

# ROȘIA MONTANĂ – A STEP TOWARDS PEACE

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**Abstract.** *From an anonymous village in the Apuseni Mountains, Roșia Montană has managed to capture national and international attention not because of its gold, beauty, history and cultural value – there are many places that are better in these departments, but because it awakened an entire nation to reconsider its priorities. This conflict has brought on the biggest manifestations since the revolution and thus cannot be ignored. The situation has been approached in many ways by both parties through essays, research, and studies. Presentations have been made, books have been written, and movies have been shot; always, however, with an ulterior motive and never from a neutral perspective. The moment has come to put aside the drama and pursue an objective angle. This study takes a tour through all the major conflict analysis tools, which are combined with field research in order to bring light and clarity to the dispute. Much like a mediator, the paper intends to guide the parties on a resolution path by giving them insight about each other.*

**Keywords:** *Roșia Montană, conflict, protests, Romanian manifestations, environmental revolution, gold mining, neo-liberalism, conflict resolution, structural causes.*

## The roots of the issue

### *Emergence*

Before we can even begin to analyze the conflict and search for solutions, we must take a step back and look into the past. A lot of mines were built in Romania, a few of them survived, no major conflicts arose and there isn't any other example of such nature in our country. Furthermore, each event that has had a long term effect will be illustrated along with those activities which added fuel to the fire.

According to uncovered confidential documents (RISE, 2013) it all seems to have started in the autumn of 1995 on the 5th

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of September, when „Regia Autonomă a Cuprului-RAC” from Deva published an article on the eighth page of the newspaper *Adevarul*, which stated that it was interested in signing a partnership with a foreign company in order to process tailings with precious metal content from old ponds, and a mix of gold-silver mines from Roșia Montană and Gurabarza-Brad. This Romanian company mentioned that they would wait 30 days for offers after publishing the article RAC. However, *Jurnalul Național* claims that it has documents indicating a collaboration signed by RAC Deva and Gabriel Resources one day before the announcement was published, on September 4, 1995. Also, RAC claimed it received several offers, including from another Australian company, Lycopodium Pty Ltd., however that company has denied RAC’s claim.

Gabriel Resources was founded by Frank Timiș (a Romanian with Australian citizenship). According to the newspaper *Jurnalul* (Radu, 2005), Timiș started his own transport company in Australia, which owned only one truck driven by him. It went bankrupt in 1986 with debts of 15,806 AUD. Another fact about the owner is that he failed to declare this information in the CV he published when he listed the company Gabriel Resources on the Toronto Stock Exchange, as required by law. Timiș founded two other companies with the same name – an Australian one founded in 1995 and an English one, founded in 1996.

On the 3<sup>rd</sup> of March, 1997, the company Euro Gold Resources SA was founded with the stakeholders: Gabriel Resources Limited (65%, with contribution in cash of – 2,5 billion old lei currency or 357,500 USD), Regia Autonomă a Cuprului Deva (33,8%, in kind –the company’s headquarters), and three other small companies because the law 31/1990 demanded a minimum of five stakeholders: Minsexfor SA (0,5%), Cepromin SA (0,5%) and Upsrueem SA (0,2%) (Popescu, 2011).

The first modification appeared on 11<sup>th</sup> of June 1997 when the three small companies were replaced by even smaller ones: Cartel Bau SA Cluj-Napoca, Foricon SA Deva and Comat-Trading SA Bistrița, which received 0.4% shares each. Moreover, the company changed its name to Roșia Montană Gold Corporation (Popescu, 2011).

It is important to consider the fact that when the issue appeared, Romania as a country was in a vulnerable state in many domains, from social to economical and of course governance.

On the economical side, because of the delicate shift from communism to capitalism, chaos was brought in the private sector because of the border opening and lack of knowledge in this domain. Although, in the previous regime, the financial situation was stable, the previous restrictions led the public to focus on spending. The fall of numerous public sector industries led to a lack of workplaces, and so, the citizens, used to a certain way of life, became desperate to work and this type of lobby influenced the government’s decisions.

The politicians of that period were also unprepared and desperate for acceptance. This led to quick and irrational decisions in investments all over the country. Another issue which comes to mind is corruption. This malign disease was brought from the previous regime and adapted to the current situation. This led to a lack of transparency in decision making encouraged by the fact that no one had anything against such behaviour, which was considered normal in our society.

On the social side, the new possibilities brought by capitalism caused euphoria among the public. The change came from the West and was encouraged by Americans. They became positive symbols of abundance, freedom, and democracy, in comparison with the previous Russian oppression. Everyone became lenient and naive regarding such actors' intentions, failing to realize that capitalism only works in a culture of equality and Romania was never equal to such major powers. In this respect any investment that came from the corporation was a good choice as it brought new justice and prosperity in the minds of politicians and citizens. The state followed its own interests and the population failed to notice the issues that arose in the continuous privatization process.

The fact that the one that started the whole story is a Romanian in origin shows how important it was to be aware of the system in order to manipulate change in your direction. This company is not a singular case of questionable acquisition, as in Romania in that time many made millions in a short period of time because of the acute corruption.

At the beginning, the mining company had no opposition and so we cannot consider the existence of a conflict until 2000, when an opponent started surfacing and made its identity public and official by the name of Alburnus Maior, a local NGO. According to the website [www.rosiamontana.org](http://www.rosiamontana.org), which contains the entire history of the campaign, in 2000, this association was represented by 350 locals and land owners with the purpose to stop the mine project proposed by RMGC. However, in time Alburnus Maior managed to gather supporters and at present there are over 100,000 active volunteers supporting its mission; it is representing the interests of 300 families from Roşia Montană village and 100 families from the near village Bucium.

In the same year the environmental NGO was founded, another one appeared to support the project and the interests of the miners who were left without a workplace. Its name is Pro Roşia Montană ([www.prorosiamontana.ro](http://www.prorosiamontana.ro)) and it has 475 members who donate a fee each month. It has 1700 supporters so far and says that the goal is a clean environment through modern mining which is quite contradictory.

### *Evolution*

Further we will focus on the major escalation events, which offer an overview of the process.

According to the Alburnus Maior website, the company gave the Environmental Impact Study to the Ministry of Environment in May 2006. There were 16 public consultations,

14 in Romania and 2 in Hungary, where the public was supposed to ask questions on the topic and make suggestions. These consultations were criticized by leaders of opinion, experts, and the public, who said that it was all a charade to promote the mine exploitation. On the other hand, the company declared in its reports that up to that point, in the environmental sector, it had conducted 1262 individual interviews, 500 questionnaires with positive answers, 18 group meetings and 65 public debates.

