



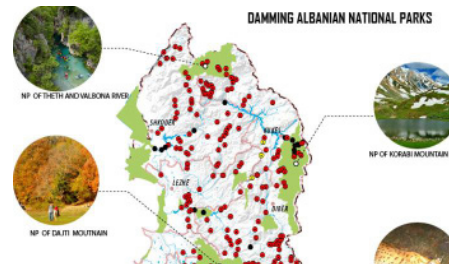
ENV.Net TURNS THREE!

The Environmental Network ENV.Net active in the Western Balkans and Turkey region entered its third phase having expanded by two new member countries, to cover the entire region. The network members gathered in Tirana, Albania to kickstart the project start on February 15-16, 2018.



SAVE THE DATES FOR MARCH

March offers several international environment related dates to celebrate and organise activities. Similarly, several meetings are scheduled to take place on an EU level on issues. *Read more on p. 4.*



DAMMING ALBANIA

HHP construction and permits all combined have rocketed by 330% in Albania during the last eight years, often with irreversible impact on the natural protected areas. *Read more on p. 5.*

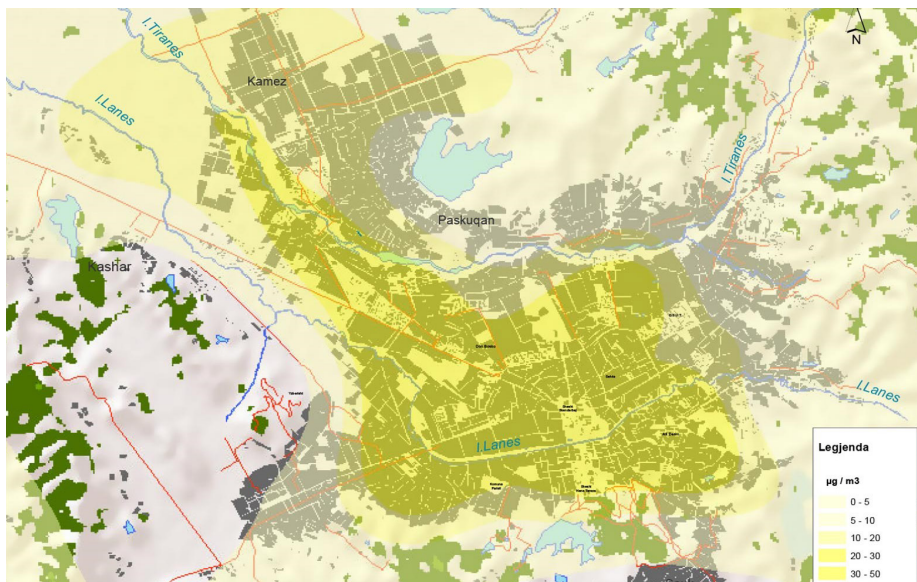
The Environmental Acquis in the Western Balkan and Turkey

What is the current implementation status of the environmental legislation in each of countries in the region and what are some of the key challenges faced?

ALBANIA

Albania's outlook continues to be pro-EU – as is shown by the Albanian Ministry of European Integration in its recent National Plan for European Integration (NPEI) 2017-2020. Although a candidate country since 2014, this outlook on EU membership is a political discussion driven by EU entry requirements, rather than following the European spirit of democracy, values and socio-economic development in the whole country. Hence, processes on paper are not supported by local buy-in, institutional readiness, and policy analyses and impact assessments to allow for genuine cross-sectoral and multi-level engagement in the process, and the possibility for the Government of Albania to Europeanise policy implementation on a domestic level, and influence policy-making on an EU level.

On paper, in Albania policy frameworks are already in place or expected to be developed. However a major issue is the gap between these national frameworks and local reforms on the ground that have a meaningful impact on the lives of Albanians. Despite ample support to the Albanian society for the European integration and the undertaking of numerous reforms, Albania has been reluctant 'to pay the price' of European integration and deal with major issues like



Source: The National Agency of Environmental, Albania.

effective justice reform, transforming the public administration into a responsive civil service, tackling corruption, enhancing transparency, and fostering regional collaboration in the Western Balkans (WB) and revising sectorial policy-pathways accordingly.

