

The district Court in Banja Luka annulled the decision of the **Ministry of Spatial Planning, Construction and Ecology** of the [Republic of Srpska \(RS\)](#) approving the final environmental assessment impact (EIA) study for the project for the construction of 36.8 MW [hydropower plant Mrsovo](#) on the Lim river.

The ruling was passed in the procedure initiated by the **Center for the Environment** at the end of December 2021, when it filed a lawsuit against the Ministry for approving the study at the request of the investor Comsar Energy Hydro, due to the fact that the process of preparing and approving the study was full of procedural and other defects.

According to the Center for the Environment, the court annulled the decision of the Ministry, because in the final version of the study, the comments and received opinions of the interested authorities and the public are only mentioned, but it is not explained whether and in what way the received opinions were taken into account by the Ministry when approving this document. The court established the merits of this part of the **lawsuit** in that, due to the existence of the expert opinion of the competent professional institutions, the Ministry was obliged to present the assessment of that evidence and the reasons why it did not take it into account in the challenged decision.

The **court** also found that the decision of the Ministry is refuted by referring to the expert opinion that one of the most important measures to protect and preserve the area in question, and to increase the total fish population, is the protection of special habitats, namely the fish spawning grounds. But the judgment also states that even in this part, the contested decision does not contain an assessment of the relevant evidence and reasons. For this reason, the court points out that the conclusion is imposed that it is not clear how both can be done in the area in question, i.e. that habitat protection and hydropower use can be carried out at the same time.

Earlier this month, state-owned power utility [ERS](#) has completed the acquisition of Comsar Energy Hydro, a subsidiary of Russian Comsar Energy in charge of the construction of hydropower plant Mrsovo, which announced last year that it will withdraw from the Republic of Srpska.

The investment in HPP Mrsovo project is estimated to some 100 million euros, but the construction of the plant has not started yet, although the project was launched in 2014. ERS has established new subsidiary "ERS Obnovljivi Izvori Energije" that will be in charge of this project.