: Mr. Otto Simonett, UNEP

- Mining and the environment, global overview

Presentation by Mr. Fritz Balkau, UNEP

09.30 – 11.00 Session 1: Mining in SEE and TRB - Introduction

Presentation by Mr. Philip Peck, EnvSec Consultant

- Discussion

11.00 – 11.30 Coffee/tea break

11.30 – 13.00 Session 2: Mining in SEE and TRB – Projects and Partnerships

- Pilot project “Closure of Lojane mine”

Presentation by Mr. Kosta Trajkovski, Ministry of Environment and Physical Planning of the Former Yugoslav Republic of Macedonia / Ms. Anita Kodzoman, UNDP
• “Risk mitigation – the example rehabilitation of the Nova Tailing Pond at Baia Borsa”
  Presentation by Mr. Petru Danci, REMIN / Mr. Alexander Zinke, for Austrian Development Agency, (ADA)

• “Mojkovac Mine”
  Presentation by Representative of Ministry of Environment and Physical Planning of Montenegro, Republic of Montenegro, Serbia and Montenegro

• “Governance Principles for Foreign Direct Investment in Hazardous Activities”
  Presentation by Mr. Steven Stec, the Regional Environmental Center (REC) for Central and Eastern Europe

• “Responsible Mining in Romania”
  Presentation by Mr. Alex Ozunu, Environmental Partnership for Mining (EPM)

• “Mining and Communities: Dilemmas and Opportunities”
  Presentation by Mr. Alexios Antypas, Central European University (CEU)

• Other special presentations
  “Improving Operational Control by Educating an Industry”
  Presentation by Mr. Victor Roggeveen, for Shell

• Discussion

13.00 – 14.30 Lunch

14.30 – 16.00 Session 3: Mining in SEE and TRB – Participation, Administration and Finance
  • Working Groups:
    o Community projects on and around old mine sites, re-mining and commercial minerals development opportunities at old mine sites
    o Financing risk reduction and clean-up, bankability, legal and regulatory action

Moderators: - Mr. Fritz Balkau, UNEP
           - Mr. Philip Peck, EnvSec Consultant

16.00 – 16.30 Coffee/tea break

16.30 – 17.30 Session 4: Mining in SEE and TRB – Proposals for Future Action
  • Reports by working groups and summary by moderators
• Proposals for follow-up actions (Work Programme, including further assessments at “hot spots” and pilot projects; identifying partner organisations; drawing up a priority project portfolio)

• Discussion

20.00 Dinner

Friday, 13 May 2005 (day three), Hotel City Plaza

09.00 – 10.30 Session 5: Policies, Practices and Guidelines for Sustainable Mining

• Mining for Closure: Reducing EnvSec Risks in SEE via policies, practices and guidelines for sustainable mining and closure of mines

• Introduction by: - Mr. Fritz Balkau, UNEP  
- Mr. Philip Peck, EnvSec Consultant

• Presentation by the representative of European Commission (EC)

• Discussion

10.30 – 11.00 Coffee/tea break

11.00 – 13.00 Session 6: Policies, Practices and Guidelines for Sustainable Mining (continued)

• Mining for Closure: Reducing Environment and Security Risks in SEE via policies, practices and guidelines for sustainable mining and closure of mines

(Continuation of discussion)

• Conclusions

13.00 – 14.30 Lunch

HIGH LEVEL ROUND TABLE (BLOCK III)

14.30 – 15.00 Opening Remarks by Mrs. Sulfina Barbu, Minister of the Environment and Water Management, Romania

15.00 – 16.00 Roundtable of Ministers and High Officials: Speakers

Moderated by Mr. Fritz Balku, UNEP

• Keynote speakers:
  
  o Mrs. Sulfina Barbu, Minister of Environment and Water Management, Romania
  
  o Mr. Miklos Persanyi, Minister of Environment and Water, Hungary
  
  o Mr. Klaus Töpfer, Executive Director, UNEP
Mrs. Soknan Han Jung, UN Resident Coordinator, UNDP Resident Representative in Romania

- Discussion, including speeches by other Ministers, and high level representatives of Governments, international organisations, private sector and NGOs

16.00 - 16.30 Coffee/tea break

16.30 – 17.00 Conference Conclusions and Recommendations:
  - Reduction of Environment and Security Risks from Mining in SEE and TRB – proposals for future action
  - Mining for Closure: Reducing Environment and Security Risks in SEE via policies, practices and guidelines for sustainable mining and closure of mines

