

## Why do Montenegrin organizations ask international bodies to suspend the construction of HPP Buk-Bijela?

Several Montenegrin non-governmental organizations have asked the international authorities to suspend the construction of HPP Buk - Bijela until all the facts related to possible negative impacts on the environment and biodiversity of the Tara River are established, BUKA has learned.

By laying the foundation stone, the Prime Ministers of Serbia and the Republic of Srpska, Ana Brnabić and Radovan Višković, in May, made official the beginning of the construction of the Buk - Bijela hydroelectric power plant in the upper course of the Drina. Apart from the fact that there is no consensus for the project in Bosnia and Herzegovina, its implementation contradicts the Declaration on the Protection of the International Tara river adopted in 2004 in the Parliament of Montenegro, which prohibits all works in the canyon under UNESCO protection.

The executive director of the NGO Green home from Podgorica, Natasa Kovacevic, told BUKA that the Buk-Bijela project has raised doubts among environmental organizations since the beginning, stating that there are several reasons why they requested international arbitration and suspension of construction.

“The construction of the hydroelectric power plant Buk Bijela brings significant modification of the water body and degradation of biodiversity of 30 kilometers in BiH, while it is not clearly defined and presented to what extent this impact will be on the territory of Montenegro. If the planned accumulation and the level of deceleration of normal waters reaches 434 meters above sea level and the border elevation with Montenegro is 432 meters, this would mean that it penetrates the territory of Montenegro or that the calculations are not accurate. The impacts on Montenegro have not been assessed in terms of possible accidents such as major landslides, landslides, induced earthquakes by water, overflow of other hydropower plants, but also other cumulative impacts such as the consequences of climate change and the creation of extreme waters. In addition, many species of fish would be endangered, as well as the ecosystem of the canyon of the river Tara “, states Kovačević.

Four Montenegrin NGOs have previously complained about the project to the Secretariat of the ESPOO Convention, to which both Montenegro and BiH are involved, which deals with environmental impact assessment in a cross-border context. A new complaint was sent at the end of June to the Secretariat of the Energy Community, an international organization dealing with energy policy, connecting the EU on the one hand and the countries of the Western Balkans on the other.

Kovacevic says they expect further work on the construction of the Buk Bijela hydroelectric power plant to be suspended until all facts related to possible negative impacts on the

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environment and biodiversity of the Tara River, which is protected nationally and internationally, as a national park, a UNESCO natural heritage, potentially a Natura 2000 site, as well as the Declaration of the Parliament of Montenegro.

“At the previous session of the ESPOO Implementation Committee, the Committee decided to continue considering the submitted declarations of BiH and Montenegro at the next session in early February 2022 in Geneva and to organize discussions to review compliance with the Convention. Until then, all parties should refrain from further interventions on the ground. The committee agreed to continue considering this issue at its next session”, Kovacevic explains.

### **The government (does not) see the problem**

Although the expert public is united in the assessment that the construction of the hydroelectric power plant will create serious environmental problems in the Government of Montenegro, they say that negative consequences can occur only if the future artificial lake enters the territory of their country.

“On the very border of Montenegro and Bosnia and Herzegovina, the river Tara and the river Piva connect and the newly formed watercourse is further marked as the river Drina, which in no part is on the territory of the state of Montenegro. Therefore, any technical-technological and engineering solution that guarantees that the future artificial lake will not have negative impacts on the Tara River, and that comes down to the level of the spillway that is planned for flood waves and situations of huge inflows and which with its altitude guarantees that it will not occur. immersion of any part of the river Tara and not in any way for the normal functioning of the future HPP, for us it is completely acceptable and what is said, let the neighbors happy and prosperous this job. If that is not the case, then we have a problem and we have a negative impact on our territory and the biodiversity of the Tara River, which is certainly something that is unacceptable”, State Secretary of the Ministry of Ecology, Spatial Planning and Urbanism Danilo Mrdak told BUKA.

Representatives of the new Montenegrin authorities recently complained that they could not assess the possible damage that the project could cause to the environment because their colleagues from Republika Srpska did not send all the data, but they are optimistic that the situation will change.