In 2007, the company answered 5600 questions regarding the Environmental Impact study and a new session of analysis began with 4 meetings of the Committee of Technical Analysis. RMGC also started building a new neighbourhood in Alba Iulia called Remetea for the families that had to move from Roșia Montană.

A cyanide accident that happened at Baia Sprie in 2000 made the public question the project further. This also influenced the suspension of the EIS by the Ministry of Environment because the Urban Certificate presented by the investor was legally inadequate. The company's appeal against the decision was rejected.

A referendum was held on the 9<sup>th</sup> of December 2012 in 35 villages from Alba County to see if the locals were in favour of restarting the mine. This referendum was not valid because of the absence of quorum. It has been said that the company tried to bring illegal voters in order to convince the population of the country that the locals are in favour of the project.

On 22<sup>nd</sup> of June 2013 the UNESCO Committee visited Roșia Montană. The footage shows how the representatives ignored the opinions of those against the project and acted verbally aggressive towards the environmentally friendly representatives.

On 27<sup>th</sup> of August 2013 the Government voted in a session the Law project regarding measures during the exploitation of gold and silver resources from Roșia Montană and stimulating the development of mine exploitations around the country. This document was sent to Parliament in order to be voted upon. After this event, thousands of citizens took the streets as a manifest against the project, and a few miners also protested underground to prove the necessity of workplaces in the area. The numbers have been increasing each week at the Sunday meetings. Additionally, the TV programs started bombarding the population with debates about the project.

On 19<sup>th</sup> of November, the Senate rejected the law project concerning Roșia Montană with 119 votes for, 3 against and 6 abstentions.

## **Field research**

The field is extremely important as it offers first hand information even though the subjects are cursed with frog-eyed vision, as they only see the conflict from the inside with very little attention to structure, context, and connections. In February and March 2014, I have chosen key actors from both sides and persuaded them to answer

the questions of an interview which would be the basis of my future analysis. It is this type of information gathering which has made me realize how tangled the situation is and why an outside person should intervene. Another important fact to be considered is that the aim of the interviews was to offer an overview of the relationship between the parties, the way they see each other, regardless of the fact that this situation was built on wrong information received by the actors. The questions were built in such a manner to research in-depth perception and not so much the hard facts, as we have documents and archives for these.

The number of persons who participated in the analysis was eight with three from the group which supports the project and five from the other team which is against it. The aim was to have an equal representation; however, after the first interviews it became clear that the company representatives show a homogeneous opinion which would not add value to the research. Moreover, the representatives in the campaign Salvați Roșia Montană proved to be quite heterogeneous in their views regarding the nature of the dispute and so the representation was intentionally made unequal.

Because the conflict was in an escalation phase and the parties were facing tensions, the analysis was a delicate subject for the participants. In order for them to speak freely, none of the interviews was recorded. Four were conducted in person, two on the phone and two on the internet. The information was recorded on paper. From the company's side, the participants were Cătălin Hosu – press relations at RMGC, Claudia Buruiană – social responsibility manager, at Community Relations Department RMGC and Andrada Almășan – former resident of Roșia Montană. On the other hand, from the environmental side the participants were: Buta Bogdan – activist, president of Ecoruralis and member of Alburnus Maior, Sorana Olaru – activist, member of Alburnus Maior and AEFC organization, Adrian Dohotaru – researcher at UBB, journalist and former member of the Romanian Academy, Marius Harosa – lawyer of Alburnus Maior in the cases against RMGC and Sorin Jurcă – Roșia Montană resident and founding member of Alburnus Maior and Fundația Culturală Roșia Montană.

The first thing which stood out is the fact that the parties did not have a united front when it came to defining the main actors involved. Five participants considered that the main opponents were the citizens from the area with pro and con opinions, and the other entities were just annexes which supported one or the other without having any decision-making power in the matter. However, two of the interviewees from both sides had the same answer, confessing that the struggle is actually against the authorities and the government. For them, the party manifesting contradictive views is just background noise without any say in the matter. The lawyer interviewed is the only one which included the company RMGC as a main actor and defined the opposing party as the ecologists. Because the definition of the actors is so diverse, the representatives of each side are either defined as entities, such as NGOs (Alburnus Maior, Pro Roșia

Montană, SCRM etc.), authorities (The City Hall of Alba Iulia or Roșia Montană, the Senate, the government), or campaigns (Salvați Roșia Montană), persons (Eugen David, Stefanie Roth), companies (RMGC, Gabriel Resources, other Wall-Street tycoons). This is actually the most important question the actors should ask themselves before they continue, because being uncertain about the real decision maker and representative of each side makes communication futile.

Each member interviewed was asked about their opinion regarding the interests of the other party. From the environmental side, we got three answers which focused strictly on the correlation between winning the project and gaining economical power and statute. Other two participants which were involved since 2002 went further to say that this economic power was not actually related to winning, but actually to postponing the project and playing with the gold price fluctuation over the years, which in turn causes gains on the stock market. Going back to the question about each party's interests, we observe that out of three representatives of pro mining one abstained from any answer. The other two either said that the games were played at an international level involving George Soroș and hidden motives which would explain the fact that although 80% of the region wanted mining and the project was still postponed, or that the NGOs used the public opinion to prolong the conflict in order to support their own private companies. Again these are only opinions which are not supported by any facts. This proves how the other side demonizes the opposition without reconsidering gathering more proof.

Regarding the interaction between the parties, most of the members in the Salvați Roșia Montană Campaign, namely four, have had direct confrontations which have either been peaceful in the case of the journalist, as he only spoke with the local residents and took a few interviews, either mixed in the case of the other three. They have described the attitude as peaceful and communicative at the beginning of the project, and, as things started to become more pressing, they were faced with verbal aggression (in the form of telephone and live threats, insults, swear words etc.) and physical violence from the locals and police force. However, the first meetings took the form of bribe in the case of the Sorin Jurca and Marius Harosa, and only after this was refused the manipulative tactics became more extreme (this information however cannot be proven). On the other side, the participants specified that the company has had numerous attempts to negotiate with the parties; however, they refused every time. Their attitude in this sense was, at least at a declarative level, more directed towards conflict resolution, which was made difficult by the fact that the opposition was making false statements and accusations towards them (Cătălin Hosu and Andra Almășan).

Although in the present situation the relationship between the parties is compromised, the questions tried to take into account any attempts at solving the conflict during its history, as they could represent pillars for future resolution. The participants from the Salvați Roșia Montană Campaign either had a firm „no” answer, like in the case of the

two activists (“because the project cannot be implemented in the current state without causing damage and any other type of exploitation would not bring profit” – Sorana Olaru), either said that if there had been any discussions they were not aware of them, as only the business tycoons pulled the ropes on the matter. Another opinion was that even if there were discussions, they were in the form of bribery and manipulation to accept the project without any intention of changing its variables to fit everyone.

