

Ms. Diana-Anda Buzoianu
Minister of Environment, Waters and Forests
Ministry of Environment, Waters and Forests of Romania
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CC. H.E. Ms. Silvia Davidoiu, Ambassador Extraordinary and Plenipotentiary of Romania to Belgrade
Ms. Mioara Ștefan, Consul General, Consulate General of Romania in Zaječar
Romanian Ministry of Foreign Affairs Office of the Representative for the Western Balkans and
Directorate-General for Regional Affairs
National Environmental Protection Agency
Environmental Protection Agencies Mehedinți & Dolj
Eric Mamer, Director-General, DG ENV
Gert Jan Koopman, Director-General, DG ENEST

17 August 2026

Dear Minister Buzoianu

Request for transboundary public consultations on the Spatial Plan for the Special-Purpose Area of the “Čukaru Peki” and “Malka Golaja” Mining and Metallurgical Complex, Serbia Zijin Mining

The undersigned Romanian non-governmental organisations ask that the Ministry of Environment, Waters and Forests initiate the formal procedures under the Protocol on Strategic Environmental Assessment to the Espoo Convention (the ‘Kyiv Protocol’), to secure transboundary consultations on the *Spatial Plan for the Special-Purpose Area of the ‘Čukaru Peki’ and ‘Malka Golaja’ Mining and Metallurgical Complex* (the ‘Spatial Plan’) located in the Republic of Serbia. This is because the Plan presents a potential transboundary impact on Romania and Bulgaria, as already confirmed by the official concept document. The Timok - Danube confluence lies at the point where the Serbian, Bulgarian and Romanian borders converge, a few kilometres from the Romanian commune of Gruia - almost exactly on the border between Mehedinți and Dolj counties, the first Romanian counties exposed, followed downstream by Olt, Teleorman, Giurgiu, Călărași, Ialomița, Constanța and Tulcea (including the Danube Delta). We are convinced that genuine participation by Romanian communities, civil society organisations and authorities, from the shared Romania-Serbia stretch of the Danube down to the Danube Delta, will contribute to a sounder, better-informed decision.

Importantly, the Spatial Plan directly affects the Vlach minority of Serbia - Romanians from the Timok region, which is why international standards protecting national minorities are also relevant. Article 5 § 1 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities expressly specifies that *national policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities*. Likewise, Article 15 of the Council of Europe Framework Convention for the Protection of National Minorities, to which Romania is a party, obliges States to *create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them directly*.

1. What is planned

On 18 June 2026, the Government of Serbia adopted the decision¹ to prepare the *Spatial Plan for the Special-Purpose Area of the future 'Čukaru Peki' and 'Malka Golaja' mining and metallurgical complex*, together with the decision to carry out the related Strategic Environmental Assessment (SEA). The accompanying concept document (*Elaborat*)² covers a 126 km² industrial footprint across the municipalities of Bor and Zaječar. Public consultations were under way in Serbia until 3 August 2026.

The plan is financed by Serbia Zijin Mining d.o.o., a subsidiary of the Chinese Zijin Mining Group - the second-largest copper producer in Europe - which aims to expand its production capacity to up to 850,000 tons per year, most of which is exported to China.

The planning effort covers approximately 126 km² across the administrative territories of the cities of Bor and Zaječar and foresees the following:

- Development of the Čukaru Peki underground mine - expansion of the lower ore body (Donje ležište); there is an ongoing risk of land subsidence.
- A new mixed surface and underground copper-gold mine at Malka Golaja. Its footprint is estimated at over 1,000 hectares - an area comparable to the entire zone between the villages of Nikoličevo (fully included in the plan) and Zvezdan (partially included), risking merging the two settlements into a single fringe of the mining complex.
- A 1,900-hectare flotation tailings management facility in the valley of the Kriveljska River.
- A new metallurgical complex, to be built outside the urban core of Bor, intended for processing concentrate from Čukaru Peki, Malka Golaja, and the existing operations of Serbia Zijin Copper, together with associated sulfuric acid production and gas treatment installations. This also includes the construction of a smelter, with a planned capacity of up to 400,000 tons per year.
- Transport, energy, and utilities infrastructure, with a planning horizon extending to 2050 and a first implementation phase up to 2035.
- Relocation and/or expropriation of local residents, including members of the Vlach community.