17.00 Closure of the Conference

17.00 – 17.30 Press Conference

18.00 Reception
# Annex II

## LIST OF PARTICIPANTS

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<td>Ivona Merca, Ms. Personal councillor of Minister</td>
<td>12, Libertatii Blvd&lt;br&gt;040129 Buchares 5&lt;br&gt;Romania&lt;br&gt;Tel: +40 21 410 0246&lt;br&gt;Fax: +40 21 3124 227&lt;br&gt;E-mail: <a href="mailto:i.merca@mappm.ro">i.merca@mappm.ro</a></td>
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<td>Madalin Mihailovici, Ms.</td>
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<td>Angela Filipas, Ms.</td>
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<td>Silviu Stoica, Mr. General Director of the Authority for Implementation of the Structure and Cohesion Funds for Environmental Infrastructure Projects</td>
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<td>Legal and Treaties Division</td>
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<td>National Agency for Mineral Resources Project</td>
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<td>Matei Lucian, Mr.</td>
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<td>Alexios Antypas, Mr. Associate Professor Department of Environmental Sciences and Policy Director Center for Environmental Policy and Law</td>
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<td>Stefania Simion, Ms. Legal Consultant</td>
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<td>Wardell Armstrong LLP</td>
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<td>UNEP DTIE</td>
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<td>75</td>
<td>Fritz Balkau, Mr.</td>
<td>39-43 Quai Andre Citroen 75739 Paris Cedex 15 France Tel: +33 1 44 371439 E-mail: <a href="mailto:Fritz.balkau@unep.fr">Fritz.balkau@unep.fr</a></td>
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<td>Philip Peck, Mr. EnvSec Consultant</td>
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<td>UNEP DEWA GRID</td>
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<td>Ronald Witt, Mr. Regional Coordinator</td>
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<td>UNEP ISCC</td>
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<td>Harald Egerer, Mr. Programme Officer, Natural Resources</td>
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<td>Jasmina Bogdanovic, Mrs. Consultant, Environment and Security</td>
<td>Interim Secretariat of the Carpathian Convention (ISCC) Vienna International Centre PO Box 500 1400 Vienna Austria Tel: +43 1 260 60 5018 Fax: +43 1 260 60 6730 E-mail: <a href="mailto:jasmina.bogdanovic@unvienna.org">jasmina.bogdanovic@unvienna.org</a></td>
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THE CONCLUSIONS FROM THE WORKING GROUP II - FINANCING RISK REDUCTION AND CLEAN-UP, BANKABILITY, LEGAL AND REGULATORY ACTION

Having established such a broad range of issues from the audience, the group addressed the issues (approximately in turn due to a number of overlapping points). The following discussion points were made from the floor:

- **Bonding and financial assurance** - three possibilities were portrayed. The first being firm requirements for companies causing damage to pay (strict polluter pays principle). The second being performance bonds. The third being “mutual funds” organised by industry groups or branch organisations (with the support of banks).

Bonding however was not seen as problem free in the region. Many companies are small, and fears were expressed that local actors could be forced out. At the present time, it was also seen as a problem that the state owns some 95% of mines in countries such as Romania. In many instances, audience members stated, state mining companies have a reputation for greater “recklessness” than many private operators.

The point was raised that five or six new (and major) operations are being launched or reopened in the Former Yugoslav Republic of Macedonia, but that no bonding arrangements have been put in place.

Various solutions were also presented – in Hungary bond payments are made from Royalties while in others, the desire is to draw rolling payments from profits. The question was posed however: “What happens if such an operation fails after two years?” Hungarian representatives explained that in general this concern may be less important as in their jurisdictions cash bonds are paid on all mining operations – even on exploration activities. As activities expand, then so do bonding requirements.

Turning to insurance as a replacement of bonding, the point was made that there are great difficulties at the present time in obtaining insurance. Insurers are simply not willing to take on the risks associated with dam failures (e.g. cyanide spills).

A summary statement from the floor was that “if a mining project is not robust enough (financially) to support bonding, then it should not be started”.

