

Rejoinder

It is undeniable that the Vareš mining project has all the necessary permits for the Rupice mine. The real question that should be asked, and which everyone skilfully avoids, is “And how were those permits issued?”

I do not want to burden this answer with too much material, so I will only mention some strange elements related to the permits issued for the Vareš mining project.

Issuance of permits

MM Project d.o.o., is the company that received concessionary and associated exploration and exploitation rights for the Vareš mining project under unclear circumstances. This company later changed its name to Eastern Mining d.o.o which was subsequently acquired by Adriatic Metals. As stated in Adriatic's website, '*Adriatic Metals BH d.o.o holds Exploration and Exploitation Concessions in Bosnia and Herzegovina (the Vares Project). Eastern Mining d.o.o is 100% owned by Adriatic Metals PLC.*' With this transaction, Adriatic Metals acquired both assets and debts of Eastern Mining.

Even before becoming Eastern Mining, MM Project was supposed to pay a concession fee of around 400,000 Convertible Markas (KM). This concession fee was never paid by MM Project. After the name change and acquisition, the price of the concession fee was suddenly reduced with a magic wand, from 10,000 KM per m², established by law, to 1,500 KM per m². Consequently, Eastern Mining paid approximately 170,000 KM, an amount substantially lower than the originally purchased debt. The legal price of 10,000 KM per m² was valid even after the expansion of the concession field, but Eastern Mining again miraculously received a lower price, this time of 150 KM per m². At the end of the calculation, we arrive at a figure of approximately 5 million KM in damages to the public treasury of the Zenica-Doboj Canton at the very start. At the same time, the mining rent was increased from 1.50 KM per ton to 3.90 KM per ton, which is again only approximately 1% that Bosnia will gain from the total profit.

It would be said that the authorities of Zenica-Doboj Canton are very generous when they share state property!

State property – ownership and land use

Speaking of state property, the Law on the Prohibition of Disposal of State Property includes the prohibition of changes in ownership **and other disposal of state property**. This sentence of "second disposal" also implies changes in the use of state land, and ultimately giving it under concession. However, the authorities of Zenica-Doboj Canton and the Government of the Federation of Bosnia and Herzegovina violated the mentioned Law and converted state land from forest land to construction land under very unusual circumstances, illegally and without consultation with citizens - state property is a public good, and a public good belongs to all citizens of the state.

Lack of community consultation

When I mentioned that there was no consultation with the citizens, I remembered that the citizens of Kakanj did not even know anything about the existence of the project until 2022, which will have the greatest impact and the only impact on water and nature in Kakanj.

The Rupice project is located right on the demarcation line between Kakanj and Vareš, on the border. It is located on a state-owned plot managed by a forestry company from Kakanj. Nevertheless, the Kakanj people never had a public discussion, nor was anyone ever asked if they wanted to have a heavy metal mine at the sources of drinking mountain rivers and streams. Contrary to the Aarhus Convention, a public hearing was never held in Kakanj, even though the project has the greatest impact on the territory, nature and mountain rivers of Kakanj, but also on the river and stream from which Kakanj draws drinking water for about 40,000 inhabitants.

The discussion on the Environmental Impact Study was very "wisely" held in August 2021, in the middle of the COVID-19 lockdown, in the remote village of Vareš. The discussion about the project, which will have a direct impact on the lives of the citizens of Kakanj, had to be held in the town hall in Kakanj and in front of the Kakanj Municipality Council. This was cleverly avoided and the citizens were never told what exactly the project entails and what consequences it brings.

Social and Environmental damages

The Project is located on top of a mountain. On one side is the Kakan River Trstionica and its tributary Vrući potok - a mountain stream that Adriatic Metals turned into a waste water channel.

Strangely, all inspections that were supposed to react to this problem gave a written official report that "there are no changes to the stream". One can say that the inspectors have some very unusual observations!

On the other side of the mountain is the Borovicki potok, the stream which is polluted through its tributary Srednji potok. The Borovicki potok is the main tributary of the Bukovica river, which supplies Kakanj with drinking water.

The Bukovica River and Borovicki Potok are protected by special legal regulations as they provide drinking water for Kakanj and have defined water protection zones. In these water protection zones, it is **forbidden** to cut down the forest, carry out construction work, carry out geological research, and exploit minerals and ores. Therefore, according to the aforementioned legal regulations, it would be impossible to obtain a permit to perform the mentioned prohibited works.