This lack of communication is seen by only one member as a problem and as a possible solution for the future. RMGC supporters declare that, on numerous occasions, the company has tried to inform, debate, answer to complaints in order to satisfy everyone. Claudia Buruiană has even mentioned that the project sketches and plans were modified to make the protection area larger and reduce the impact perimeter and the Minister of Economy has a special committee to discuss upon the sustainability on the financial side. Another representative from RMGC (Cătălin Hosu) specified that he would agree with mediation or negotiation on the matter and would suggest all parties to be present including the government and objective experts. All in all, there seem to be little chances of negotiation in the near future coming from the extreme representatives; however, there are forces which could militate in this direction under different circumstances, as the journalist Adrian Dohotaru and activist Sorana Olaru said that 80% of the properties in the area belonged to RMGC and their use in the future needed to be put into question in order to develop the area.

The parties were also asked about the way they perceived the present state of the conflict. Three mentioned that it was in decline for RMGC as 400 people would be fired in April. The environmental militants were trying to get the government to take a firm stand on the matter and then include the area in the UNESCO heritage. Also, they considered the uncertain silent situation a result of the future elections. The local resident from Roșia Montană said that in Toronto the company was facing problems because “A girl from the region is now living there and bought shares to participate at a meeting. There she declared the representatives from Romania told lies about how the project is approved and on its way to be implemented. This was not believed anymore and somehow this motivated the dismissal of so many employees”. The still atmosphere is, however, not the case in the judicial department, where trials are held and decisions taken.

Regarding the future, both sides are more inclined to believe that the project will not happen; however, this is long term, as the company is not ready to quit just yet. Because of the public opinion, the actors believe the government will not decide anything and thus prolong the situation until RMGC quits. Even if the project is somehow approved, Sorana Olaru considers it will not be implemented because the real money comes from the stock exchange and probably another company will buy it, Gabriel not having enough resources. In any case, a negotiation is mandatory – consider three members, in the future, as there is too much land in the property of the company for it to be ignored.

## **Actor shaping**

The interviews have brought to light the fact that the parties are not aware who they are fighting against. Even if the actors manage to identify components present in the conflict this is not enough for a proper communication. Moreover, the lack of solidarity in this department causes major problems in the way the goals are pursued. Therefore, in the next pages the actors will be described in terms of composition, structure, motives, and interaction.

### *Main actors*

It is fascinating to see how the parties define the main actors as the local residents who are pro and against mining. If this would be true, the conflict would have arisen before the company had any plans of exploitation. However, here the situation is different and we shall see how the balance of power was very weak for one side at the beginning.

First of all, the main actor who started the entire controversy is RMGC, without any doubts on the matter. Moreover, a closer look at the company's composition will surface the other components which have not been taken into consideration. The shares of RMGC, as I have presented earlier, are split in the following manner: the state owned Minvest Roșia Montană S.A. – with 19.31%, and Gabriel Resources – with 80.69%. This proves that the state, as the interviewed subjects have specified, is actually a primary party in the dispute, having a financial interest in the matter. It created this new entity Minvest Roșia Montană in 2013 with the purpose to have a specialized company which can deal with the matter. It functions under the subordination of the Minister of Infrastructure Programs of national interest and foreign investment, Minister Dan Șova. This meant the reorganization of the National Copper, Gold and Iron Company Minvest Deva through partial division which would allow separate management in the case of this particular project. As the main player, RMGC includes the government as a key component, it is safe to say that a few public officials have over time influenced the course of events given their leading position. At the beginning of the project, the president was Ion Iliescu. He declared in numerous terms that he was in favour of exploitation. During his presidency, Nicolae Văcăroiu was the prime minister and it is rather suspicious that no material regarding his opinion on the matter could be found. Victor Ciorbea, the second prime minister involved in the matter, stated that the protestors were manipulated to think the exploitation was bad and declared that he was on the company's side (Video News, 2013). The exploitation license was approved by the Radu Vasile government (Cotidianul, 2013) and Mugur Isărescu, the prime minister that followed, was also in charge of Romania's National Bank and managed to send a large quantity of Romania's gold to foreign countries (Vasilescu, 2013). The president from 1996 to 2000, Emil Constantinescu declared that even though he had a geology background he never expressed any opinion regarding the matter during his seat. Only



now he has offered the idea of creating an institute which would allow a better negotiation (EVZ, 2012).

Next, the Prime Minister Adrian Năstase deliberately let some private information slide towards the company with the pretext that it would help Romania to adhere to NATO. This was followed by a neutral approach of Calin Popescu Tariceanu and Emil Boc (Romania Libera, 2012). The current president and prime minister on the other hand have made it clear in their declarations and through their actions that they were in support of the project; however, due to public opinion and the number of actors involved their influence could not reach a high level of intensity.

Furthermore, as the environmental impact creates most of the problems in the area, it is obvious that the Ministers of Environment and Climate Change have a say in the matter. So far Sulfina Barbu, who was in charge from 2004 until 2008, brought accusations towards the current prime minister and the person in charge of analyzing the project saying that they didn't have the national interests in mind. However, she was accused by the president of Alburnus Maior of being on the company's side so her implication is considered in a grey area (Ruscior, 2013).

The following minister Nicolae Nemirschi delegated the responsibility of taking a decision towards the experts in the area (Realitatea, 2009). László Borbély took the company's side stating that the project was a priority and that exploitation through cyanide is legal in the EU (R.M., 2011). Attila Korodi refused again to take any responsibility stating that a certain procedure should be followed in order to authorize the project (R.P., 2014). The current minister Rovana Plumb decided to go with the former representative's statement and said that she would support the Parliament's decision (Neagu, 2013). Regarding the question whether she could stop the project through legal mechanisms, the minister responded that she did not know at that time. There is an air of confusion floating in the environmental department as the sides have not been clearly decided.

The National Agency for Mineral Resources, responsible for giving licenses for exploitation has had a crucial role in the process. Its president from 2006 to 2009, Bogdan Găbudeanu declared after his mandate that he was a supporter of exploitation and he also wanted to reassure the ecologists that everything could be done with care so that pollution was not a problem (Realitatea, 27th of July 2012). The one who followed in 2009, Gelu Agafiel Mărcăineanu, was a firm advocate against the project as he considered it brought too much environmental damage and the final products were being sold at a low price which made the business unprofitable for Romania (Bărbătei, 2012). Alexandru Pătruți, in charge from 2009 to 2012, stated in numerous interviews that this type of exploitation was the only solution and that the company was a blessing for the country (Video News, 2013). The current president Gheorghe Duțu, in an interview held by Agerpres on the 24<sup>th</sup> of September 2013, explained how the respective technology

was the only one which could be used, and the benefits the country would have were numerous, being thus an advocate for mining.