“We have made contact with colleagues from RS and these days we expect to arrange a meeting to analyze the situation and get all the necessary information regarding the technical details that interest us and on which the answer to the question of whether there will be a negative impact on the territory Montenegro. I think that 99% of disagreements are either poor communication or lack of information or both, and I am sure we will

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overcome that. To tell the truth, the Government of Montenegro was informed in the previous period about the intention to build HPP Buk Bijela in the Republika Srpska, BiH, but it did not receive an official notification about the beginnings of the construction of this hydropower facility. It was considered that the obligations arising under the ESPOO Convention were not fully complied with, and that was the reason why Montenegro addressed the Committee for the Implementation of the Convention in Geneva, where the procedure implemented by this implementation committee is underway”, explains Mrdak. Although proceedings have been initiated before international bodies in the Government of Montenegro, they believe that the situation will be resolved for mutual benefit and that, with mutual understanding, they will reach a level that will reflect the seriousness and determination to finally begin to overcome in the Western Balkans. common challenges in a civilized way.

### **The opposition is requesting an emergency session of the Assembly**

The optimism of the Government is not shared by the Montenegrin opposition, so the Social Democratic Party requested that the Assembly adopt a new Declaration on the Protection of the Tara River, which will reaffirm the earlier decision in light of new, unilateral, moves in the neighboring country.

“The Social Democratic Party maintains its principled position that the construction of HPP Buk-Bijela would lead to significant environmental consequences for Montenegro.” The start of work on its construction in the Republika Srpska entity in Bosnia and Herzegovina is in direct conflict with the Declaration on the Protection of the Tara River adopted by the Parliament of Montenegro in 2004. Also, construction without the prior consent of the Montenegrin state is contrary to the United Nations Convention on Environmental Impact Assessment in a Transboundary Border, which includes our country and BiH. Therefore, the mentioned works need to be stopped immediately, and the Government of Montenegro must find a way to resolve this issue with the competent state bodies of neighboring and friendly BiH, so that we do not end up defending the ecological and economic interests of our country towards international institutions. Such projects, in which interventions are carried out on a watercourse that does not know the state borders, always have an impact on both countries and that is why they are not launched without a strict agreement between those countries”, Mirko Stanic, head of the SDP Media Pool, told BUKA.

### **What can be the sanctions for BiH?**

Kovačević clarifies that in the event of a dispute over the interpretation or application of the Espoo Convention that cannot be resolved in any other way, States Parties may refer the dispute to the Tribunal and / or request arbitration in accordance with the procedure set out

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in the Convention.

In the case of the Energy Community Treaty, in the event that a Contracting Party fails to remedy a violation identified by the Energy Community Council of Ministers or there is a serious and persistent violation of Energy Community law, the Council may suspend certain rights arising from the application of this Treaty to BiH. rights and exclusion from meetings or mechanisms provided for in this agreement.

An indirect consequence of both Conventions is the international loss of credibility of a state that violates the provisions of transposed national regulations and international agreements, which brings it a brand of unreliability for investments of institutions operating to high standards, and can significantly affect the overall EU accession process.

### **Viskovic: The construction of the hydroelectric power plant “Buk Bijela” on the Drina has nothing to do with Montenegro**

The construction of the hydroelectric power plant (HPP) “Buk Bijela” on the Drina has nothing to do with Montenegro and this project cannot be a disrupter of relations in the region because it is an important job that everyone in BiH can benefit from,” told „Glas Srpske” Prime Minister of the Republic of Srpska Radovan Visković.

The construction of “Buk Bijele” was a topic during the meeting between the Minister of Foreign Affairs of BiH Bisera Turković and the Deputy Prime Minister of Montenegro Dritan Abazović, who came to visit BiH.

“We are aware that many will try to challenge this project and I can only say that it is an important investment for the whole of BiH. Everyone who thinks that it is just a project for Republika Srpska is grossly deceived, and they keep telling us that they should do something more electricity is produced from renewable sources, and when we move in that direction, the criticism does not stop. If we had built a high “Buk Bijela”, they would have had the right to comment, and thus the facility and the lake and everything is located on the territory of Srpska”, said Visković.

Source: buka