Nevertheless, Adriatic Metals received such permits! With these permits, forests were cut down in water protection zones, roads were built in the zones, construction works were carried out even in the very bed of the Bukovica river, and the concession field of the Rupice mine is mostly located in the second and third water protection zones, where they are strictly prohibited activities mentioned above and where the concession for the mine should not have been issued under any circumstances.

Water resources

As far as permits are concerned, they are the responsibility of the cantonal and federal authorities. Nevertheless, Adriatic Metals obtained these permits from the forest company Vareš, from the utility company Vareš, municipality offices in Vareš and so on. Permits are available on the Adriatic Metals website, thank you for sharing them with us!

The water plant of the Kakanj Vodokom company "Vodozhvat izvorista Bukovica" (Water catchment of the Bukovica spring") is located 8 km downstream from the mine.

This is a very important fact!

In the Study for the Preliminary Water Consent ordered by Adriatic Metals from the Mining Institute Tuzla, the key sentence is stated for which Adriatic Metals received the Preliminary Water Consent for the Rupice mine, and in which on p. 24, it is stated that the "Water catchment of the Bukovica spring" is upstream from the Rupice mine and that therefore the mine will not have an impact on drinking water.

On the basis of this Study, Adriatic Metals received a previous water permit, and later a water permit. It is a document without which the Project would not even exist (if we exclude the illegal conversion of state forest land into construction land, which resulted in the cutting down of hundreds of hectares of centuries-old mixed forest of fir, oak, beech, maple, and spruce).

Judge for yourself!

https://drive.google.com/file/d/1cLqCDMMT6JALkipoikNzqL0dJTCoMgt_/view?usp=sharing

The Vareš project is referred to as a project of national importance for Bosnia and Herzegovina. That would be a nice story if it were true!

Official information says that Bosnia and Herzegovina will collect "as much as" 60 million KM from concession fees from the Project during the 30 years of the concession.

Interesting!

Adriatic Metals draws spring water for basic needs at the Rupice mine, namely:

4l/s from Vrući potok (l/s = litres per second)

4l/s from Borovički potok

20 l/s from Bukovica

That's a total of 28 l/s.

That's 1680 l/min.

That is 100800 l/h.

That is 2 419 200 l/day.

That is 72 576 000 l/month.

That is 870 219 000 l/year.

That is 26 127 360 000 l for the 30-year concession.

If Bosnia and Herzegovina bottled that spring water and sold it for 1 KM a liter of water, then it would amount to 26 billion 127 million and 360 thousand KM (1 euro = 1.95 KM). With a simple calculation, we come to the conclusion that Adriatic Metals was given the status of an important project without any basis.

Here we can also mention the ridiculous statement at the opening of the mine that the mine will provide 400 jobs when it reaches full capacity. It's funny because approximately so many people work in the catering industry (café's, restaurants, bakeries etc.) in Kakanj, and catering depends on clean water.

It remains unclear how Adriatic Metals is doing and whether it received an adequate permit for pumping the water that is pumped from the water protection zone for Kakanj.

Criminal complaints vanished

Adriatic Metals illegally cut down a tall forest on an area of 3000 m² and thereby committed the crime of "deforestation". The Cantonal Administration for Forestry conducted an on-site investigation, informed the Ministry of Economy, Water Management and Forestry, informed the police, and then filed criminal charges against the responsible persons: the legal entity Adriatic Metals and the responsible persons in the legal entity Paul Cronin and Alem Logo. A few months later, Žurnal Magazin found out that the alleged prosecutor's office in Zenica - Dobož Canton did not receive those criminal reports.

After the criminal offence was committed, the Government of the Federation of Bosnia and Herzegovina made an illegal decision to permit the conversion of state-owned forest land into construction land, based on a request from Adriatic Metals. The FB&H government changed the legislation to favour the investor.

Links:

- <https://www.zurnal.info/clanak/is-kakanj-losing-drinking-water-due-to-the-mine-in-vares/26583>
- <https://www.zurnal.info/clanak/kompanija-adriatic-metals-nekaznjeno-posjekla-3000-kvadrata-sume/26608>
- <https://www.zurnal.info/clanak/osamnaest-hektara-drzavne-sume-pretvoreno-u-deponiju/26644>
- https://drive.google.com/drive/folders/1TNk4ITN8IqzZ01TWndSzAxGKfzuJwm9V?usp=drive_link
- https://drive.google.com/drive/folders/1K_06FadK2SME0TbVR9dSOkyCPeqbzcx?usp=drive_link

Final remarks

Finally, I add one more interesting thing to round off this Answer.