The Plan will also affect the hydrographic system. Over 800 l/s is planned to be withdrawn from the Crni Timok - roughly half of the river's summer flow - while the Kriveljska river is designated as the site for the roughly 1,900-hectare flotation tailings facility. Both watercourses flow, via the Timok, into the Danube at the point where the borders of Serbia, Bulgaria and Romania converge, a few kilometres from the Romanian commune of Gruia (Mehedinți County). According to the concept document (*Elaborat*)³ section 2.1 "Bor (the mine, mill, smelter and refinery), via the Bor River, Timok, and Kriveljska River, could potentially cause transboundary water pollution in the downstream Danube countries (Romania and Bulgaria)."

To this are added risks to groundwater: mining at Čukaru Peki carries an ongoing risk of land subsidence, while the future Malka Golaja mine is located just 7 km from Nikoličevo, a locality known for its thermo-mineral waters, and from Zaječar, a town supplied by around 40 public springs and wells - raising questions about possible impacts on the area's aquifer horizons.

Under Serbia's Law on Planning and Construction, the scoping decision allows twelve months from 18 June

¹http://demo.paragraf.rs/demo/combined/Old/t/t2026_04/SG_036_2026_016.htm

²GRAD BEOGRAD - GRADSKA UPRAVA: <https://bor.rs/wp-content/uploads/2026/07/Elaborat-za-RJU-Cukaru-Peki-Malka-Golaja.pdf>

³GRAD BEOGRAD - GRADSKA UPRAVA: <https://bor.rs/wp-content/uploads/2026/07/Elaborat-za-RJU-Cukaru-Peki-Malka-Golaja.pdf>

2026 to prepare the Draft Plan (*Nacrt*), which will contain the substantive technical content and the SEA Report.⁴ The Draft Plan must then be exhibited for public insight (*javni uvid*) for a minimum of 30 days, followed by public hearings (*javna sednica*) at which every submitted comment must receive a public response from the plan's authors, ahead of any decision-making.⁵

The Draft Plan/*javni uvid* stage, expected around mid-2027 or earlier, is the point at which meaningful Romanian participation becomes possible and relevant, since it is only then that the technical content and the SEA report will be made available for public consultation. Article 10 of the Kyiv Protocol requires notification 'as early as possible,' which is why we are asking the Ministry today to secure Romania's standing early, rather than wait for the 30-day window to open and risk Romania being treated as a latecomer to a process already under way.

2. Why it matters

The Bor-Zaječar mining district lies within the Timok river basin, which drains into the shared Romania–Serbia stretch of the Danube. Both countries already share a well-documented history of heavy-metal contamination (copper, lead, zinc, arsenic) and associated public-health risk in this cross-border area.⁶ Since 2018, Zijin Mining's activities have worsened air, water, and soil pollution: copper concentrations in the Borska River - part of the same river system as the Kriveljska valley now designated for the new tailings dump - are close to seven times the permissible limit, and average airborne arsenic concentrations exceed the national target value more than ninety-fold, alongside a documented decline in life expectancy in the Bor district over the same period.⁷

With regard to the planned 1,900-hectare flotation tailings dump in the Kriveljska river valley, the ICPDR has repeatedly identified mining and tailings management facilities (TMFs) as one of the major environmental risks in the Danube River Basin, calling for stricter safety standards, improved monitoring and stronger transboundary cooperation.⁸