Renewable Energy Sources and Energy Efficiency

The regulatory framework for renewable energy is currently piloted as in 2017 the law supporting integration of RES in Albania was approved. The government aims to revise its 2015-2020 National Action Plan for Renewable Energy Sources (RES) aiming that by 2020 Albania will generate 100MW from RES. Yet, both in the Ministry and the Regulatory Authority there is no progress

with increasing capacity to manage RES. There is an interest in the further development of hydropower and support schemes are applied only to hydropower and not to other RES while during 2017 there were more than 35 official applications in Ministry of Energy by interested Albanian Entrepreneurs to invest on Solar Parks less than 2MWp installed capacity.

The Ministry of Infrastructure and Energy (Directorate for Renewable Energy Sources and Energy Efficiency) is the key body in charge of energy efficiency matters but its capacity remains insufficient, while in 2017 the Agency for Energy Efficiency was established and awaiting to consolidate its final organigram.



Chapter 27: Environment and Climate Change Waste Management

Recent developments of the sector are concentrated on revising the National Integrated Waste Management Strategy with a main aim to set up a minimal standard of offering these public service as well as addressing a final unified methodology for cost calculations. In Albania there are now 3 sanitary landfills (Sharra – in Tirana Municipality, Bushat in Shkodra Municipality and Maliq in Korça Municipality) also officially there are more than 88 non sanitary dumpsites and more than 340 identified illegal dumpsites all over the country used massively by small and poor Municipalities, Administrative Units or even communities not covered with service.

In Albania, during 2015-2017 waste segregation piloted in Tirana and in various initiatives throughout the country were not successful though waste is collected and transported mixed directly to dumpsites, while Central Government in full conscience of the current situation has already approved the construction of two new Incinerators in Fieri and Tirana while Elbasan Incinerator was recently inaugurated. Waste disposal remains mostly non-compliant with environmental protection standards. Industrial waste management is poor due to lack of investments and weak law enforcement whereas carriers and mining are exploiting without minimal criteria, natural resources even in protected areas. During 2017 there were registered cases where waste was burned deliberately to reduce resident quantity of waste in the dumpsites of Kamza and Porto Romano.

Air Quality: The national strategy for air quality was adopted in 2014, but not yet implemented in any of the respective sectors. Monitoring of air quality does not fully meet the standards established by the relevant EU directives and moreover publications made on National Environmental Status for 2016 does not reflect the current status of Air Quality in Albania. There are no local ambient air quality plans and no activities have been initiated to prevent known breaches of the limit values. Industrial emissions especially those in Kucova Refinery and in Fieri Refinery are not reflected or taken into consideration. Also construction activities undergoing massively in Tirana Municipality have increased significantly the concentration of PM particles on air as well as fossil fuel traded and used all over Albania does not meet any standard though contributing directly to poor urban air quality.

The Former Yugoslav Republic of MACEDONIA
The Law on Waste Management, currently in

force, was enacted in 2004 (Official Gazette of RM, 68/04 from 5th Oct. 2004), substituting the Law on waste from 1998 (Official Gazette of RM, 37/98). Since its enactment, the law was subjected to numerous supplements and amendments (in 2007, then in 2008, 2011, 2012, 2013, 2015, and finally in 2016, all in all, over 10 times it was a subject of interventions).

Key national documents on waste include the National Strategy on Waste Management (2008-2020), (Official Gazette of RM, 39/08 from 24th March, 2008), and the National Plan on Waste Management (2009-2015, outdated) (Official Gazette of RM, 77/09 from 19th June, 2009). The analysis of the state of waste management in the Republic of Macedonia pointed to a number of problems in waste management, the main being:

- Non-compliance of the Law on Waste Management and the regulations deriving from

it with the requirements arising from the new changes to the EU acquis in the field of waste, especially in the definitions of waste;

- Overlapping of some of the responsibilities of the waste management institutions and their harmonization between the central and local governments;
- Insufficient implementation of the regulations on waste management
- Partial implementation of the economic measures aimed at establishing a waste utilization system
- Lack of adequate waste management infrastructure.

