

To:

Mr Eugen Furdui,
Mayor of the Commune of Roşia Montană

Attn:

Tiberiu Raţiu – Mayor of the Town of Abrud
Tiberiu Todea – Mayor of the Commune of Albac
Aron Zaharie – Mayor of the Commune of Almaşu Mare
Vasile Marin Jurj – Mayor of the Commune of Arieşeni
Sandu Heler – Mayor of the Commune of Avram Iancu
Gheorghe Bora – Mayor of the Town of Baia de Arieş
Traian Gligor – Mayor of the Commune of Bistra
Cornel Napău – Mayor of the Commune of Bucium
Ioan Călin Andreş – Mayor of the Town of Cîmpeni
Radu Marcel Tuhuţ – Mayor of the Commune of Ciuruleasa
Alexandru Măcăieţ – Mayor of the Commune of Lupşa
Mircea Macavei – Mayor of the Commune of Mogoş
Ilie Avram – Mayor of the Commune of Poiana Vadului
Sorin Corcheş – Mayor of the Commune of Sohodol
Nicolae Lazea – Mayor of the Commune of Vadu Moţilor
Ioan Resiga – Mayor of the Commune of Vidra
Silviu Ponoran – Prima Mayor of the Town of Zlatna

Ioan Bar, Lucian Bartha, Eugen Bobar, Valentin Botar, Toma Burian, Gheorghe Felea, Ovidiu Felea, Gheorghe Golgoţ, Ioan Marius Iancu, Virgil Nariţa, Valentin Rus – the Local Council

Roşia Montană

Open letter

Bucharest, 11 March 2011

Dear Mayor Eugen Furdui,

Consequent to your resumption, in the open letter you addressed to us on 31 January, of the topics you have publicly expounded on other occasions, i.e. **your refusal to accept World Heritage status for Roşia Montană and your discrediting of any such endeavour**, we write to you in order to provide you with arguments to the contrary and,

once again, to offer our assistance in saving Roşia Montană and safeguarding its future as part of genuine sustainable development.

We the undersigned represent scientific and professional organisations active in the fields of research, architecture, and heritage conservation, both at the national (the Romanian Academy, the Order of Romanian Architects, the Union of Romanian Architects) and international (ICOMOS, Pro Patrimonio) level. It is from this well-grounded and widely representative position that we address to you the following letter, in order to offer you explanations and assistance with regard to certain issues that you have tackled in a manner alarming both to ourselves and to those we represent.

The Mayor of Roşia Montană opposes the designation of the town as a World Heritage site: this was the surprising position – likely a world first – that you took last summer. Far from allowing people a time to forget this unpardonable error on the part of a well-informed public servant who is interested in the development of the community he represents, you repeated the same egregious statement on 18 January and once again in the letter you addressed to us on 31 January.

Mr Mayor, we should like to remind you that World Heritage status is a privilege for every town and community that is accepted into this select group of historic and natural sites of universal importance. It is a status that denotes excellence and it is an honour for which dozens of the 187 states signatory to the World Heritage Convention compete every year. Romania currently has thirteen sites awaiting nomination for World Heritage status.

In contradistinction to what you have argued in your declarations, namely that “World Heritage cannot ensure the resources required for conservation and cannot create new jobs,” we should also like to remind you that among the 911 current World Heritage sites there are numerous success stories of endangered sites and communities that have been saved due to their World Heritage status and the planning and development management mechanisms that this entails, as well as due to the direct and indirect financial resources that it attracts and generates. We shall mention here only one such famous case, one highly relevant to the discussion about Roşia Montană: the mining town of Blaenavon, in south Wales, UK, an industrial settlement affected by the disappearance of heavy industry, where, ten years after being listed as a World Heritage site (compared

with the fourteen years that have already elapsed towards destruction at Roşia Montană), the whole area has come to prosper.¹

Scientific and professional spheres are unanimously in favour of Roşia Montană being declared a World Heritage site: The convergence of opinions on the part of scientific and professional bodies with regard to the opportunity and necessity of taking measures to have Roşia Montană listed as a World Heritage site has been repeatedly demonstrated over the last few years. It was recently demonstrated by the joint positions taken by the organisations we represent.²