It is also essential to highlight the impact on the Vlach community, a minority historically concentrated in the Bor and Zaječar districts, including the village of Krivelj - around 60% Vlach - which sits directly on the Kriveljska river. Zijin's activities have already led to the displacement of villagers, often without adequate

⁴Government of the Republic of Serbia, Decision on the Preparation of the Spatial Plan of the Special-Purpose Area for the "Čukaru Peki" and "Malka Golaja" Mining and Metallurgical Complex, and Decision on carrying out the related Strategic Environmental Assessment, 18 June 2026 (published in the Official Gazette of the Republic of Serbia; reported in Nova Ekonomija, 22 June 2026, and Ist Media, "Vlada pokrenula izradu Prostornog plana...", 21 June 2026):

<https://novaekonomija.rs/vesti-iz-zemlje/radi-se-prostorni-plan-za-nalazista-rude-u-boru-i-zajecaru-vlada-donela-odluku-zidjin-fina> nsira and

<https://istmedia.rs/vlada-pokrenula-izradu-prostornog-plana-podrucja-posebne-namene-za-rudarsko-metalurski-kompleks-cukaru-pek-i-malka-golaja/>

⁵Mašina, "Vlada pokrenula izradu Prostornog plana područja posebne namene za rudarsko-metalurški kompleks 'Čukaru Peki' i 'Malka Golaja'" (22 June 2026):

<https://www.masina.rs/vlada-pokrenula-izradu-prostornog-plana-podrucja-posebne-namene-za-rudarsko-metalurski-kompleks-cukaru-pek-i-malka-golaja/>

Bor030, "Eko Istok: Vlada pokrenula izradu prostornog plana za 'Čukaru Peki' i 'Malku Golaju'" (21 June 2026):

<https://www.bor030.net/eko-istok-vlada-pokrenula-izradu-prostornog-plana-za-cukaru-pek-i-malku-golaju>

⁶"Establishing a baseline for environmental risk assessment: a systematic review of the disposal of mining tailings in the crossborder region Romania–Serbia", ScienceDirect, 2025: <https://www.sciencedirect.com/science/article/pii/S0946672X25002159>

⁷UN Special Procedures, Joint communication AL CHN 17/2025 from the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes and the Special Rapporteur on minority issues to the Government of China, regarding Serbia Zijin Copper DOO's operations in Krivelj, Bor district, Serbia, 8 August 2025:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30207>

⁸ https://www.icpdr.org/sites/default/files/2023-12/Accidental%20Pollution%20Hazard%20in%20the%20DRB_Final%20Report.pdf

compensation or rehabilitation, and have restricted access to natural resources, while the lack of effective government oversight has increased the difficulties faced by local communities. In an August 2025 communication, UN Special Rapporteurs expressed concern that the burden of Zijin's operations and expansions falls disproportionately on this minority, noting the risk of further displacement linked to the expansion of the Čukaru Peki mine - one of the two mines covered by the Plan that is the subject of this letter - and warned that Zijin's new plans will further aggravate all of these factors.⁹

The Spatial Plan cannot and must not be read in isolation from the wider expansion of Zijin's operations across the Bor–Majdanpek mining district. In March 2026, Serbia Zijin Copper initiated the EIA procedure for a major expansion of the 'Južni revir' open pit at Majdanpek, involving 126 million tonnes of ore and 407 million tonnes of waste rock, the diversion of the Mali Pek river, and a pit rim roughly 100 metres from the nearest homes. The Pek drains into the Romania–Serbia stretch of the Danube upstream of the Iron Gates (Đerdap 1) dam - a second transboundary pathway distinct from the Timok. The new metallurgical complex under the Spatial Plan is expressly intended to process concentrate from Serbia Zijin Copper's operations, with reserved capacity for a further 450,000 tonnes of copper per year beyond its initial 400,000, sized for this district-wide expansion.¹⁰ The Kyiv Protocol requires the SEA report to address cumulative and synergistic effects;¹¹ an assessment confined to the 126 km² plan area would understate the combined load reaching the shared Danube through both the Timok and Pek basins.

