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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

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**Presumed negative impact of hydro-power
plant development on the Vjosa river
(Albania)**

- REPORT BY THE GOVERNMENT -

*Document prepared by
the Ministry of Tourism and Environment, Albania*

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**PROGRESS REPORT ON THE IMPLEMENTATION OF THE RECOMMENDATION NO. 202 (2018)
OF THE STANDING COMMITTEE, ON THE PLANNED HYDRO-POWER PLANT DEVELOPMENTS
ON THE VJOSA RIVER (ALBANIA)**

Pursuant to the Recommendation No. 202 (2018) of the Standing Committee, on the planned hydro-power plant developments on the Vjosa river, please find below the Progress Report for the three month period December 2018- February 2019:

There is an important development from the Minister of Infrastructure and Energy, that has set **the freezing of all non-operational contracts until the release of the scanning report for each of them in the end of January 2019**. The Ministry of Infrastructure and Energy will also coordinate with the Ministry of Tourism and the Environment for an integrated legal and administrative approach with regard to HPP that have not started the construction phase yet.

The Minister of Infrastructure and Energy Ms. Belinda Balluku, very recently on **24th January 2019**, has issued a decision to start a licensing documentation scanning process for each licensed entity, as well as physical scanning of each HPP and implementing entity. This process will be followed by a working group led by Deputy Minister Mr. Bonati, who has done a voluminous and valuable work in the water sector.

The process in question will be based on two criteria, the criterion of legal compliance and the fulfillment of contractual terms by licensed entities, including technical conditions and time limits, as well as the compliance criteria with environmental requirements. This institution has, in the last five years, made a great deal of discipline on the inherited situation, which was problematic before, while the sector's problems in this regard are not over, instead they are real and worrying.

Therefore, the Ministry of Infrastructure and Energy will also scan and evaluate whether existing contracts are in compliance with the environmental conditions and standards required in the respective areas. I recall that the concessionaires are obliged to be in full compliance with the legislation in force regarding the environment and the environmental conditions set out in the contract.

Until the end of this scanning process, the Minister of Infrastructure and Energy, Belinda Balluku said she has decided to freeze all non-operational contracts.

Also we inform that in the first week of December was held in cooperation with the Faculty of Natural Sciences of the University of Tirana and in cooperation with Euro Nature, a scientific symposium for the study of biodiversity and ecology in the basin of Vjosa River in hotel Tirana International. The representative of the Ministry of Tourism and Environment and Bern Focal Point Mrs. Elvana Ramaj, participated on behalf of the Ministry of Tourism and Environment. MTE appreciates the scientific work carried out by the faculty of Natural Sciences of Tirana in cooperation with the Vienna University. Its results and publication will be used during the evaluation phase for Vjosa river basin management and the appraisal of any potential request for HPP-s development in this basin.

In the same time as informed previously work in the planned HPP Pocem is suspended following the decision of the Administrative Court of 2017. For Kalivac HPP, there is no application for the Environmental Impact Assessment procedure so far. For Pocem HPP, the developer of the subject "Cinar - San Tiran Branch", is provided with the Environmental Declaration no. 663 Prot., Dated 24.4.2015, Decision 15 of the Environmental Permit Commission 2015. This project has been subject to an in-depth EIA procedure.

According to Law no. 10440, date 7.7.2011 "On the environmental impact assessment", amended, Article 20, para 5, if the activity does not start the application (construction) on the ground within two years from the date of adoption of the EIA decision, then these documents are considered invalid and the EIA process starts from beginning again.

For the aforementioned, this project did not start implementing, after being suspended by the Administrative Court decision of 2017, and is currently awaiting the decision of the Appeal of this Court. Thus the validity of the Environmental Declaration ended on 24.04.2017 and the subject has to start procedures from beginning for any environmental permit.

So, we emphasize that none of the Kalivac or Pocem HPPs has started with the construction phase. Also from the latest information from the National Agency of Environment there is no request for public consultation so far. This can be also checked through NEA website at the following link: <http://www.akm.gov.al/publiku.html#konsulta>, where all requests for public consultation are announced directly into the website with the determined date, time and place for the consultation.

Last but not least a dedicated government agency: National Agency of Water Resources is established in late 2018, with the purpose to coordinate the work and policies related to the water resources management and administration. This agency is following up closely the issue of water basin integrated management plans and Vjosa basin is amongst the first to be elaborated. This work will be supported by the project Sectoral Document Planning that is being implemented since mid 2018 in Albania, supporting the Albanian government to comply with the requirements of the Water Framework Directive.

The Ministry of Tourism and Environment is in the last phases of preparation of an integrated action plan with its agencies: National Environment Agency, National Agency of Protected Areas, State Inspectorate of Environment, Forests and Waters, the Ministry of Infrastructure and Energy, the National Agency of Natural Resources and the National Agency of Natural Resources as well as local government structures in order to address all request of the recommendation nr. 202 (2018).

We will keep you updated on news and developments by the end of summer again.