Due to the detected anomalies, in December, 2017 the Ministry of Environment and Physical Planning (MoEPP) has begun the procedure for drafting a new Law on Waste Management. The main goal of the new Law on Waste Management



Images depicting water pollution in FYR of Macedonia. Source: 4x4x4 Balkan Bridges



Images depicting World Water Day Activities in Serbia. Source: Environmental Ambassadors for Sustainable Development.

is to establish an efficient waste management system that will minimize the negative impacts of waste generation and management on human health and the environment by respecting the waste hierarchy.

The novelty is that this time the Ministry has announced the dynamics of the process (on the 28th of December, 2017, a detailed time framework for preparation of the draft law was announced on the MoEPP website, with specified steps of the process from December 2017 to September, 2018), and a method of involvement of the stakeholders (including public hearings, requests for written opinions, remarks and suggestions from the stakeholders, participation in working groups established by the Ministry or the Government, public debates on certain issues through the use of the electronic interactive tools available on the ENER and e-Democracy portals). For March 2018, the Ministry announced a publication of the first draft version of the text of the law and a draft version of the report on the impact assessment of the regulation on their official website for submission of comments and remarks, while during April and May, 2018, are foreseen meetings and public discussion, reviewing of the submitted remarks by the MoEPP and the working groups, and incorporation of the submitted remarks. Submission of the draft Law to the Government of the Republic of Macedonia is foreseen to be in September 2018.

However, it is yet to be seen to what extent the timeframe will be respected. Therefore ENV.net team from Macedonia will closely monitor the progress of the whole process.

SERBIA

On February 14, 2018 in National Parliament in Belgrade, Negotiation Group for Chapter 27 had meeting. At the opening, Serbia's Minister of Environmental Protection said that the Draft Negotiation Position for Chapter 27 in the pre-accession negotiations with the European Union should be complete by the end of June 2018. The Head of Negotiation Group 27 pointed out that the closing of the chapter would require huge investments. Head of the Serbian Core Negotiation Team noted that the main problem is the implementation of laws which have already been harmonized with the Acquis Communautaire and warned that the negotiation process should be completed by the year 2023 if Serbia wants to become an EU member by 2025, which is the time frame set in the recent European Commission Strategy for the Western Balkans. To note that Serbia received EC opinion on Chapter 27 Screening Process with invitation to propose Negotiation position.

MONTENEGRO

Montenegro submitted the Draft of Negotiation position for Chapter on January 22nd, 2018, which was accepted by the European Commission. In February 2018 Montenegro hired a European expert in the field of water management and protection, Helmut Bloch, as a consultant for Chapter 27.

The Government of Montenegro adopted the negotiating position for Chapter 27, which is now going to be sent to the Bulgarian presidency. According to Montenegrin Minister for European Affairs, Aleksandar Andrija Pejović, everything is

KOALICIJA 27

now with the European Commission, who is to hand over its negotiating position.

Coalition 27 – published analysis 27 Environment and Climate Change: This document is produced by Coalition 27 (Network of NGOs from Montenegro who monitor chapter 27). This documents presents the analysis of progress and evaluates the activities of relevant institutions in the field of Climate Change and Environmental Protection in Montenegro since the founding of the coalition 27 in April 2016 until December 25th 2017 with a general overview of the level of the alignment with EU acquis since the beginning of accessions negotiations. The Analysis can be accessed at: <http://koalicija27.me/2018/02/08/analysis-chapter-27-environment-and-climate-change-english-version/>.

Establishment of Working Group for preparation of Law of Climate Protection

In the beginning of March, the Ministry of Tourism and Rural Development are expected to establish a working group who will work on preparation of the Law of Climate Protection. According to the National Strategy for Approximation, this law should be adopted by December 2018. Representative of NGO Green Home, Mrs. Jelena Marojevic Galic will be a member of this Working Group. ENV.Net team from Montenegro will use this opportunity to effectively participate in the preparation of Law of Climate Protection, in cooperation with other organization who are members of ENV.net network.

KOSOVO

Kosovo is rightly said to be one of the states that has successfully adopted and harmonized

legislation and other by-laws in line with constitutional requirements and European environmental standards.