- **Scale of privatisation** - addressing the issue of direct investment in the industry examples were given by members of the group. Figures provided indicated nearly 30 $ millions for Kosovo (UNMIK) operations, while large Russian investors in the Former Republic of Macedonia have reportedly spent some 50 millions of Euros. It was highlighted that in the case of the Former Yugoslav Republic of Macedonia, it was not possible (feasible) to pass on responsibility for historical pollution associated with the operations.

- **Financial incentives for mining** - in this context concern was expressed by NGO representatives regarding incentives for mining. The question was raised: “Why not similar incentives or tax breaks for other industries – do mining incentives break rules of competition?”
- **Paying for pollution** - following on from the earlier discussion regarding investment from the Former Yugoslav Republic of Macedonian, it was noted that even in (hypothetical) cases where liability for historical pollution could be included in a lease, doubt was expressed by members of the group that such requirements would not be negotiated out at a later date in contract negotiations.

This point was strongly refuted by the representative of the Ministry of Environment and Water Management from Romania, however, the point that the worst offenders in this regard may be state companies was again made by others.

In a more general context it was noted that clear definitions of what cleanup goals are is a basic requirement. It is simply not possible to clean 100%. Further, an example was provided from the Sasa mine in the Former Yugoslav Republic of Macedonia of such a clean up. Here the state was required to pick up the bill. The clean up of some 4 million cubic meters cost some 1.4 million of Euros with monitoring costs of some 80,000 Euros per month.

The Baia Mare case was also provided as an example with clean-up from the spill costing Romania some 2 million of Euros with a further 10 million of Euros spent by the re-mining company for make safe the dam and providing an extra 300,000 cubic meters overflow capacity.

- **Attracting investment** - in this discussion, it was highlighted that it is at times difficult to ensure that the most worthy projects “get the money”. In order to attract (donor) funding for clean up, it is necessary to use the “right language”, present the “right issues”, raise the awareness of donors, and perform smart “lobbying”. Further, the point was underlined that expectations must not be raised too high in such cases.

It was also highlighted that many donors have a large degree of difficulty in finding worthy projects to fund. They simply do not get the sorts and quality of proposals that they require. It was held that this last item indicates a significant opportunity for countries.

Further to the above, it was noted that NGOs can play a significant role in attracting funds for clean up. Nevertheless, there is a notable disinterest from such groups in aiding countries and the industry in general in securing funds that will help conserve mining operations. Rather, interest lies in closing operations only.

- **Pollution havens** - in this final point addressed by the group, it was noted that the potential for “dirty industries” such as mining to seek pollution havens remains. On the other hand, a representative of the BREF working group made it clear that the diffusion of common best practices throughout Europe, and indeed throughout the world are helping to reduce such problems.

As such, the importance of documenting manual of common or best practice that “speak the same language” for mining was highlighted. Further, it was made clear that the mining industry itself is very motivated for best practice to be diffused in such ways in order to aid “playing field levelling”. Moreover, such issues are increasingly important for bankers – it makes wise investment much easier if financiers know that which should be present.
DECLARATION OF THE HIGH-LEVEL PANEL OF THE SUB-REGIONAL CONFERENCE ON “REDUCING ENVIRONMENT AND SECURITY RISKS FROM MINING IN SOUTH EASTERN EUROPE AND THE TISZA RIVER BASIN”

The High-Level Panel of the Conference on “Reducing Environment and Security Risks from Mining in South Eastern Europe and the Tisza River Basin”, upon invitation of the Ministry of Environment and Water Management of Romania and facilitated by the UNEP, OSCE, UNDP and NATO Environment and Security (ENVSEC) Initiative,

Convening the Ministers of Environment of Hungary and Romania, high level representatives from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Former Yugoslav Republic of Macedonia, Hungary, Romania, Serbia and Montenegro, including Kosovo (territory under UN interim administration) Slovak Republic, UNEP’s Executive Director, UNDP Resident Representative in Romania, and high level representatives and experts of OSCE, REC, the NGO community and the private sector,

Having met in Cluj-Napoca, Romania on 13 May 2005,

Conscious that while mining is an important economic activity, it can also have significant environmental, social, cultural and health consequences, especially where old technologies and potentially inadequate control mechanisms are used,

Recognizing that economic, environmental, social, cultural and health consequences of mining activities may affect communities and ecosystems beyond the immediate surroundings of a mine site, and could even impact other countries that share the same watershed or atmospheric region,

