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## **MOTION FOR A RESOLUTION**

further to Question for Oral Answer B7-0206/2010

pursuant to Rule 115(5) of the Rules of Procedure

on a general ban on the use of cyanide mining technologies in the EU

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on behalf of the S&D Group

**B7-0239/2010**

**European Parliament resolution on a general ban on the use of cyanide mining technologies in the EU**

*The European Parliament,*

- having regard to Article 191 of the Treaty on the Functioning of the European Union,
- having regard to the precautionary principle as set out in the Rio Declaration on Environment and Development, as well as in the Convention on Biological Diversity of June 1992, Rio de Janeiro,
- having regard to the environmental objectives of the Water Framework Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000,
- having regard to Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries, allowing the use of cyanide in mining with maximum permissible cyanide levels,
- having regard to Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003 amending Council Directive 96/82/EC (Seveso II) on the control of major-accident hazards involving dangerous substances, stating that [...] certain storage and processing activities in mining [...] have potential to produce very serious consequences,
- having regard to Directive 2004/35/EC of the European Parliament and of the Council of 21 April 2004 on environmental liability, under which Member States may allow the operator not to carry the costs for environmental damages if certain conditions are proved,
- having regard to the 18-month programme of the Spanish, Belgian and Hungarian Presidencies, so as to its priorities on water policy and biodiversity,
- having regard to the report of the UNEP/OCHA Assessment Mission on the cyanide spill at Baia Mare (Romania) dated March 2000, and to the report of the International Task Force for Assessing the Baia Mare Accident dated December 2000,
- having regard to the measures of the Czech Republic on the general ban of cyanide technologies with the amendment of the Mining Act No 44/1988 in 2000, as well as to the amendment of the Hungarian Mining Act No 48/1993 in 2009 introducing a ban on cyanide-based mining technologies in the territory of Hungary, and to the German decree passed in 2002 prohibiting cyanide-leach mining,
- having regard to the question of 17 March 2010 to the Commission on a ban on the use of cyanide mining technologies in the EU (0-0035/2010 - B7-0206/2010),
- having regard to Rules 115(5) and 110(2) of its Rules of Procedure,

- A. whereas the United Nations declared 2010 to be the International Year of Biodiversity and so the world is invited to take action in 2010 to safeguard the variety of life on earth,
- B. whereas cyanide is a highly toxic chemical used in the gold mining industry, also qualifying as a main pollutant under Annex VIII of the Water Framework Directive, that can have catastrophic and irreversible impact on human health and the environment, thus on biodiversity,
- C. whereas in the Joint Position of the Ministers of the Environment of the Czech Republic, Hungary, Poland and Slovakia on sustainable mining, issued at the 14th Meeting of the Environment Ministers of the Visegrad Group of Countries on 25 May 2007 in Prague (Czech Republic), the ministers expressed their concerns about the hazardous technologies used and planned for mining activities at various sites in the region entailing considerable environmental hazards with potential transboundary consequences,
- D. whereas in the framework of the Sofia Convention on Cooperation for the Protection and Sustainable Use of the Danube River, the Parties agreed on that besides the priority hazardous substances under the Water Framework Directive, cyanide qualifies as a relevant hazardous substance,
- E. whereas 10 years ago more than 100 000 cubic meters of cyanide-tainted water had been released from a gold mine reservoir in Baia Mare (Romania) into the Somes-Tisza-Danube river system and caused the largest ecological disaster of central Europe at that time; whereas toxic materials killed many organisms damaging the ecological system, food chain and essential human use of the river for many years; whereas 100% of planktons, 82% of fish and 50-60% of aquatic invertebrates were reported to have been killed on the most contaminated section of the Tisza River,
- F. whereas in the past 25 years more than 30 major accidents involving cyanide spills have occurred worldwide and there is no real guarantee that these accidents will not occur again, especially taking into account the escalating extreme weather conditions, inter alia heavy and frequent precipitation events, as projected by the Fourth Assessment Report of the Intergovernmental Panel on Climate Change,
- G. whereas several EU Member States are still facing new projects for large scale open cast gold mines to be using cyanide technologies in densely inhabited areas, posing further potential threats to human health and environment,
- H. whereas under the Water Framework Directive, Member States are obliged to reach and preserve the 'good status' of water resources, as well as to prevent their pollution with hazardous substances, however, the quality of water could also depend on the water quality of the relevant river basin which is located in neighbourhood countries using cyanide mining technologies,
- I. whereas the cross-border effects of accidents involving cyanide, particularly with regard to contamination of large river basins and groundwater supplies, underlines the need for an EU approach to the serious environmental threat posed by cyanide mining,
- J. whereas prudential rules and proper financial guarantees are still missing, and the

implementation of the existing legislation on cyanide mining also depends on the skills of the executive powers of each Member State, so it is only a matter of time and human negligence for an accident to occur,

- K. whereas the Mining Waste Directive has not been fully implemented in some Member States,
- L. whereas cyanide mining gives few jobs and only for a period of eight-16 years, while it runs the risk of enormous cross-border ecological damages that are usually not compensated by the responsible operating companies, usually disappearing or going bankrupt, but by the state, i.e. by the taxpayers,
- M. whereas the operating companies do not have long-term insurance that would cover the costs incurred in case of an accident or malfunction occurring in the future,
- N. whereas one tonne of low grade ore must be extracted in order to produce two grams of gold, leaving enormous amount of mining waste on the sites, while 25-50% of the gold finally remains in the waste stockpile; whereas, in addition, large scale cyanide mining projects use several million kilograms of sodium-cyanide per year, the transportation and storage of which itself presents a potential for catastrophic consequences in the event of a failure,
- O. whereas alternatives to cyanide mining do exist which could replace cyanide-based technologies,
- P. whereas there are strong public protests against ongoing cyanide mining projects across Europe, including not only individual citizens, local communities and NGOs, but also state organisations, governments and politicians,
  - 1. Considers that compliance with the objectives of the EU under the Water Framework Directive, namely to achieve good chemical status and to protect water resources, as well as the protection of biological diversity can only be achieved by not allowing cyanide mining technology;
  - 2. Calls on the Commission to propose a complete ban on the use of cyanide mining technologies in the European Union before the end of 2011, since this is the only safe way to protect our water resources and ecosystems against cyanide pollution from mining activities, and to proceed with an ordinary impact assessment at the same time;
  - 3. Takes note of the relevant initiatives within the EU and the UN system and strongly encourages the development and application of safer – in particular cyanide-free – mining alternatives;
  - 4. Calls on the Commission and on Member States not to support any mining projects that involve cyanide technology in the EU, directly or indirectly, until the general ban is applicable, nor to support any such projects in third countries;
  - 5. Calls on the Commission to propose an amendment to existing legislation on the management of waste from the extractive industries to require that every operating

company is obliged to have an insurance to compensate for damages and to cover all remedial costs for restoring to the original ecological and chemical status in case of an accident or a malfunctioning;

6. Instructs its President to forward this resolution to the Council, the Commission and the parliaments and governments of the Member States.