Last but not least, given the importance of the patrimony from Roșia Montană and the attempt to include it in the UNESCO heritage, the Ministry of Culture has also been involved in the decision process. Kelemen Hunor, the minister from 2009 till 2012, and Mircea Diaconu, minister from 2012, have taken a firm stand against the project, as the former declared that the priority was including the area in the heritage and the latter that exploitation in the area would be similar to killing for money (Mediafax, 2011). The next two ministers who followed, namely Puiu Hașotti and Daniel Constantin Barbu, supported RMGC as they decided to ignore any attempt at including Roșia Montană in UNESCO. The current representative of the Ministry of Culture Gigel Sorinel Știrbu has taken a vow that he would not allow any damage to be done to the patrimony even if this meant the end of the project.

On the other hand, Gabriel Resources is also owned by Paulson&Co 16%, Electrum Global Holdings 16%, BSG Capital 16%, Newmont 13%, Baupost Group 13%, Free-float 26%. The first company Paulson&Co, is an investment management firm specializing in event-driven arbitrage strategies, including merger arbitrage, bankruptcy reorganizations and distressed credit, structured credit, recapitalizations, restructurings, and other corporate events. Its goals are capital preservation, above average returns over the long-term and low correlation to the markets (Paulson & Co., 2013). The second, Electrum Global Holdings contains Electrum Strategic Resources LLC and Electrum Strategic Holdings LLC, which are based in New York, and members of the privately-owned Electrum Group of Companies which, through Electrum Ltd, in 2009, reportedly had one of the largest and most diversified portfolios of precious metals' exploration projects in the world (From Money to Metal – Tracking Global Mining Deals, 2013). BSG Capital is a part of the privately owned holding company BSG Resources which has a large global footprint. It focuses, through family trusts and foundations, on four major sectors, namely Natural Resources, Real Estate, Capital Markets and Diamonds (BSG Resources, 2013). Newmont Mining Corporation is primarily a gold producer, with significant assets or operations in the United States, Australia, Peru, Indonesia, Ghana, New Zealand, and Mexico. Founded in 1921 and publicly traded since 1925, Newmont is one of the world's largest gold producers and is the only gold company included in the S&P 500 Index and Fortune 500 (Newmont, 2013). Baupost Group is an employee owned hedge fund sponsor founded by Seth Klarman. The firm primarily provides its services to pooled investment vehicles. It launches and manages equity mutual fund and hedge funds for its clients (Bloomberg BusinessWeek, 2014).

The rest of the shares representing 26% are left to be traded by others. These descriptions above were made in order to get an idea about those who are granted power in case of a decision inside the company. It is interesting to take into account that only

one of the companies mentioned above is directly involved in gold mining and has only 16% of the shares, while the others mainly handle money trading. The management team who has been given the operational tasks by the General Assembly has Jonathan Henry as the president and CEO of Gabriel Resources and Dragoş Tănase as director of Roşia Montană Gold Corporation S.A. The former has quite a background in the resource exploitation area, while the latter has been working for telephone companies like UPC and Astra Telecom and was a financial consultant within the Ministry of Finance. The other vice-presidents are Romanian and in charge of operational details.

On the other side, at the beginning there was but a small and insignificant actor. Although the NGO that first represented the opposition was founded on the 8<sup>th</sup> of September 2000, to represent the rights of the local residents in the negotiations with the company regarding the land, on the 28<sup>th</sup> of July 2002, after ecologist Stephanie Danielle Roth appeared in the picture, the mission took on a different target. This activist is quite an important component in the equation as her implication in the cause determined the mobilization of the local community. It is fair to say that if she hadn't appeared the situation would have taken a different turn. Before the Roşia Montană Campaign, she was involved together with the civil society from Sighişoara in blocking the Dracula Park project – which she succeeded. She was born in Switzerland and she grew up in Germany and England. Before becoming an activist, she was an editor for the international publication *The Ecologist* (Dulamiţa, 2010).

The locals started thus militating against the project since 2002 and had as leading president mister Eugen David and as vice-president mister Călin Caproş. At the beginning there were 350 local members in the organization and at present the numbers have fluctuated, as many of the residents have left the cause and other external volunteers have joined it.

### *Secondary actors*

The primary actors have managed to gather important support in time, as the conflict grew and this in turn brought the secondary actors into the scene. They were the ones who added structure and expertise to the dispute.

In the case of the mine company, first there are the visible parties on the company's website, which have affiliations like the Chamber of Commerce and Industry of Bucharest Municipality, the Foreign Investors' Council, the American Chamber of Commerce Romania, PATROMIN, EUROMINES, CBA, and the British Romanian Chamber of Commerce. Moreover, the company created a few NGOs, which come to support the industrial development and offer the supporters legal leverage to voice their opinions. These are all presented on the <http://sustinemrosiamontana.ro> website. It is obvious that these actors have different levels of involvement; however, as they are mostly present and support any type of manifestation that is pro mining we can consider them a force in the project.

Because of their impact on citizens' opinion, the partner experts and institutes which have voiced their opinion in studies and analyses can also be qualified as secondary actors. They are the following: British architects Dennis Rodwell and David Jennings, Director of York Archaeological Trust – who conducted a patrimony study, Terry Mudder, an American chemist, the International Group of Independent Experts (IGIE), Prof. Paul Whitehead from Reading University, Dr. Suzanne Lacasse, NGI (Norwegian Geotechnical Institute), Patrick Corser, engineer and director at MWH Americas, SRK International Consultancy Company in Mining, Dr. Christian Kunze, AMEC director, and the Democracy Institute, which conducted environmental analyses.

Moreover, we have other national and international representatives, which have facilitated expertise in the field, such as British MP Edward O'Hara, 1<sup>st</sup> of December University, Alba Iulia, IPROMIN Raw Materials Group, Sir Martin Sorrell CEO WPP, Alan Roe – Director and Economist at Oxford Policy Management, James Otto, an international fiscal expert, Alex Burger – Strategic Counsellor at TEHNOSERVE Extractive Enterprises Partnerships (NGO), and Stephan Theben, an independent auditor. In Romania, there are also local leaders of opinion, like Ion Năstăsescu – President of Nuclear and Radioactive Waste Agency, Bogdan Baltazar – financial consultant and ex BRD president, Daniel Apostol – TV producer, Gheorghe Negoescu – PhD in economy and university professor.