Acknowledging that new mining operations should adopt the highest safety, environmental and social standards, and that existing on-going mining operations should be brought up to such levels or closed down,

Being aware that abandoned and orphan mine sites that have not been properly closed down pose hazards to local and downstream communities, and action needs to be taken to reduce risks,

Recognizing the importance of the precautionary principle as an integral part of the risk-benefit analysis for any new mining project,
Realizing that effective procedures for environmental, social, cultural, health and economic risk assessment need to be put in place, in order to identify and address mining sites, which could present community hazards,

In the firm belief that mining related trans-boundary mechanisms of early warning, emergency response and local level preparedness of communities need to involve all relevant countries in the region according to the appropriate international conventions, and should be regularly reviewed,

Recognizing that environmentally sound management of new mines, and the upgrading of environmental protection measures for existing ones, will require the enforcement and enhancement of policies and regulations at national level, guided also by such regional mechanisms and agreements that already exist, in particular the European Union Directive relating to mining wastes.

Convinced that preventing and reducing the environmental, health and security risks of mining operations and legacies in South Eastern Europe and the Tisza River Basin will require a major effort of capacity building and maintenance for governments, communities, NGOs, and industry, and calling on appropriate international bodies to support such programmes that may be initiated in the region,

Having considered the key documents presented at the conference, and in particular:

- the Environment and Security Desk Assessment Study “Reducing Environment and Security Risks from Mining in South Eastern Europe”,
- the UNEP “Environmental Assessment of the Tisza River Basin”
- the Environment and Security report “Mining for Closure: policies, practices and guidelines for sustainable mining and closure of mines in South Eastern Europe and the Tisza River Basin”,

Taking note also of work by REC on investment and governance principles,

1. Welcomes the above assessment and technical reports as a basis for priority setting and action planning towards reducing and mitigating the environmental, health and security risks from mining in South Eastern Europe and the Tisza River Basin, including eventual implementation of the EU Directive on mining and wastes,

2. Welcomes and endorses the report “Mining for Closure: policies, practices and guidelines for sustainable mining and closure of mines in South Eastern Europe and the Tisza River Basin” as a guide and checklist for reducing and mitigating the environmental, health and security risks from mining practices,

3. Welcomes and endorses the outcome of the discussions on a priority programme for assessing and addressing environmental, health and security risks in South Eastern Europe and the Tisza River Basin, in particular;

   - the need for Governments, in coordination and supported by the European Commission, the Environment and Security Initiative, and other stakeholders concerned to establish and take action on a selected number of priority mining “hot spots” in South Eastern Europe and the Tisza River Basin,
   
   - the need for governments, supported by the Environment and Security Initiative and other potential partners, including the European Union, in addressing mining to focus on:

      - improvement of the desk study by incorporating local information,
• capacity building for national agencies in assessment, permitting and enforcement,
• clean-up projects that involve community development outcomes,
• strengthen existing and establish additional trans-boundary networks for emergency preparedness,
• investigation and testing out of innovative approaches to mining legacy issues,
• improved mechanisms for sharing information and experience in the region, with special attention to the local communities.

4. Encourages the involved governments to review minerals investment regulations and environmental control procedures so as to encourage best practice mining operations, and cost-effective clean up of “hot spots” and orphaned sites.

5. Recommends further that the “Mining for Closure” guide and checklist, as well as a shorter popular version in the languages of the region, be published and distributed widely, for use by policy makers and other stakeholders alike,

6. Requests Governments, the UNEP-UNDP-OSCE-NATO Environment and Security Initiative, the European Commission, relevant civil society organizations and the private sector, to intensify and strengthen their collaboration and support to policies, programmes and projects for reducing and preventing environmental, health, social, cultural, economic and security risks from mining operations and legacies in South Eastern Europe and the Tisza River Basin,

7. Further proposes that consultations take place between interested governments and the international partners, including EC, to select and address a limited number of “hot spots”, as pilot projects for improving the social, environmental and trans-boundary aspects of mining practices.

8. Requests Governments and the private sector to ensure public participation in decision-making and access to information, in particular of communities, civil society organizations and the general public concerned, and to recognize the rights of communities to maintain community stability, cultural values and traditions, and obtain material and social benefits from the mining development,

Expresses its gratitude and appreciation to the Ministry of the Environment and Water Management from Romania for hosting the Conference on “Reducing Environment and Security Risks from Mining in South Eastern Europe and the Tisza River Basin”.