The National Commission for Historic Monuments (CNMI / NCHI) validates the proposal to include Roşia Montană in the World Heritage List: On 26 January 2011, the CNMI / NCHI adopted this vision, one now universally accepted, with regard to the future of Roşia Montană and its exceptional cultural and natural heritage, by the unanimous vote of its members to include Roşia Montană on Romania's Tentative List, the first necessary stage towards designation as a World Heritage site.³

The CNMI / NCHI is a professional consultative body of the Ministry of Culture and National Heritage for issues connected with cultural heritage, the only body authorised by Romanian law to put forward sites for inclusion on the World Heritage list. In conformity with the law, the procedure for inclusion on the Tentative List has now been completed, and the Ministry of Culture is obligated to apply the commission's decision.

In such circumstances, in which the scientific and professional spheres, nationally and internationally, unanimously pronounce in favour of Roşia Montană being listed as a World Heritage site, it is impossible to accept your opposition, which is in any case not supported by any pertinent arguments, as we shall prove below. The interpretation of the

¹ The results are impressive: the monuments saved, conserved and put to good use; the repair of 500 deteriorated structures; 75% of the deteriorated buildings of the historic centre repaired; more than 100 jobs in construction created annually; 65 new jobs in tourism; 10 new businesses; an end to real-estate stagnation and the commencement of construction projects; a more than 300% increase in real-estate values in just 5 years (way above the average for Great Britain); an increase of 100% in the number of visitors, from 100,000 to 200,000 in the space of five years, *World Heritage Status. Is there opportunity for economic gain?*, 2007: <http://www.lakeswhs.co.uk/documents/WHSTheEconomicGainFinalReport.pdf>.

² The joint declaration of the Romanian Academy, ICOMOS Romania and Pro Patrimonio, dated 4 January 2011: <http://www.cotidianul.ro/133850-Rosia-Montana-parte-unica-si-inestimabila-a-patrimoniului-universa/>; the joint letter addressed to the Romanian Academy's National Commission for Historic Monuments by ICOMOS Romania, Pro Patrimonio, the Order of Romanian Architects and the Union of Romanian Architects, dated 26 January 2011: <http://www.romanialibera.ro/timpul-liber/eco/rosia-montana-scrioare-deschisa-catre-ministrul-culturii-si-patrimoniului-national-214658.html>.

³ See http://www.realitatea.net/comisia-monumentelor-istorice-recomanda-inscrierea-rosiei-montane-in-patrimoniul-unesco_796395.html#comentarii şi <http://www.formula-as.ro/2011/955/accente-2/comisia-nationala-a-monumentelor-istorice-recomanda-salvarea-rosiei-montane-13350>.

designation of Roşia Montană as an attempt to block the mining project is devoid of sense: it is sufficient to recapitulate the current protected status of the site and its monuments under Romanian law. You will discover what you ought to have known for a long time, Mr Mayor: mining legislation, in the first place, and the legislation on historic monuments, in the second place, both make this mining project impossible.

In Roşia Montană, the imperative to protect heritage precludes the possibility of implementing the mining project. “Heritage and mining do not preclude one another,” you announce in the letter you have addressed to us. Although it might seem plausible, this statement is not always true. The importance of the two activities – mining and heritage conservation – is not equal, by force of law: mining activity is in the interest of the private sector (unless declared otherwise by governmental decision), while heritage conservation is in the public interest (Law 422/2001, art. 2 (2); Law 5/2000, art. 3). When mining involves the destruction of the heritage of a place, the public interest of heritage conservation prevails. In such situations, heritage conservation precludes mining. This is exactly the situation of Roşia Montană, where the mining project involves direct, total and irreversible destruction of two mountain massifs, which are home to the priceless vestiges of two thousand years of underground mining activity at Roşia Montană: the Cârnic and Orlea Massifs, both listed as Grade A Historical Monuments, “monuments of national and universal value”!

Thus, the mining project rests upon an infringement of the law (Mines Law no. 85/2003, Article 11; Monuments Law no. 422/2001, Article 11 (2)). In these circumstances, those of the proposed mining project, heritage and mining preclude each other at Roşia Montană. And according to the law, heritage conservation must preclude mining, never the other way around.