The issue of living environment has been introduced as a constitutional category in the Constitution of the Republic of Kosovo, establishing basic principles regarding the protection of the environment and the creation of special environmental laws and other by-laws. There are numerous laws and other by-laws that are in place, that although in harmony with European environmental standards, are often regarded as ambitious and heavy burden



for Kosovo's new state of implementation in practice. Although laws have been adopted on critical environmental issues such as: air quality, water resources protection and biodiversity conservation, waste management, climate change, environmental impact assessment etc., however, the situation in these sectors continues to be rendered and with limited improvements.

Lack of political will to seriously consider the practical application of the approved legislation; lack of professional capacity in environmental issues; gaps in administrative capacities, especially at local (municipal) level; poor implementation of secondary environmental policies; not putting the environment as a priority issue on the institution's agenda as well as limited investment in pollution-reduction infrastructure etc. are some of the reasons for the lack of progress in this area.

Therefore, to have an environmentally-friendly implementation of legislation at a satisfactory level, our institutions should initially acknowledge the environmental situation as one of its most pressing priorities. This is a major commitment in this regard as it would also require the development of educational programs (public awareness raising) as well as educational programs focusing on the scientific aspect of environmental study. The establishment of Eco fund, which would provide the necessary financial means for environmental protection in harmony with sustainable economic development.

BOSNIA and HERZEGOVINA

With regard to regional cooperation, Bosnia and Herzegovina continued to participate actively

in regional initiatives. Having submitted its application for EU membership in February 2016, BiH has adopted and started to implement the Reform Agenda, aimed at tackling the difficult socio-economic situation and advancing the judicial and public administration reforms. Following the recognition of meaningful progress in the implementation of the Reform Agenda, in 2016 the EU Council invited the European Commission to submit its opinion on BiH's application for EU membership. Capacities of BiH authorities in the EU integration process need to be further improved. A strategic programme for the country's legal approximation with the EU acquis has yet to be adopted.

Significant step forward for the environmental Ministries is the review of the firms and their expertise for the issuing the licences for Environmental Impact Assessments, which started at the end of 2017.

TURKEY

When problems and needs of the environmental processes in Turkey are taken into consideration, it is necessary to improve the Environmental Impact Assessment (EIA) legislation and implementation in four main areas: (i) Public participation meeting; (ii) Periods related to announcement, objection petitions, legal cases; (iii) Monitoring / supervision during the projects; (iv) Scope. Out of these four main areas, public participation and right to information have been problematic in Turkey. When looking at the EU level examples, resolving the possible disputes at the beginning of the process is of great economic importance as well as ecological.

In order to resolve the possible disputes, effective participation at the beginning of the EIA processes needs to be ensured, therefore make the necessary regulations in the EIA laws to go into that direction. Environmental, public health and climate NGOs as well as other local/national stakeholders have been advocating towards improvement of EIA processes in Turkey especially regarding access to environmental information and public participation in decision making. Since Turkey has not yet ratified the Aarhus Convention (which entered into force in 2001), environmental NGOs have been basing their arguments on the Turkish Constitution, Environment Law and EIA Legislation related to their access to information, public participation and justice.

Some of the obstacles faced in February 2018 are as follows:

- 1 February 2018: EIA meeting regarding the Tekirdağ Çerkez Köy thermo power plant could not be attended by the majority of the locals who gathered at the site. Only a minority could get in and the official report of the meeting did not

depict the situation accurately.

- 6 February 2018: Local people were prevented from attending the public participation meeting about the Sinop nuclear power plant project.

- Eskişehir Coal Power Plant project's process had progressed so quickly and access to information was limited. The announcement of the EIA report, the report itself and its appendix were published

on the Ministry's website only 6 days before the Review and Evaluation Meeting at the Ministry on 9 February 2018. NGOs, local stakeholders such as chambers and platforms opposed to the EIA report and criticized the process.

SAVE THE DATE - IMPORTANT GREEN DATES

March has several important dates related to protection and promotion of environment, like the International Day of Action for Rivers, World Water Day, International Day of Forests, World Planting and Wood Day.



March 3, 2018

World Wildlife Day, held annually to celebrate and raise awareness of the world's wild animals and plants.



March 15, 2018

World Consumer Rights Day, to demand that the rights of consumers are respected and protected, and to protest against market abuses.



March 5, 2018

World Energy Efficiency Day, an initiative emerged in Austria aimed at making people aware on the need to reduce energy consumption.