Done at Cluj-Napoca, Romania, on 13 May 2005.
### MINING RELATED WEB SITES

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<tr>
<td>For lessons learned from past tailings accidents</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/books.htm#Bulletin121">http://www.uneptie.org/pc/mining/library/publications/books.htm#Bulletin121</a></td>
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<tr>
<td>For design approaches and details for tailings dams</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/books.htm#Bulletin106">http://www.uneptie.org/pc/mining/library/publications/books.htm#Bulletin106</a></td>
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<td>For case studies in good practice tailings management</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/casestd.htm#TailingsMagt">http://www.uneptie.org/pc/mining/library/publications/casestd.htm#TailingsMagt</a></td>
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<td>For a manual on emergency preparedness at mine sites</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/tech_rep.htm#APELL">http://www.uneptie.org/pc/mining/library/publications/tech_rep.htm#APELL</a></td>
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<td>For guidance on the roles and actions of mining industry regulators</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/proceed.htm#Regulation">http://www.uneptie.org/pc/mining/library/publications/proceed.htm#Regulation</a></td>
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<td>For a full copy of the International Cyanide management Code</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/proceed.htm#Abandoned">http://www.uneptie.org/pc/mining/library/publications/proceed.htm#Abandoned</a></td>
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<td>For technical and managerial practices on risk management in the mining industry</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/proceed.htm#TailingsDisposal">http://www.uneptie.org/pc/mining/library/publications/proceed.htm#TailingsDisposal</a></td>
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<td>For the full report of the Baia Mare Assessment by UNEP in 2000</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/proceed.htm#TailingsDisposal">http://www.uneptie.org/pc/mining/library/publications/proceed.htm#TailingsDisposal</a></td>
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<td>For simple learning points on mine site rehabilitation (this is a basic trainers)</td>
<td><a href="http://www.uneptie.org/pc/mining/library/publications/manual.htm#Rehabilitation">http://www.uneptie.org/pc/mining/library/publications/manual.htm#Rehabilitation</a></td>
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For background on cyanide and cyanide management

http://www.mineralresourcesforum.org/technical/cyanide/cyanidem.htm

For best practice mine management generally

http://www.deh.gov.au/about/publications/list.html#mining

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<th>Best Practice Environmental Management in Mining Booklets cover the following topics</th>
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<td>Checklists for Sustainable Minerals - 2003</td>
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<tr>
<td>Cleaner Production - 2000</td>
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<tr>
<td>Community Consultation and Involvement - 1995 (available in Indonesian and Mandarin only)</td>
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<td>Contaminated Sites - 1999</td>
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<td>Cyanide Management - 2003</td>
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<td>Dust Control - 1998</td>
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<td>Energy Efficiency and Greenhouse Gas Reduction - 2002</td>
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<td>Environmental Auditing - 1996</td>
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<td>Water Management - 1999</td>
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<td>Best Practice Environmental Management in Mining Training Kit: Volumes 1,2 and 3 - 2002</td>
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<tr>
<td>Best Practice Environmental Management in Mining Video (available in Mandarin and Spanish)</td>
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<td>Environmental Management Systems - 1995 (available in Indonesian and Mandarin only)</td>
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<td>Environmental Monitoring and Performance - 1995 (available in Indonesian and Mandarin only)</td>
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<td>Environmental Risk Management - 1999</td>
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<td>Onshore Minerals and Petroleum Exploration - 1996</td>
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<tr>
<td>Overview of Best Practice Environmental Management in Mining - 2002 (available in Indonesian and Mandarin only)</td>
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<td>Environmental Impact Assessment - 1995 (available in Indonesian and Mandarin only)</td>
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<td>Tailings Containment - 1995 (available in Indonesian and Mandarin only)</td>
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<tr>
<td><strong>Some of these have been transformed into training packages:</strong></td>
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<td>Best Practice Environmental Management in Mining Training Kit: Volumes 1, 2 and 3 - 2002</td>
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### UNEP Mining Web Sites

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<th><a href="http://www.uneptie.org/pc">www.uneptie.org/pc</a></th>
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<td><a href="http://www.cyanidecode.org">www.cyanidecode.org</a></td>
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### OTHER GENERAL INFORMATION:

www.mineralresourcesforum.org and www.goodpracticemining.com