Finally, the law firms that have represented RMGC's interests in court can be considered secondary actors as well. Their identities have been revealed by Alburnus Maior representative Marius Harosa (lawyer) and they are the following, in a chronological order: Mușat și Asociații, NNDKP (Nestor Nestor Diculescu Kingston Petersen) and Țuca Zbârcea & Asociații. The mining company has switched representatives due to their inability to win trials. However, these three law firms have a very good reputation in Romania.

The government has no relevant secondary actors as the decisions are usually taken by the primary ones and the others have no interest in the matter.

On the environmental team, it is very hard to distinguish the secondary actors from the third parties, as they switch positions depending on their implication. Being important members of society and culture, the Romanian Academy, the International Council on Monuments and Sites, ARA, the Order of Romanian Architects, the Union of Romanian Architects, the International Bank Group and the Royal House are firmly involved in promoting the preservation of the historical, ecological, and cultural heritage of the area which would be under threat if the mining project were approved in the current form. They made a strong lobby during the UNESCO inclusion process.

In this category we can include the Hungarian government as a firm pillar against mining exploitation in Romania, as their citizens fear a natural hazard coming their way in case of the project approval. There are even some international groups which have become

affiliated, like the Académie des Inscriptions et des Belles Lettres, l'Institut de France, l'Associazione Internazionale di Archeologia Classica, and the European Association of Archaeologists (Cotidianul, 2011).

In terms of NGOs which have offered support to Alburnus Maior, they can be characterized as either extremely dedicated or moderately implicated. The first group contains the ones which have provided help in all the domains from research, lobby, event organizing, and so on; they are the following: Greenpeace Romania and International, Asociația Salvați Bucureștiul, Centrul Independent pentru Dezvoltarea Resurselor de Mediu, Fundatia Culturală Roșia Montană, L'Alliance Belgo-Roumaine, Centrul Independent pentru Protecția Mediului Sebeș, Asociația Frontului Negustoresc Obor, Asociația Eco-Civica, NUCA, ActiveWatch, RPER-Romania, RPER-Fr – Rencontres du Patrimoine Europe-Roumanie, Asociația Heritage, Asociația pentru Dezvoltare Urbană, Asociația Odaia Creativă, Asociația București, Organizația pentru Promovarea Transportului Alternativ în România.

The second group consists of NGOs that have also participated in the actions mentioned above, but with a lower frequency, as the blockage of the project was not their main goal as associations. So far in this group there are over 70 Romanian NGOs that have signed a declaration which expressed their disapproval regarding the project (Mitchievici, 2010). Additionally, according to the Ecomagazin website (2011), 77 Hungarian NGOs from Transylvania issued a declaration against the exploitation on 3<sup>rd</sup> of August 2011, 240 Hungarian NGOs have sent an open letter to the Romanian Minister of Environment, 116 NGO's from the European Union (Greenindex, 2010) empathized with the anti-cyanide cause after the Baia Mare incident and solicited the European Commissary on Environment Janez Potocnik to take measures regarding the EU vote on using cyanide in mining, and 33 Christian Romanian NGOs have recently been active in the protests promoting patriotism towards our culture and history (Capsali, 2013).

Universities have been active in supporting, through articles and studies, the anti-mining cause. Some of the most involved, according to Alburnus Maior website, are ASE Bucharest with a special group for saving Roșia Montană, the Ecological University of Bucharest, the Law University of Bucharest through the ELSA NGO, the Babeș-Bolyai University of Cluj-Napoca, and an international one, Basel Universitat, which has the Institut fur Natur, Landschafts und Umweltschutz , Biology.

Being pillars in society and having their research analyzed, experts have also made efforts to raise awareness about the cause and bring arguments that would prove that the RMGC exploitation plan was not the right solution. These professionals are all mentioned on [www.rosiamontana.org](http://www.rosiamontana.org) website.

In the judicial department, Alburnus Maior was represented by the following barristers: Andreea Szabo, lawyer, specialized in environment, from Sibiu, Marius Liviu Harosa,

lawyer PhD and associate professor from Cluj-Napoca, Anaïs Berthier, lawyer of the organization Client Earth, Brussels, Tim Malloch, environmental lawyer of the organization Client Earth, London, and Stefania Simion counsellor in judicial matters in the Salvați Roșia Montană Campaign.

### *Third*

When distinguishing the third-level actors involved, things get messy, as they are numerous and of different intensities of involvement. The Court of Alba, the Court of Cluj-Napoca, and Court of Appeal from the same city all have been present and have inter-mediated the process.

As some of the active environmental NGOs are funded by a businessman named George Soroș through the CEE Trust and Open Society Foundation, he can be added to the list of indirect participants (Adevărul, 2013). The people who were temporarily present at the protests and events (Fân Fest, meetings, movie presentations, debates etc) organized by the primary and secondary actors represent a part of the public that forms a coalition against RMGC. Public figures like Maia Morgenstein and Dragoș Bucur, who have participated punctually in the campaign by making short movies about their position regarding the exploitation, can also be considered third parties (Realitatea, 2012).

According to the campaign website ([www.rosiamontana.org](http://www.rosiamontana.org)) the Transylvania International Film Festival (TIFF), through the movies and speeches it allowed during its event course, promoted the environmental supporters' viewpoint. In the international sector, the European federation of Green Parties has voiced its support; however, because it has failed to bring concrete measures to the table, it falls under the third actors' category. In the financial field, the International Financial Corporation has withdrawn its support for RMGC, and so has Allianz General Group after a meeting with the protesters. By rewarding the campaign with the Goldman Environmental Prize, the Ecologist and Civil Society Gala have made the cause worth fighting for.

On RMGC's side, the third-level supporters are represented either by the sponsored press or by the sponsored companies. First of all, television as a media device has shown more publicity towards the implementation of the mine exploitation. Some of the TV channels that have shown commercials which promoted the need for workplaces are Pro TV, Antena 3, Antena 1, Kanal D, România TV, B1, TVR 1 (Obae, 2013). Also, the news and debates that are shown on this means of communication are biased, as they show intolerance towards the protesters and stereotype their behaviour by calling them hippies, anarchists, hooligans etc. However, an international channel, namely National Geographic, has stopped showing advertisements that support RMGC.

Secondly, the written press was largely bought by the company. For example, according to Forbes, RMGC has spent 5,443,663 euro on publications in the last three years

alone. The publications received money as follows: *Evenimentul Zilei* – 183,900 euro, *Libertatea* – 154,200 euro, *Jurnalul Național* – 140,500 euro, *România liberă* – 106,950 euro, *Ziarul Financiar* – 88,000 euro, *Adevărul* – 78,000 euro, *Gazeta Sporturilor* – 75,600 euro, *Capital* – 68,400 euro, and *Click!* – 61,900 euro (Barbu, 2013). On the opposition part, a newspaper called *Apusenii Liberi* was founded, which informs the locals from the area about the damages that mining could cause.

