

Amnesty International called on Kelkos Energy, a company that operates hydropower plants in a protected area in western Kosovo, to withdraw two lawsuits against two activists who have spoken out against the environmental impact of the projects, Shpresa Loshaj and Adriatik Gacaferri. Amnesty International said that Loshaj and Gacaferri are facing “baseless defamation lawsuits which are designed to intimidate and silence them” because of their campaign.

“Shpresa Loshaj and Adriatik Gacaferri have campaigned tirelessly to raise concerns about the environmental impact of hydropower plants in the protected Decan region. These activists are bravely standing up for their communities and their environment, and Kelkos Energy’s lawsuits appear to be a cynical attempt to silence them,” said Jelena Sesar, Western Balkans researcher at Amnesty International.

Kelkos Energy, which is a subsidiary of the Austria-based public energy provider Kelag International, told Amnesty International that the lawsuits were a measure of last resort to defend themselves against “slandorous statements” in court.

The company denied that their lawsuits were Strategic Lawsuits Against Public Participation or SLAPPs, which are increasingly used by governments and corporations around the world to muzzle critics.

“We are calling on Kelkos Energy to withdraw these lawsuits, and on Kosovar authorities to ensure that environmental defenders can express their concerns without fear of reprisal.”

Loshaj, founder of the NGO Pishtaret, and Gacaferri, a local activist from Decan/Decani, have been two of most vocal campaigners against the hydropower projects.

Kelkos Energy has often been in the headlines in Kosovo over claims that its three hydropower plants in the Decan Valley are operating illegally.

Civil society groups and local residents say Kelkos Energy has violated Kosovo’s laws limiting how much of a river’s water can be diverted for hydropower.

They have been protesting against the company since 2019, when it was reported that the plants’ licenses had expired five years earlier.

The activists’ first win was in July 2020, when the river water flow was returned to one of the branches of the Lumbardhi river in Decan/ Glogovac, a few kilometres from a plant owned by KelKos Energy. The riverbed had been an empty pile of rocks for the five years of the plant’s operation.

Kosovo’s Energy Regulatory Office, ERO, banned the operations of the three KelKos-run plants in the Decan valley in October 2020. Former Economy and Environment minister Blerim Kuci told BIRN a month later that no environmental permits had been granted to the plants.

But an ERO board meeting concluded that KelKos in fact met all the legal criteria for a 40-year licence, after the Austrian company provided its environmental permit.

Meanwhile prosecutors in Peja/Pec filed an indictment against Kelkos Energy in May this year for alleged damage caused by the plant's pipeline.

The prosecution alleged that on April 30, 2020, a segment of three kilometres of highway, ready to be asphalted, for the Decan-Plava highway connecting Kosovo to Montenegro, was badly damaged.

The damage was "a result of the water flow from the canal [pipeline] which serves for the circulation and collection of water and its delivery for the supply of the hydropower plants administered and managed by LLC Kelkos Energy - and as a result of the rapid flow of water, the whole soil collapsed", prosecutors claimed.

In May this year, the court in Peja/Pec confirmed to BIRN that the case has been sent for mediation, meaning that if the parties reach an agreement, the case will be closed for further proceedings.

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