

Impact of Mining Activities in Bosilegrad and the Homolje Mt region

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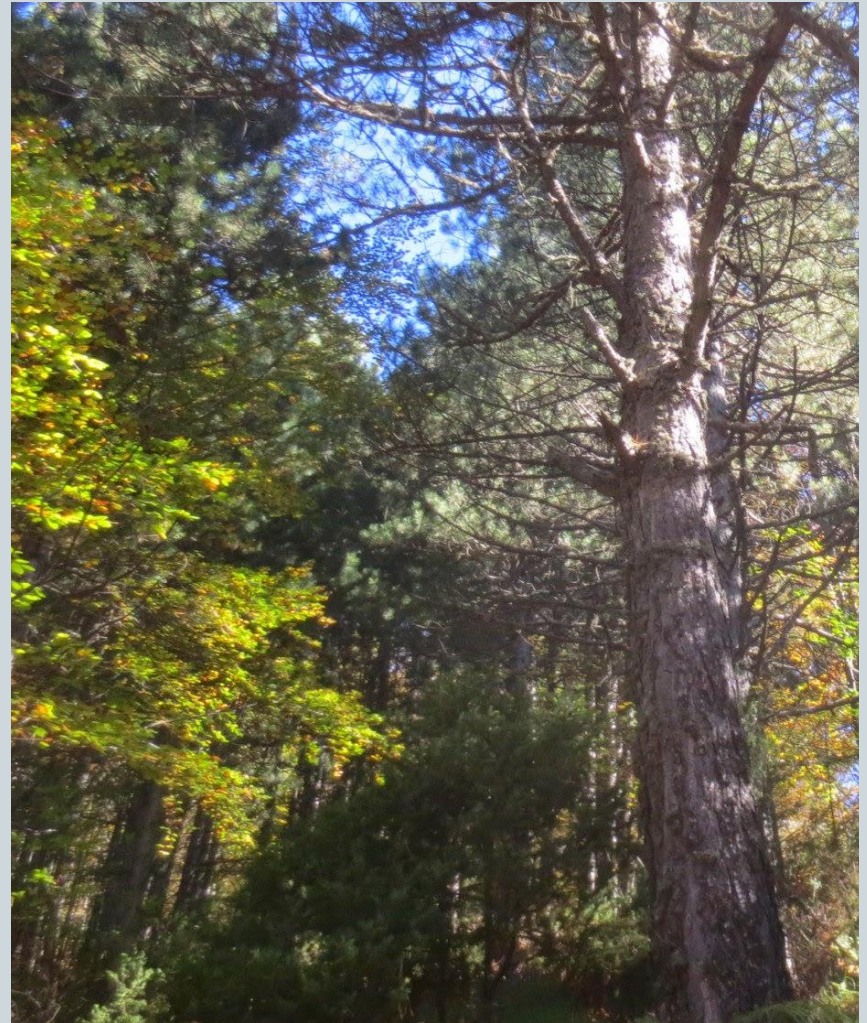