Thirdly, the online medium is full of third parties, as there are numerous websites, blogs, Facebook pages, and twitter messages, which empathize with both sides and try to get more followers.

In terms of sponsored companies, the ones which created controversy were the football team CFR Cluj and the basketball team "U" Mobitelco. In 2011, the former a partnership with the company and promoted it during the matches; however, due to the fans disapproval in 2012, the contract was cancelled. The second had the same result after the crowd protested at one of the games (Șchiopu, 2013).

### *Interests*

If we look at the issue from an economic point of view, there are contradictory views from the two opposing sides. The ones against the project consider that the revenue/royalties of 6% and the increase of the national shares to 25% is rather low taking into consideration the damages the area will suffer and the long term problems that might appear because of the exploitation (Ionașcu, 2013). As mentioned in a study conducted by ASE University Bucharest, the problems include the environmental part, meaning 12,000 ha of forests destroyed, 4 mountains, water pollution, soil pollution with dangerous substances in 1,581,760 tons quantity, the largest known lake of cyanide, left behind; the economical part, meaning miners left without a job when the company leaves causing recession, economic instability because of the destruction of entrepreneurial initiative in the area, decrease in tourism because of the pollution and lack of appeal of the area (Roșca, 2010).

RMGC, on the other hand, states that the benefits include taxes on profit, salaries, properties, excises, exploitation taxes etc. According to RMGC, in 2013 the total estimated money that would come to Romania amount to \$2.1 billion, 2300 workplaces during the construction period, 880 direct workplaces, logistics-including roads, infrastructure, houses, schools, public service and utility buildings. The money dedicated to greening amounts to 135 million USD. However, the cost estimated by the Australian researchers is 100,000 USD/ha meaning 600 million USD, more than 5 times higher than the one offered by the company.

Regarding the areas affected, RMGC sustains the fact that it will plant 1000ha to replace the damaged ones and the decantation dam will be able to support twice the annual

precipitations predicted (Roşca 2010). Taking into consideration what the company has done so far, it is only natural that it sees the investment in terms of cost and benefit. The company has purchased land not only in the area, but also built an entire neighbourhood in Alba Iulia for the people that have been dislocated. It has had numerous expenditures with lobbying (campaigns, events etc.), document drafting, and court representations against the NGO's. In conclusion, all of this will have been a waste of money if the project is to be rejected, leaving the company bankrupt.

All in all, the protesters are motivated to stop the natural disaster that would happen regardless of the money taken in by the state. The interview participants have declared that the issue is non-negotiable in the money department as the future of the generations cannot be bought or sold. However, the company and the state have strict financial interests in the matter as a company's purpose is to make profit and a government must help a country develop through any means. Because of the numerous variables involved in the process, it is difficult to actually know RMGC's limit of bargaining and for the environmentalist there is a saying: everything and everyone can be bought for the right price.

There are numerous issues from a social viewpoint, as well. The local population is split into those who want a salary from mining and those who do not want to lose their native land, friends, and community. The relocation process is causing depression among citizens as they feel a lack of belonging and are forced to change their entire lifestyle. A high amount of traditions and customs are lost in the process. Also, those who have managed to make a living in the area by cultivating the land and using crafts are in danger of losing their only source of income as 34 small and medium businesses will be impacted.

The estimated changes are 2,921 residential and non-residential relocated properties, 975 houses destroyed, out of which 41 are patrimony, 7 churches demolished and covered in cyanide, 12 cemeteries relocated (RMGC, 2004). Romania is a laic country where religion is important so this drastic change is also seen as a blasphemy. Furthermore, the company that wants to exploit the resources is foreign, which brings along the feeling of colonial oppression. The interests in this case are more related to the locals as they will be the ones to suffer and this is mainly why the NGO Alburus Maior was created in the first place. The secondary and third-level actors cannot empathize completely with this issue and neither can the opposition. So, the primary actors of the environmental side are put in a delicate position because in case they lose, they will face a zero-sum situation.

The cultural issue is a rather smaller one, but could also be introduced in the analysis, as there are old mines from the pre-roman and roman period that are under the threat of becoming extinct. As the UNESCO committee has been biased in analyzing the value,



this problem remains and brings the support of numerous historians, architects, and researchers. The mining company promises 70 million USD for restoration of the monuments destroyed; however, their authenticity will be under question. Here is where the interests of the secondary and third-level actors come into place, as they are motivated to save the country's patrimony, which is not only related to a location but to the national pride. The opposition has no interest in this matter, as the social and cultural issues are only obstacles in the way of exploitation.

Close to the environmental and social problems are the judicial ones. There have been numerous contested discrepancies so far between what the legislation states and what the company was allowed to do. The fact that the Urban Plan was suspended and the Environmental Impact Scheme had to be redone offers only a couple of examples of averted damages. There have been numerous trials between the two sides, and this is an example of how a conflict can be good, as it brings to light the possible mistakes and encourages avoiding them. At present, the government is trying to come up with a special law for RMGC that will help the company move past the procedures without being contested. This has added a lot of fuel to the conflict and it is an issue worth taking into consideration. In this department there is a strong lobby from the environmental group as a victory would set a precedent for future conflicts and would prove that money and power do not matter in justice. RMGC has the goal to speed up procedures and receive leverage.

Last but not least, there are power interests, which are related to state representatives. The situation in this case is difficult as they, on one hand, want to please the public opinion or at least give the impression of doing so, and on the other, they would like to profit from the financial rewards offered by the company. This is a game played by anyone in a top position in the government.

### *Goals*

In terms of strategies used by actors to pursue their goals, there are two different approaches. The environmental side uses juridical, research and advocacy mechanisms. The first offers the campaign legal leverage and the second provides objective arguments against the project. The third combines aspect from the first and information regarding why the interests are pursued in order to inform and raise the awareness of the public and draw as many supporters as possible. Moreover, the third mechanism takes the problem out of the office and brings it into the street where people are free to observe and choose.

RMGC approached the goals differently as its main focus was on political lobby and public brainwashing through press partnerships. Also, money was the key tool used as it bought research papers, publicity, miners, institutes, public officials and so on. Its main problem is that even though the information it presented might be documented

and is not all lies, its background in the bribe department is so controversial that the public has become suspicious.

The politicians involved pursue their goals through evasive contradictory statements that make them difficult to blame for a certain position and so both the other actors are encouraged to turn to them for a strict decision and accountability.