The area where the Rupice mine "sprouted" is planned by the Spatial Plan of the Zenica-Dobož Canton to be placed under a high degree of protection as a "strict nature reserve", namely:

- Because of the richness of biodiversity on land and in water
- Due to the presence of endangered species of flora and fauna
- Due to the abundance of sources of drinking water, mountain streams, rivers,
- underground water.

It remains unclear how Adriatic Metals got permission to ever set foot in that area!

It also remains unclear how Adriatic Metals honoured the Chief Federal Mining Inspector with a visit to the Chelopez mine, even though the aforementioned inspector is supposed to supervise the operation of the mine, so during one such supervision he gave a very bad and favouring finding in favour of the company and in which he provided completely incorrect information about locations of endangered rivers and streams and wrote that they are "far" from the mine as if the water were flowing uphill, not downhill.

(<https://drive.google.com/drive/folders/1GSok0CHPANC1RsQcx5dw9am7AGobLGu?usp=drive>)

[link](#))

It remains unclear how the Federal Ministry of the Environment granted permits for the Adriatic Metals mine and waste disposal site in locations where endangered animals lived, large mammals such as bears, wolves, lynxes, owls, falcons, hawks, grouse, many small mammals, endangered plant species, native trout, crayfish, frogs, endangered species of plants such as wild orchids, native forests, and finally the Trstionica rainforest – one of the last European rainforests, which is only 3 km away from the mine and which mining activities in the vicinity, according to the assessment of professor Ballian, will have a terrible influence.

For more insight check out our youtube channel – videos and shorts to see how Adriatic Metals meets “environmental issues, but also the highest international standards”.

<https://youtube.com/@zastitimomehoric-kakanj?si=1qtr-qN4rEIIUp6C>

At the end of the day, Adriatic Metals is only to be blamed for presenting a mining project as it was a botanical activity. Whatever is happening here is to be blamed on our corrupted authorities who irregularly issued permits. Adriatic Metals or anybody else who might have been instead is none of our concern in this case and are not to be taken as a side in this case between the citizens and corrupted authorities; however, Adriatic Metals pushes itself in between though we consider them quite irrelevant in this whole problem between us, citizens, and our national authorities.

And yes, in my town I am threatened by the pollution of drinking water, two rivers and many streams, "because the works are carried out on a mountain that is permeated with watercourses like veins, and if heavy metals get into those waters, it's over, there's no going back"!

Because of this claim, **Adriatic Metals filed a SLAPP suit against me**. Or is it because of my Complaint against Bosnia and Herzegovina to the Secretariat of the Berne Convention? In any case, the goal is to silence me and others who dare to question the project and bring light to the severe environmental and social impacts it brings to local communities. The case is nonsense and has no legal base.

Adriatic Metals claims: “the case was lodged only after efforts had been made to engage constructively with the complainant and requests for the cessation, and acknowledgement, of the misinformation”.

I was contacted by the lawyer of Adriatic Metals and I was sent a request for the publication of a denial in which I was asked to refute the situation on the ground: the devastation of nature, water pollution and to state that I lied that such a situation exists on the ground. Such a thing is unacceptable just as it is unacceptable to call me a liar in a public space on national television and to call me a “so-called-activist”, “semi-activist”, “a person with a dubious past”. Maybe I'm being sarcastic, but I don't even get upset about a dubious past since a wonderful person said it. (<https://n1info.ba/vijesti/demant-kompanije-adriatic-metals-imamo-sve-dozvole-nadleznih/>)

However, I do not forgive the so-called-activist and semi-activist, because I am not an activist - I defend my human rights, I defend my water, my environment, my home from which I do not want to leave and which I did not leave even during the war under bombing and shelling.

It is a fact that mining activities pollute the air, soil and above all underground and surface water. Adriatic Metals is engaged in mining, not some botanical activities at Rupice.

I don't have to speak, let the videos photos speak instead:

- https://youtu.be/_itkBSatAXo
- https://youtu.be/PuNOhIr_iE4
- <https://youtu.be/Huo65D2bSDM>
- <https://youtu.be/ri1sxh43lrw>
- <https://youtu.be/jPc7wOGkX7A>
- <https://youtu.be/PdfDB9vUjP4>
- <https://youtu.be/OdIzHD-gBXA>
- <https://youtu.be/UQbNfQzjVLw>
- <https://youtu.be/dzQfXNMOhDc>
- <https://youtu.be/4TO9NyOUUnQg>
- <https://youtube.com/shorts/U3NbbKM7X3Y?feature=share>
- <https://youtube.com/shorts/we4V0HQJLAU?feature=share>
- <https://youtube.com/shorts/29JhrQqjzUQ?feature=share>
- <https://youtube.com/shorts/fIyR--Eg1e0?feature=share>
- https://www.myqnapcloud.com/smartshare/6h72i98knp2m2612253y7xc6_442d524mkm572_2rurs5ywy339aa11g6j