March 20, 2018

World Sparrow Day, to raise awareness of the house sparrow and other common birds to urban environments, and of threats to their populations.



March 8 - 2018

International Women's Day, to celebrate women's achievements and promote gender equality.



March 21, 2018

International Day of Forests and Trees, held annually to celebrate the ways in which forests and trees sustain and protect us.



March 11 – 17th, 2018

Groundwater awareness week, to raise awareness on the importance of groundwater - without which life would be impossible.



March 22, 2018

World Water Day - focusing attention on the importance of freshwater and advocating for the sustainable management of freshwater resources.



March 14, 2018

International Day of Action for Rivers and Against Dams, to show, educate and celebrate the world's rivers and those who struggle to protect them.



March 23, 2018

World Meteorological Day - held to remember the World Meteorological Organization's establishment back in 1950.

Stay tuned for more news and legislative developments from the region in the field of environment!

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DAMMING ALBANIA NATURAL PARKS

Albania is home to numerous of Europe's last unspoilt rivers and an outstanding diversity of related habitats, Vjosa and Valbona to name a few. Around eight years ago, the former government decided to support over 350 proposals for small scale hydropower plant, all proposed by the private sector. At the time, although transparency on each project was censured, environmentalists and locals warned that many of these new plants will be built inside or near pristine nature areas and under conditions that lack capacities for resource & environmental management. HHP construction and permits all combined have rocketed by 330% in Albania during the last eight years and alternative sources of information are registering impacts such as:

- Disappearing mountain rivers and streams within HPP pipelines (Gashi and Fan Rivers)
- Public accessibility to surface waters for agricultural and farming is threatened (Shebenik – Librazhd)
- Decrease of protected areas surface, loss of biodiversity and threatened species affected (Isoperla Vjosae, Balkan Lynx, Alps Trout ect)
- Natural erosion and sedimentation transportation is blocked though not feeding shores of Adriatic and Ionian Sea
- Channeling natural water flow regime and basin control through dams and cascades is affecting directly natural irrigation and infiltration towards underground waters. (Mirdita Region)

Moreover, during 2017 climate and meteorological conditions with intensive droughts during summer and fall also with heavy and concentrated precipitation during a

two-week period, small scale HPP were faced with what actually seems to be a new Climate Condition for the region, which constricted them to produce even less than the minimum projected and declared of their installed capacity.

Beyond aquatic and terrestrial wildlife,

the dam boom will appear soon enough to be threatening humans too. Since 2012, property conflicts and clash upon the right to access natural resources between big energy companies and small farmers have led to various accidents and clashes.

HPP construction and permits all combined have rocketed by 330% in Albania during the last eight years.