### *Positions*

The solutions presented by the actors are quite extreme. Alburnus Maior and its secondary actors see tourism as a solution in the area. This, however, can only be achieved if the company leaves completely. The current issue stopping them from pursuing the goal is the Urban Plan of the area which has declared it mono industrial. This in term makes it impossible to make any other type of investments which are not related to mining. Also, if the region will be exploited no tourist will choose it as a destination due to the pollution and health dangers. In order to protect it and promote it further another tool used is the inclusion of Roșia Montană in the UNESCO Heritage. The activists want to save future areas from mining projects so they have attempted to overturn the mining law which mentions that anyone can be expropriated if resources are found on their property and the state has allowed a company to exploit them. So far all of these solutions have not been implemented completely and the continuous objective is to raise awareness among as many citizens as possible about the possible project damages in order to attract supporters and take advocacy to the next level of political lobby.

The company advocates mining with cyanide as the only solution. After all the contestations and debates nothing was changed from the initial exploitation plans, the only efforts made were in terms of explaining the project sketches and legal documents. On the financial side, the royalty was raised from 4% to 6%. Moreover, in any type of negotiation held by the company, money was involved in order to convince the other party that no modifications should be made from the initial plan.

The government officials declare that they want the economy to be boosted and the environment protected. A solution mentioned by the president in 2014 was exploitation with sodium thiosulfate, a substance found by Jack Goldstein from Baia Mare, which was presented to the Parliament Special Committee in October (Simina, 2014).

### *Capacities*

Power is given by resources which can take numerous forms: economical, juridical, social, political etc. In our conflict the types mentioned are at numerous times interconnected as those who have economic or social power gain political or juridical strength. Nevertheless, power can also come from the fact that a side has an exquisite Best alternative to a negotiated agreement (BATNA) or the other side is not aware of the hidden capabilities of its enemy. Given the fact that the Roșia Montană conflict has the lack of

transparency as a cause it will be difficult to discover the real amount of resources the actors have.

Economy is a visible domain as the companies are obliged to give information about their turnover. In this manner we have come across the fact that Gabriel Resources has a volume of number of shares traded in the last 30 days from November of Vol/Avg= 289,002.00/484,087.00, return on average assets of -1.14% on June 2013, return on average equity of -1,17%, 490 employees (Google Finance, 2013). The market capitalization which shows the value of all of a company's outstanding shares is 326.5 million. The investment community uses this figure to determine a company's size, as opposed to sales or total asset figures. The earnings per share are -0.03 and of course there is no profit yet as the company did not start running. According to Wall-Street (2011) the major actor in the project has financial back-up from a few of the world's billionaires like John Paulson with a net worth of 11.4 billion dollars, number 36 in top Forbes 2013, Beny Steinmetz with 4.1 billion dollars and number 316 in Forbes 2013, Thomas Kaplan with 1.3 billion dollars, number 386 Forbes 2013 and last but not least Newmont which is now listed as number 179 in Forbes as market value and has a market capitalization of 12.82 billion dollars.

The Romanian shareholder Minvest Deva is at a minor partner, as the profit in the last three years has been negative. However, if we look at the new plans for the partial division of the firm in order to introduce another company called Minvest Roșia Montană which will represent the state, we can see that this will have a social capital of 69.510.733 RON (Bursa, 2013). This hybrid will also take a loan of approximately 30 million euro from Gabriel Resources.

On the other hand, there is the environmental initiative which as its name says, is a non-profit organization. Nonetheless, these organizations are also financed by business tycoons, other wealthy popular international NGOs, the population through donations and most of the time through active participation, which could also be quantified into money. We will only analyze the economic situation because later on we can count the participation as social power.

A rather significant funding of 53,729 RON came from The National Cultural Fund Administration and was directed to Alburnus Maior for the project "Roșia Montană Patrimony in images" (Ghilezan, 2012). The initiative was implemented by the Architecture Restoration and Archaeology association which once worked for RMGC. There are conspiracy theories that point out that the sum was too large to be used only for photography workshops.

The NGO that are most active in planning and organizing the protest have admitted to being funded by CEE Trust and Open Society Foundation founded by the philanthropist George Soros. According to journalist Trent (2011), Soros began underwriting civil so-

ciety projects in Central and Eastern Europe in the late 1980's through the Polish Stefan Bathory Foundation and other Soros funds. By joining forces with the region's other large sponsors, he created a power base rivalling the European Union or individual governments in the region. The Trust for Civil Society in Central & Eastern Europe (CEE Trust), founded in 2001, has the goal to support the long term sustainable development of civil society and non-governmental organizations in Central and Eastern Europe, including cross-border and regional activities in which they may engage. It also helps the transition from large organizations funded by donors to small independent ones that activate in the public sector promoting solidarity, advocacy, community mobilization and investigative journalism. This group received through Soros organizations funds amounting to 75 million dollars to support NGO's from Romania, Bulgaria, Czech Republic, Hungary, Poland, Slovakia and Slovenia (Forumul Donatorilor din România, 2013).

According to a report made by journalist Brațu Iulian (2013) the following funds were given to Romanian NGOs by parties that are in connection with Soros:

- The CEE Trust together with The Foundation for Partnership gave 249,000 dollars to Centre for Juridical Resources to conduct investigations on a local and regional level and supervise the public administration procedures.
- Active Watch is another organization which received a donation of 170,000 dollars from CEE in order to promote a correct press monitoring through its activities.
- The Civic Movement – Spiritual Militia which is said to be actively involved in organizing protests has been funded with 105,000 dollars by CEE. Two more active associations are Principesa Margareta with the purpose to promote solidarity and young activism sponsored with 300,000 dollars and Terra Mileniul III, an environmental initiative which wants to promote sustainable development with 200,000 dollars.

Other donations from CEE trust that should be noted are \$350,000 for the Romanian Academic Society and of course for Alburnus Maior which was given \$216,000 in 2002, \$1,000 in 2005, \$34,000 in 2006, and \$52.000 in 2007.

The sums in discussion in the second part are relatively smaller (as we can only talk in millions of dollars) compared with the ones involved by RMGC, which amount to a few billion.

Moving on the study will focus on juridical power which shows which of the parties have managed to present their case better and have an upper hand through fairness.

As mentioned on [www.rosiamontana.org](http://www.rosiamontana.org) juridical history page, the battle on this field was initiated by Alburnus Maior in the autumn of 2003 when it initiated the first case in the Court of Alba Iulia. The issue was regarding the mining activities in Cărnic Massive. The purpose was to stop any type of exploitation in that mountain area. The case was won in February 2005 as the court admitted to the illegal nature of the exploitation.