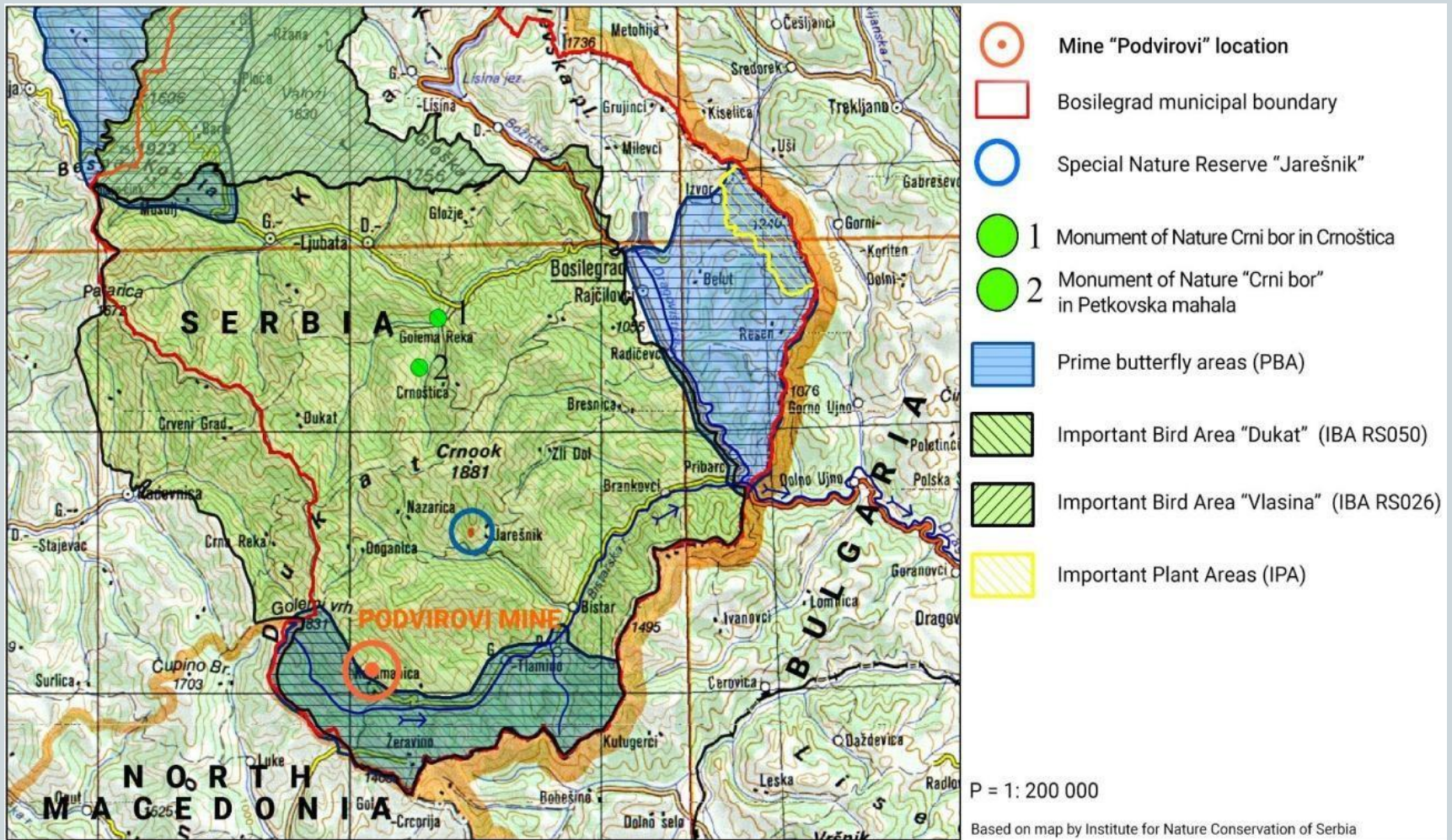
Bosilegrad

Overview

- Serbia has violated Articles 2,3.2,4.1,4.2,4.4 of the Bern Convention by failing to take appropriate legislative and administrative measures to protect wild flora and fauna
- Serbia has not properly monitored or regulated Bosil Metal's mining of copper, zinc and lead at the Karamanica ore field
- Increased metal levels in the water and soil downstream of the mine
- Documented pollution has caused transboundary environmental impact in Bulgaria
- Rights of Nature violated



Location of the Mine



Location of the mine in relation to significant ecological areas – located 30km southeast of Bosilegrad



Species and Habitats Impacted

The mine is impacting at least 29 species protected under the Bern Convention:

- 15 species of Annex II Strictly Protected Fauna;
- 9 species of Annex III Protected Fauna
- 5 species of Annex 1 Habitat types

Species include: yellow bellied toad, agile frog, dice snake, Macedonian crested newt, the black pine and several fish species



Example: (1) (Sub-) Mediterranean pine forests with endemic black pines (*Pinus nigra*)

2024 Expert Report Shows Ongoing Pollution

- November 2024 expert report from Professor Michael Chadwick, Professor of Ecology and Environmental Science at KCL
- Expert report confirms water and sediment pollution downstream of the mine, particularly from metals such as lead (Pb).
- Lead (Pb) pollution to drinking water “greatly exceeds all reported guidelines”: Report, para 5.3.
- Zinc (Zn) and cadmium (Cd) concentrations exceed all relevant guidelines: Report, para 5.3
- Lead (Pb) pollution levels “are of concern and have the significant potential to negatively impact the aquatic biodiversity of the stream”: para. 6.2



Image showing fine sediment pollution downstream of the mine site: *Expert Report of Professor Michael Chadwick, Professor of Ecology and Environmental Science, King's College London.*

Rights of Nature

- Pollution from the mine breaches the inherent rights of protected flora, fauna and habitats
- Bern Convention recognises an ecocentric approach to protection of species in its preamble – “intrinsic value” of wild flora and fauna
- Article 4(1) of the Bern Convention requires States to guarantee the rights of Nature through appropriate and necessary legislative and administrative measures



Lack of response from the Serbian government

- Ineffective domestic enforcement proceedings connected to the Karamanica mine since 2021
- Repeated denial of freedom of information requests in breach of the Aarhus Convention
- The Ministry of Environmental Protection refused a request for information relating to a misdemeanor proceeding against Bosil Metal
- Reprisals against journalists, environmental defenders and activists

Environmental Impact Assessment

- Indicates that levels of lead and manganese has exceeded the maximum levels from the small-scale testing phase
- Absence of modern wastewater treatment methods
- Failure to evaluate environmental impacts on protected species
- Failure to conduct sedimentary assessments
- Failure to adequately evaluate risks of environmental accidents

Mine may be active and causing harm to Nature

- The extent of the mine's current operations is unclear.
- Serbia and Bosil-Metal have provided inconsistent accounts on the status of the mine. Serbia has previously stated that all flotation activities were suspended at the mine.
- Statements given by witnesses testifying against B in his prosecution alluded to the mine's ongoing illegal activities in 2022, specifically relating to its flotation facility which supposedly ceased operations in 2019. The mine director claimed the mine was operating with permits.
- The testimonies further showed the strong presence of security, workers, and 'sensitive security areas' on the premises in 2022- including a flotation facility and an illegal tailings dump.
- Government report dated 23 January 2024 states that "Bosil metal LLC is [presently] carrying out the exploitation of lead and zinc ore"
- This is inconsistent with the 2024 EIA prepared by Bosil-Metal which states that mining at the Podvirovi deposit lasted from 2017 to 2022 and has since been halted.



Pictures from the mining site



Remedies sought

- Recognition that Article 4(1) of the Bern Convention requires States to guarantee rights of Nature through appropriate and necessary legislative and administrative measures
- Finding that there have been breaches of the Bern Convention articles 2,3.2,4.1,4.2,4.4
- Recommendations for action by the Serbian government, including monitoring of Nature impacts and a refusal of permit for further mining at Bosilegrad
- Recommendations for remediation steps to restore Nature
- Seminar for all relevant parties at which the impact of the mine on Nature is discussed