DAMMING ALBANIAN NATIONAL PARKS

LEGEND

HYDROPOWER PLANTS

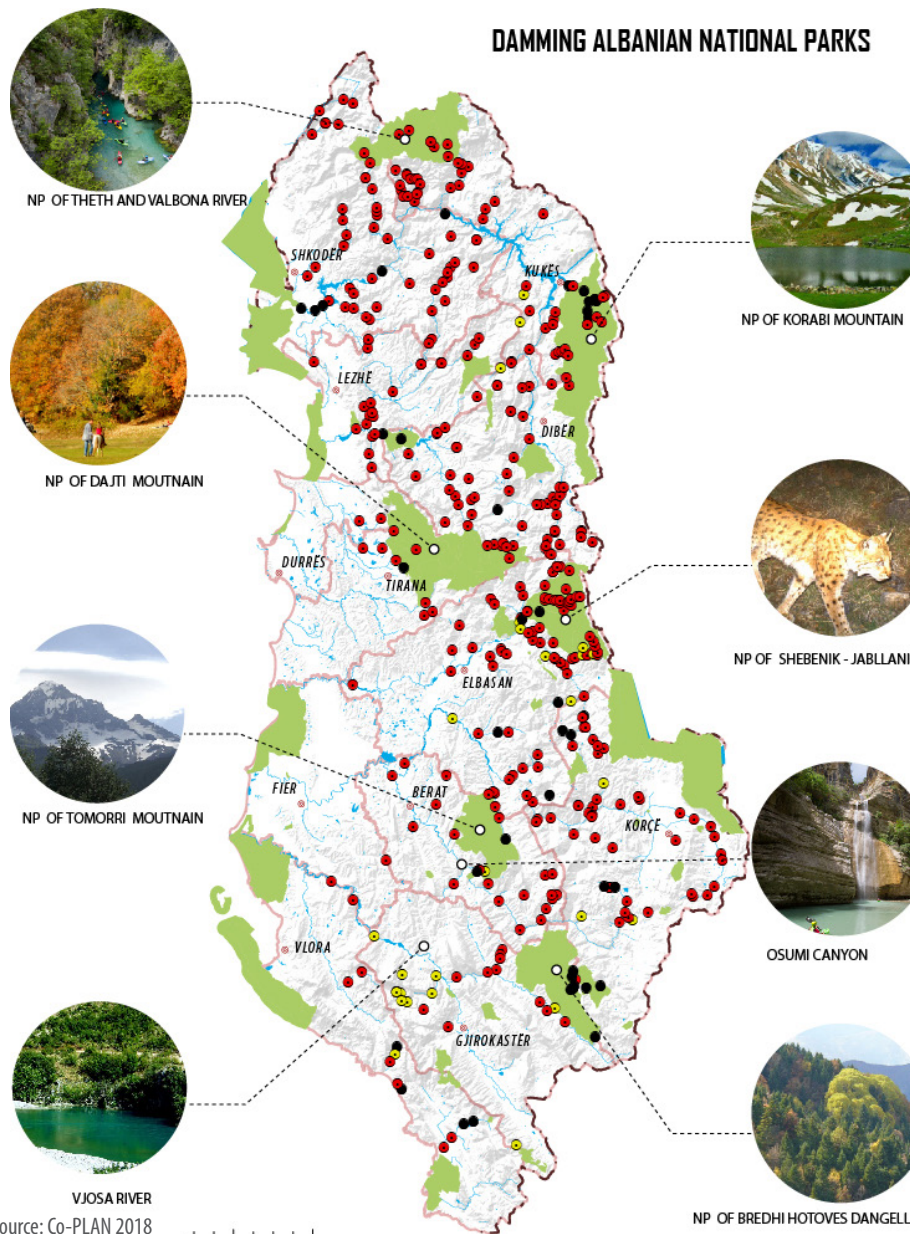
- Existing
- Under construction
- Planned

- Protected Area
- Surface Water

ADMINISTRATIVE UNITS

- National Border
- Border of Qark

- ⊙ Administrative Center of Qark



Source: Co-PLAN 2018

CANYON OF SETA IN DIRE NEED OF HELP

In the beautiful Dibra Region, in a remote natural area, where there is almost no infrastructure, anyone you ask can find the Seta Canyon. The wonderful gorge of Seta with its canyon, together with its source and waterfall of Sapornik, have been proclaimed protected natural monuments with ordinal numbers 10 and 3, in the list for Dibra Region as per the Decision of the Council of Ministers No. 676, dated 20.12.2012 "On providing protected areas of nature monuments in Albania". The valley of Seta represents a canyon in the lower limestone, formed by the erosive activity of the river of the same name, the left branch of the Black Drin River. It is about 1.5 km long, about 150 m deep and about 4-7 m wide. It represents an interesting karst ecosystem. In addition to its landscape value, it has scientific values including geological, geomorphological, hydrological and biological, didactic, cultural, ecological and tourist.

Despite its values, the Canyon of Seta is endangered by a recent decision for the construction of hydro

power plants, which could potentially lead to the drying of 2.4 km of canyon. The community of Arres Administrative Unit are concerned because in 2015 alone, 4 permissions for the construction of hydro power plant (HPP) were approved. The local community have protested against the firm that is dealing with the construction of the HPP, and despite their limited financial means, they have hired lawyers "to raise their voice" in the relevant institutions. On the other hand, environmental activists have also reacted to the construction of these HPPs, especially for HEC SETA 4 which is planned to be constructed in the source and the waterfall of Sapornik.

