



Are Balkan Countries Safeguarding Their Rivers?

A Legal Analysis of Environmental Standards in Six Western Balkan Countries

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April 2024

Picture: Upper Neretva, B&H, © Vladimir Tadic

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Source agreements of the analysis



**Energy
Community
Treaty**



**Stabilisation and
Association
Agreements**



**Transport
Community
Treaty**



**Danube River
Protection
Convention**



Bern Convention



**Espoo
Convention**



**Aarhus
Convention**



**Green Agenda for
Western Balkans**

Content

Six countries:

Albania	Bosnia and Herzegovina	Kosovo
Montenegro	North Macedonia	Serbia

EU Directives:

Environmental Impact Assessment Directive

Strategic Impact Assessment Directive

Environmental Liability Directive

Water Framework Directive

Habitat Directive

Birds Directive

EIA Directive – identified issues

Screening/excluding small
HPPs from EIA procedure

Poor public participation

Low quality of EIA reports

Outdated decisions on EIA



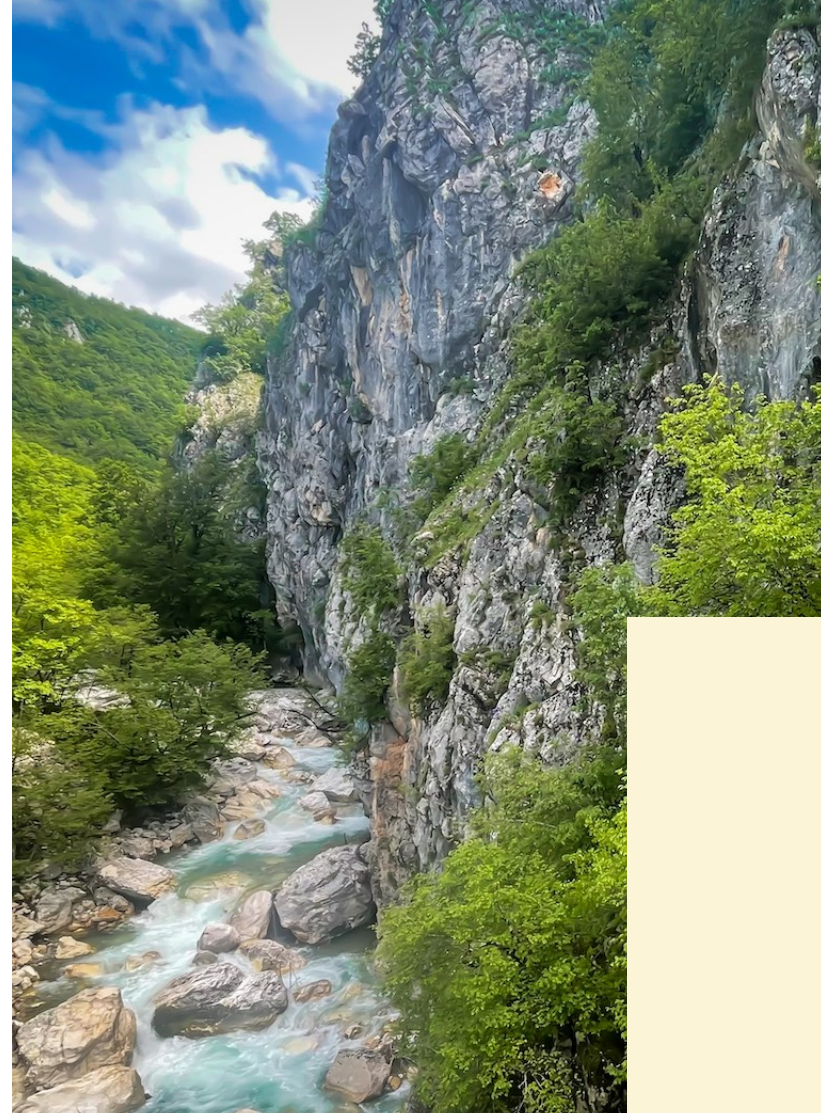
EIA Directive – good practice

Bosnia and Herzegovina

- Mandatory EIA for all/over 5 MW HPPs

Montenegro and Kosovo

- Commissions for analysis of the EIA reports - inclusion of CSOs



Picture: Ljuta river, B&H, ©Ursi Seibert

SEA Directive - Identified issues

No access to justice
provision

Public participation needs
improvement

SEA screening procedure
not transposed everywhere



Picture: © Xhemal Xherri

SEA procedure - good practice



In **Republika Srpska** and **Montenegro** decision on SEA needs to be backed with reasons and criteria



Albanian law ensures access to justice based on general rules of administrative procedure





Environmental Liability Directive

Issues:

Poor transposition in almost all countries

Good practice:

Implementation is being carried out only in **Montenegro**

Picture: Morača River, Montenegro © Jan Pirnat

Classification: Internal



Water Framework Directive - issues



Lack of secondary legislation



Lack of Institutional capacity



River basin management plans, programme of measures and environmental objectives still need to be adopted or updated



No assessment of impacts of projects on rivers

Birds and Habitats Directive - issues

Lack of secondary legislation

Lack of Institutional capacity

N2K to be designated

No appropriate assessment

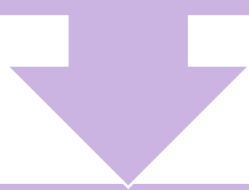


Energy Community Treaty

- ✓ All energy projects need to be assessed against their impact on nature and water resources;
- ✓ Current Treaty does not allow for that;
- ✓ Inclusion of WFD and the Nature Directives is needed;
- ✓ Followed by financial support, knowledge sharing, institutional cooperation, scientific assistance.

The role of the science community

70 scientists from 17 countries gathered to contribute to the conservation of the Neretva river system



What did they find (data from the first science week)?

over 1,000 species - and 300 species at this area were known from before

24 are new species for Bosnia and Herzegovina and eight species new to science, one officially confirmed and is named after the Neretva River – *Baeoura neretvaensis*

exceptional purity of the water



Thank you

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