3. Legal basis

Romania and Serbia are Parties to the Espoo Convention on Environmental Impact Assessment in a Transboundary Context, as well as to its 2003 Protocol on Strategic Environmental Assessment (the Kyiv Protocol). The latter extends the logic of transboundary consultation from individual projects to plans and programmes. Article 10 of the Kyiv Protocol requires a Party of origin, where implementation of a plan or programme is likely to have significant transboundary environmental effects, to notify the potentially affected Party as early as possible and to offer consultations - including making the plan and its environmental report available to the affected Party's public in their native language, and channelling their comments back through the affected Party's own authorities.¹²

Serbia's government decision of 18 June 2026 commits it to carrying out a Strategic Environmental Assessment (SEA) for the Spatial Plan. Serbia's SEA law,¹³ in force since 6 December 2024, is aligned with EU Directive 2001/42/EC and provides the legal basis through which the transboundary notification and consultation obligation is meant to operate and be applied in substance.

The above also create the framework needed to secure the rights of the Vlach community - Romanians from the Timok region, in line with Article 5 § 1 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities, Article 15 of the Council of Europe Framework Convention for the Protection of National Minorities (ratified by both Serbia and Romania), Article 27 of the International

⁹The communication raises concerns regarding the Vlach minority under, inter alia, Article 5 of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious or Linguistic Minorities and Article 15 of the Council of Europe Framework Convention for the Protection of National Minorities, to which Romania is also a party:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=30207>

¹⁰Conceptual Document cited in footnote 1, sections 5.3.3.1–5.3.3.2, pp. 21–22.

¹¹Protocol on Strategic Environmental Assessment (Kyiv, 2003), Annex IV, paragraph 6 and its accompanying footnote.

¹²Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Kyiv, 2003), Article 10 — "Transboundary consultations":

<https://unece.org/environmental-policy/conventions/environmental-assessment/about-us/protocol-on-sea>

¹³Official Gazette of the Republic of Serbia, No. 94/2024.

Covenant on Civil and Political Rights, and the European Charter for Regional or Minority Languages, which explicitly recognises Vlach as a protected minority language on the territory of Serbia since 2006. The Vlach community in Serbia constitutes an officially recognised national minority, protected both under the Constitution of Serbia (Article 14) and under international law.

4. Why now

On 16 July 2026, the Consul General of Romania in Zaječar, Ms. Mioara Ștefan, visited Bor and met with Mayor Radiša Petković to discuss deepening economic and cultural cooperation and support for the Romanian communities on both sides of the border.¹⁴ We believe that Ms. Mioara Ștefan's role, mandate and activities reinforce our request that Romania's involvement be secured early.

Romania's involvement is all the more important given that the European Commission, in its 2025 progress report on Serbia's accession, notes that in areas central to this letter — such as water quality, industrial pollution and risk management — alignment with the EU *acquis* remains only partial.¹⁵ The risks posed by a plan of this scale, within a river system already flagged as a cross-border contamination concern, are compounded by the fact that in 2024 Serbia had only eight water inspectors for the entire country.¹⁶ This is precisely why it is essential that Romania not rely solely on Serbia's domestic process, but actively assert its own right to be consulted, in order to protect human and environmental health in this border region; including the Vlach community.