In 2002 the Local Council of Roșia Montană voted the General Urban Plan and the Zonal Urban Plan for the industrial development initiated by RMGC. This meant that the population from 4 villages that were in the 1600 ha perimeter had to be relocated until 2004. Alburnus Maior attacked this issue and in 2007 the urban certificate was suspended and then annulled by the Cluj-Napoca Court and in 2008 the Alba Iulia Court of Appeal declared the Urban Plans illegal.

Regarding the commercial contract between RMGC and the City Hall of Roșia Montană, the Court of Appeal of Alba Iulia pronounced it irrelevant in 2007. The contract stated that the village would support the company in its actions to get licenses and approvals. As a result of the numerous issues that arose in 2007 the Minister of Environment suspended the procedure for Environmental Evaluation. RMGC had some attempts at the Court of Appeal of Alba to get the suspension annulled; they were unsuccessful.

In 2009 The Local Council of Roșia Montană emitted another decision to approve the new Urban Plan for the mining project. Alburnus Maior filed another court complaint and in 2011 the Court of Alba annulled the action. In 2010 the Minister of Environment resumed the procedure for environmental authorization which was seen as illegal because without a proper urban plan the environmental impact had no legal stand.

However, in 2011, RMGC managed to get the approval from the Ministry of Culture and the County Directive for Culture and Patrimony of Alba for another certificate of archeological discharge regarding Cărnic Massive.

The counter attack came on 5<sup>th</sup> of April 2012 when Alburnus Maior won the case and managed to stop the Local Council decision from 2009 and so the Urban Plan was cancelled once again. The Court of Appeal from Alba published a juridical analysis which recommended the stoppage of the environmental impact evaluation.

So far we can see that there are a few irregularities in the way justice is being imposed. The fact that two procedures have been approved and another which is strongly dependent on the first two has been annulled proves the lack of consistency in legislation implementation. Moreover, Alburnus Maior has filed a complaint with the number 789/117/2012 in which it is against the archaeological discharge of the Cărnic Massive.

The score is almost level in this domain as every action of one actor brings a reaction. The fact that the NGO won so many trials in court brings light into the fact that the project plans have numerous flaws. On the other hand, the fact that the mining exploitation is still in question of being approved shows that there have been either improvements made or bribes given to authorities.

The political field has a blurred vision as the representatives have contradictory declarations. On one side, they are supporting the project through statements that advocate for economical development, job creation, prosperity of the country and other propaganda.

On the other side, in order to please the public opinion they take opposite decisions like postponing the project, declarations of patriotism towards the country, rejection of the law regarding the project. The Prime Minister Victor Ponta is as elusive as the former representatives, who have neither confirmed nor denied receiving any money or supporting the project. However, the president of the Senate Crin Antonescu, who has been a candidate for presidency in the past, has formally declared his position against in order to attract supporters in the next elections even though his actions have not come in support of his statements. This type of power can also be measured and analyzed from the TV channels' most aired opinions as these channels are backed up by the political parties. The higher percentage of the news and talk shows are in favour of RMGC and explain in detail the benefits while on the other side bash the protesters.

Speaking about social and civic support we can clearly see from the actors' statistic that the environmental cause has managed to create a high number of supporters in the public sector. It can be considered a success that the opposing party has not managed to mobilize such a large number of protesters. This can be considered the strong point of the initiative against mining as political power is a strength of RMGC. The conflict can be considered in this way one between the leaders and the citizens, between the economic titans which pull the strings when it comes to resources and the legal system which is bound to take the decisions.

### *Relationship*

Taking into consideration the fact that there are many actors involved in the process the relationships between them are extremely tangled. In order to shed light we will proceed by taking each two parties separately and analyze their interaction.

First of all, for the company and the anti-mining team there are no records which show proof of actual meetings between the leaders for negotiations. The channels of communication are not 100% direct as it is being done by all the type of actors: primary, secondary and third on the protestors' side and only by secondary and third parties on the company's team. Some examples of such confrontations are: negotiations for land sale, public consultations regarding the environmental impact from 2007, the UNESCO meeting from 2012 when the two parties became verbally aggressive and at the referendum where they spied on each other to see if they are conducting a fair procedure. This in a way induces the environmental team to feel inferior because the ones with actual decision power do not offer them any attention. A more fair form a communication is done at the court trials where the layers representing each side compete against each other for a better verdict. The media is a facilitator as it aired interviews where each side had a delegate supporting its case and insulting the opposition. The campaign messages addressed against each other were present on numerous channels: TV, radio, press, online media, offline activities: workshops, meeting, protests, events etc.

Secondly, the government and company communicate through official representatives and thus primary actors. The main decisions are taken behind closed doors and the other party has little control over the process. Proof is very difficult to find and suspicion leads to adversity. There have been numerous news of politicians being bribed by RMGC and there have also been articles which simply state that the two sides discussed the future of the project without any clear outcome. There is also an innocent form of information sharing as the firm sends different documents for approval. Lately, due to the government's schizophrenic behaviour the company's attitude became antagonist as it started threatening with international law suits in case of a further postponement.

Thirdly, the environmental team and the government interacted peacefully at the beginning. Written requests were sent to prove the cultural, environmental and historical value of the area. Law proposals were forwarded and different studies conducted by specialists. The actors against mining declared that the attempt was only one-sided as the answers came slow and with vague content. This determined the process to be taken one step forward in the form of actions: manifestations in front of institutions, public humiliation of politicians and verbal threats. The government has responded through the media insulting the protestors and stereotyping them.

There has been one record, however, of a direct confrontation between all the parties which took the form of a debate. This happened during a live aired show on the national TV program TVR1 "Judecă Tu: Războiul aurului la Roșia Montană" (Youtube, 2012). The participants were eight primary actors (4 environmentalists, 1 company representative and 3 politicians) and the balance was maintained as the government representatives are said to be on RMGC's side even though their answers are not quite concrete. The attitudes manifested portrait the descriptions given so far about the parties and come to support the research's veracity.

#### *What's next?*

Looking at the future with optimism and it is necessary to say that negotiation would be possible if more variables are introduced in the equation. These could be: new techniques of exploitation in an environmental friendly way which also produces profit, the modification of the percentage of extremist entities in both parties with centrist visionaries, more funds directed toward the area, new contract proposals in terms of revenue, new technologies for preserving the cultural heritage, social reintegration plans for the area, prolonging of exploitation period so that it produces lower economical shocks after closing. Brainstorming and collaboration are the key words in the process. Each side should understand that the enemy is not quite what they expect and there are common points which could be discussed. As long as there is gold in Roșia Montană there will be conflict; the purpose is to turn this into an opportunity for added value and collaboration. Even if the company leaves, Romania does not have the means and

proper governance to exploit the area. Another actor will appear in the picture and our duty is either to face the music and solve the current situation with RMGC or be better prepared for what is to come.

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