Additional information about the allegations underlying the SLAPP suit:

1. The article "Government of Zenica honoured global ore traders" published by the Center for Investigative Journalism on 07/10/2023. and cites the Defendant's statement: "What does a minimum concession fee do to me if I won't have water to drink, and I won't have it, you understand, because the work is taking place on a hill that is permeated with water like veins. Once you release heavy metals into the groundwater, it's over, there's no going back."
2. The plaintiff cites the statement of the defendant in the attachment of N1 television for Dnevnik on 14.9.2023. in a TV article entitled "Lithium mining leaves scars on the health of the locals: "The water stings the body, blisters pop out..." where the Defendant stated: "it is the company Adriatic Metals, Eastern Mining, Trgošped, institutions that remained silent for eight months until our question about what is happening in Mehorić, through the ministries and so on..."

(More info: the defendant replied to the journalist's question "Who are the suspects in criminal complaint filed by the citizens?" => criminal complaint T04 0 KTAK 0051514 22 cantonal prosecutor Alen Šabić)

3. The Plaintiff cites a post on the Defendant's Twitter profile dated August 16, 2023. and comments: "I would also invite them to Mehorić and Vrući potok, areas that have already been devastated by Adriatic Metals. I would like them to see the destroyed waters of the mountain streams and rivers of Bosnia, the land of dreams, MY land".

4. The Plaintiff cites the Defendant's comment on the announcement by the ambassador of Great Britain where the Defendant was on September 15, 2023. left a comment with the following content: "Could you please ask them to use mediaeval methods. These modern cause too much damage."
5. The Plaintiff refers to the Defendant's post on the Facebook profile of September 16, 2023. And states her description of the photo: "This is the water that comes to my pipes, I need to shower with this water." I have been bringing water for drinking and cooking in canisters for months. Bosnia, the land of water? Bosnia is a country of shit! Because in Bosnia just anyone becomes a minister and does what you see in the picture. And then someone tries to shut me up! They attack ones life and then blame them for being loud talking about it. Oh, get away!"
6. The Plaintiff cites the Defendant's post where she posted a photo of the river with the description: "I'm trying out a new option that Facebook has granted me: tagging branded content." I choose the brand I talk about all the time: Adriatic Metals Plc. Fast, efficient and permanent!"
7. The Plaintiff states that the Defendant on June 11, 2023. posted a photo of the mine and wrote: "Postcard. They packed it nicely so that all the damage and pollution goes to Kakanj and Trstionica. By the time the damage reaches Vareš, it will be too late for the people of Vareš to rebel."
8. The Plaintiff states that on October 4, 2023. The defendant was sent a request for the publication of a denial and states that the defendant confirmed the falsehoods with a denial. The Defendant wrote a denial using sarcasm and euphemisms and began by thanking the Plaintiff for showing concern for ordinary citizens by sending them warnings before the lawsuit.

The defendant further thanks the company for supporting environmental activism through warnings before the lawsuit and lawsuits against the activists.

The defendant further states that she did not know about the existence of the JP Vodokom Report dated September 12, 2023. and thanks the Plaintiff for reporting that there is such a finding of water.

Clarification: This is a finding of the microbiological state of the water, while analyses of water for heavy metals are not available to the public.

The Defendant thanks the Plaintiff, who states that there is nothing wrong with the water that is supposed to drink and is used by nearly 40,000 people in the household.

Clarification: At the same time, the Plaintiff's excavators are working in the very bed of the river from which citizens' households are supplied.

The defendant states that she did not know that she was allowed to drink water despite the fact that she got diarrhoea, which her fellow citizens also experience.

The defendant states that she did not know that she should not have told the public her subjective burning sensation on her body while taking a shower or washing her hands.

The Defendant further states that she apologises for saying that the Plaintiff uses water from Bukovica, because she uses it from Borovicki potok, which is the main tributary of Bukovica, and these are the facts. Later, it was established that the Plaintiff also uses water from Bukovica, which Vodokom proves in official documents.

Further in the text of the denial, the Defendant states the true facts that she found in various documents: the Plaintiff's documents - the planning documentation of the company Adriatic Metals d.o.o., media articles about the visit to the mine.

And let's just thank Mr. Cronin for being worried himself about the presence of cadmium in Kakanj's drinking water:

[Onder Bosnische bossen glinstert het zilver: brengt de nieuwe mijn voorspoed of giftig water?](#)
[- NRC](#)