The lack of measures to conserve the heritage is the result of the disastrous policy pursued by the town hall, articulated not in favour of local citizens, but in the interests of a private investor. In the letter you draw our attention to the fact that “in the absence of urgent and concrete conservation measures, the heritage will be destroyed.” We should remind you, Mr Mayor, that the town planning documentation put forward by the local authorities and the administrative actions of the town hall have contributed in a decisive way to the destruction of the priceless vernacular architectural heritage of Roşia Montană: hundreds of houses situated in the area designated by the General Urban Plan as “industrial development” area have been demolished with the permission of the town hall. Dozens, if not hundreds, of other houses, have been abandoned and left to decay, under your impassive gaze.

We should like to remind you once more, Mr Mayor, that the Monuments Law sets out your clear attributions with regard to ensuring the conservation of monuments and also provides you with the possibility of contributing financial resources to this end. Up until now, you have not prevented the destruction of historic buildings in any way whatever, and nor have you contributed to the conservation of monuments in any way whatever.

The heritage of Roşia Montană has been recognised for more than two centuries. It was not discovered thanks to the arrival of the mining investor. You claim: “The heritage of Roşia Montană has been researched, uncovered and maintained in recent years only from private resources, generated by a mining project.” We should like to remind you, however, that this heritage has been known throughout Europe since the end of the eighteenth century, when the first Roman waxed tablets were discovered there. Together with the discoveries of the first half of the nineteenth century, these tablets were to form one of the most important sources for Roman law. The importance of this unique heritage, consisting of epigraphic discoveries and Roman and later underground mining works, as well as the archaeological heritage and vernacular architecture above ground, has been recognised through the inclusion of Roşia Montană in the List of Historical Monuments. Long before the appearance of the mining project, Roşia Montană had fifty listed historical monuments.

However, for you to speak of the private resources mobilised by the investor is cynical, in the circumstances in which the same investor, whom you try to present to the rest of the country as a protector of heritage, has already destroyed hundreds of buildings in Roşia Montană, Corna, Bunta, Gura Cornei and Țarina! The private resources generated by the mining project have been spent on propaganda, consisting in the repair and restoration of one single building, whereas hundreds of other buildings belonging to the priceless vernacular architectural heritage of Roşia and the neighbouring villages have been demolished, houses unfortunate enough to be situated in the area targeted by the mining project. And all these things have happened without the mining project having obtained any of the permits or authorisations demanded by law! Excepting, of course, the demolition permits you have not been embarrassed to sign yourself...

The strategic socio-economic development plan⁴ is a propagandistic document, based on evasion of the truth: this strategic document for community

⁴ <http://www.primariarosiamontana.ro/userfiles/PlanulRO.pdf>.

development does nothing more than to detail the proposals formulated in the mining project, from which it borrows extensive passages. What is not to be found in this document is even a minimal presentation of the destructive impact of the mining project adopted as a working hypothesis. Nowhere in the strategic socio-economic development plan is there any mention of the fact that implementation of the mining project would involve the total and irreversible destruction of the Cârnic and Orlea Massifs, which are listed as historic monuments! In the SWOT analyses there is no mention, even as potential threats, of the grave problems that might damage the adjacent vernacular architectural heritage, if superimposed by quarries, roads, a plant, reservoirs etc. These are unacceptable omissions, which make a mockery of the entire strategic document, one that is therefore based on evasion of the truth.

As for consultation of the local populace, it is clear that this lacks a basic condition for participative action: informed decision. The populace must first be informed about the current situation and the possibilities for action, and only then can consultation take place and decisions be made.

In conclusion, we should like to offer you, Mr Mayor, as we have already done on repeated occasions, the assistance of our organisations in building a viable development strategy, in preparing conservation programmes and projects, and in implementing them.

In the hope that they will be of use to you so that you might revert to a credible, honourable, moral and legal standpoint with regard to the cultural heritage of Roşia Montană, which is partly in your custodianship, we therefore ask you to accept our arguments, explanations and offer of help as laid out above.

Prof. Dr. Ionel Haiduc,
President of the Romanian Academy

Prof. Şerban Cantacuzino, CBE FSA D. Univ (York) MA (Cantab.) FRIBA,
Emeritus President of ICOMOS Great Britain,
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Conf. Dr. Sergiu Nistor,
President of ICOMOS Romania

Architect Dr. Şerban Țigănaş,
President of the Order of Romanian Architects

Prof. Dr. Peter Derer,
President of the Union of Romanian Architects