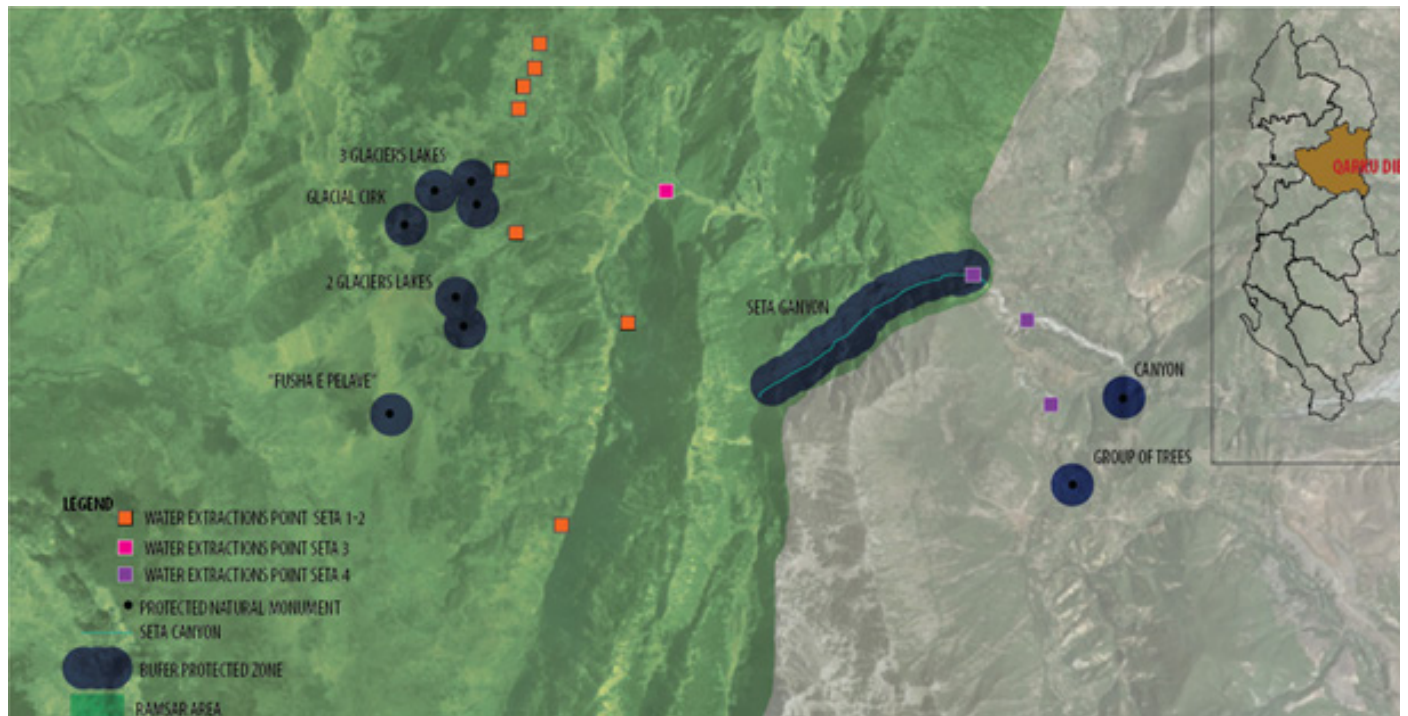
Referring to the documentation accessible online, there are numerous violations of the law, which were not taken into account during the design of the project, even during the drafting of the environmental impact assessment (EIA). Constructing these HPPs is in conflict with the environmental legislation, including Law No. 81/2017, "For Protected areas", where a 200

m restricted buffer zone for protected natural monuments is determined, which forbids the construction of HPP.

The documentation has been drafted in violation of Law No. 10 431, dated 09.06.2011 "For Environmental Protection", and Law No. 10 440, date. 07.07.2011 "For Environmental Impact Assessment", because in the documents on EIA (Environmental Impact Assessment) no public hearings show to have taken place.

In the document for the approval of the construction permit of SETA 1- 2, SETA 3 and SETA 4 Hydro Power Plant, from the National Council of the Territory, the real situation of the impact on the ecosystem from the construction of HPP has not been reflected. Also, the approval document fails to mention the variety of creatures that live in the waters of the Seta River, the most important of which is the trout fish, which lays its eggs in these crystal waters.

The situation is not helped by what could be a media boycott in covering this issue.



Source: Co-PLAN 2018