With the above in mind, we respectfully ask the Ministry of Environment, Waters and Forests to:

- Formally request, through the appropriate diplomatic and technical channels, that the Republic of Serbia notify Romania under Article 10 of the Kyiv Protocol regarding the Spatial Plan for the 'Čukaru Peki' and 'Malka Golaja' Mining and Metallurgical Complex.¹⁷
- Formally secure, through official channels, recognition of Romania's status as a potentially affected Party for the Draft Plan (*Nacrt*) stage, so that when the Draft Plan and its SEA report are exhibited for public insight (*javni uvid*), the Vlach community in Serbia, as well as Romanian authorities, municipalities and citizens, automatically receive the documentation in Romanian, on the same timeline as the Serbian public, and have the right to receive responses to comments submitted at the public hearing (*javna sednica*), on the same basis as Serbian participants.
- Notify early the Vlach community, as well as Romanian authorities, communities and NGOs in the potentially affected counties, from the Danube/Timok border stretch (Mehedinți, Dolj) downstream (Olt, Teleorman, Giurgiu, Călărași, Ialomița, Constanța, Tulcea).
- Commission independent expert assessments of the Draft Plan/SEA Report regarding: (i) the potential transboundary risk posed by the new Čukaru Peki underground mine, the Malka Golaja mine, the new metallurgical complex, the sulfuric-acid plant and the tailings dump; (ii) the

¹⁴Local media coverage of the visit of the Consul General of Romania, Ms. Mioara Ștefan, to Bor, 16 July 2026:

<https://istmedia.rs/konzulka-rumunije-i-gradonacelnik-bora-dogovorili-dublju-privrednu-i-kulturnu-saradnju/>

<https://www.bor030.net/konzulka-rumunije-u-poseti-boru-unapredjenje-saradnje-kroz-zajednicke-projekte-i-jacanje-privrednih-i-ku>

[lturnih-veza](https://www.bor030.net/konzulka-rumunije-u-poseti-boru-unapredjenje-saradnje-kroz-zajednicke-projekte-i-jacanje-privrednih-i-ku)

¹⁵ https://enlargement.ec.europa.eu/document/download/6e68ce26-b95b-48e1-921a-c60c12da8f00_en, p. 94 ff.

¹⁶

<https://www.ekologija.gov.rs/sites/default/files/inline-files/Godij%C5%A1ni%20plan%20za%202026%20-%20Inspekcija%20za%20za%C5%A1titu%20%C5%BEivotne%20sredine.pdf>

¹⁷If Serbia declines to notify Romania, we ask that the Ministry request Serbia's written justification for that decision.

cumulative impact, measured against the current baseline and the latest extensions (the 'Južni revir' open pit at Majdanpek and the diversion of the Mali Pek river); and (iii) the impact on local biodiversity, in light of the recent identification of rare and protected species on the territory of Malka Golaja.¹⁸

- Raise this matter bilaterally with Serbia's Ministry of Environmental Protection and, where relevant, with the European Commission (DG NEAR and DG ENVI). Transboundary environmental cooperation is directly relevant to the EU acquis under Chapter 27, to which Serbia is committed as part of its accession negotiations.

We look forward to reading your reply and remain,

Yours sincerely,

Signed by 28 Romanian NGOs

¹⁸Kurir, "Retka vrsta biljke velika mužica pronađena kod Zaječara" (19 May 2026):

<https://www.kurir.rs/vesti/srbija/9999219/retka-vrsta-biljke-velika-muzica-pronadjena-kod-zajecara>

Bor030, "Eko Istok: Vlada pokrenula izradu prostornog plana za 'Čukaru Peki' i 'Malku Golaju'" (21 June 2026):

<https://www.bor030.net/eko-istok-vlada-pokrenula-izradu-prostornog-plana-za-cukaru-pek-i-malku-golaju>

NG Portal, "Pokrenuta izrada plana za 'Čukaru Peki' i 'Malku Golaju', 'Eko Istok' upozorava na posledice" (22 June 2026):

<https://www.ngportal.rs/pokrenuta-izrada-plana-za-cukaru-pek-i-malku-golaju-eko-istok-upozorava-na-posledice/>

<https://novimagazin.rs/dosije-zeleno/365582-na-malkoj-golaji-kod-zajecara-pronadjena-retka-i-zasticena-biljka-za-koju-se-smatralo-da-je-nestala-u-srbiji>