

Preportr



**Environmental
degradation by
hydropower plants**

The construction of hydropower plants and the diverted water into pipes in some of the villages of Deçan and Shtërpçë have caused many consequences. They are built in national parks, which are areas protected by law. Many hectares of river beds have been degraded and the water level in the river has decreased. The construction of hydropower plants has been followed by numerous legal violations. Some of them are operating illegally

Tirana Bytyqi, Besnik Boletini

The construction of hydropower plants in some municipalities of Kosovo has caused numerous environmental damages, as well as has disturbed residents in the areas where they were built. They were not initially informed which were the consequences of the constructions that were done near the rivers and the diverting of the rivers into pipes.

Preportr has visited several villages in the Municipality of Deçan and Shtërpçë to see up close the constructions that have been done across the rivers and in the surrounding area.

Traces of constructions in many of the places are still fresh. In many of these places can be seen degraded areas, landslides and places where forests have been cut down to build a pipeline.

Bajram Tahiraj, a resident of the village of Beleg in the Municipality of Deçan, says that due to the construction of hydropower plants in the Deçan canyon, hundreds of hectares of mountains along the river has been degraded, as the surrounding oaks were cut during the construction of hydropower plants.

Tahiraj, who says that he frequents that part often, shows that they have problems with drinking water due to the diverted water into pipes.

He says that the Lumbardhi's stream has always been with a large flow of water, especially during the spring season, while now that hydropower plants take water from the river, its flow is very small, and sometimes there is no flow at all.

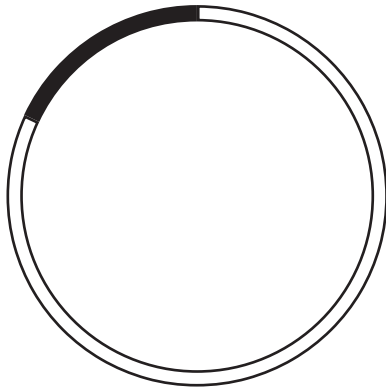
“The difference of water flow is noticed at the place where the pipes that receive water are, in those places there is a larger flow, while along the river, the flow is smaller. So, it loses water”, says Tahiraj.

He further adds that in the mountains of Deçan, especially along the Lumbardhi's stream there has been tourism over the years, and that with the construction of hydropower plants, tourism has been extinguished, as in those places it has been excavated and is no longer a suitable place for such a recreational activity.

“Before, there were many fish along the river, but now there are none as a consequence of these hydropower plants,” said Tahiraj.

Within this research, Preportr through the ECR platform has published a questionnaire to get responses from citizens regarding the impact that hydropower plants have had on the environment and consequently on their daily lives.

Respondents' answers through the ECR platform, to the question whether they were part of the public discussions



82% of respondents did not participate in public discussions, while



17% did participate

But when asked on how much the opinions of the residents were considered in these discussions, **60% of them stated that they were not considered at all.**

From the generated data by the questionnaire, it turns out that 72 percent of respondents consider hydropower plants harmful to the environment and the place where they live.

Environmental activists say that for all hydropower plants in the Municipalities of Deçan and Shtërpçë, public discussions on environmental impact assessment have been formally conducted without transparency and proper information and with minimal or no public participation.

Even the results that came out of the questionnaire show such a thing. About 82 percent of respondents answered that they were not part of public discussions as there was no announcement about it. While 17 percent of them have participated. But when asked how much the residents' opinions were considered in these discussions, 60 percent of them stated that they were not considered at all.

Most of the respondents stated that the biggest damages caused by hydropower plants are: Degradation of the surrounding environment, degradation of the river bed, degradation of touristic places, etc.

16 hydropower plants operate illegally

In addition to environmental damage, a report published months ago by a working group established by the Ministry of Environment points to numerous legal and administrative violations regarding the construction and operation of hydropower plants (HPPs).

This working group was established in May 2021 with the decision of the Minister of MESPI, Liburn Aliu, in order to review the legality and procedural and administrative aspects of allowing these HPPs. Within this group of experts from MESPI and its subordinate agencies were included.

This report among other things states, that despite the fact that the law regulates that the concession must be provided for the use of water for business purposes, the Ministry of Environment as the responsible authority for granting the water rights has not implemented the concession, but the granting of the water right was done with a water permit, which is a violation of the Law on Waters of Kosovo.



The condition of an area of Lumbardhi in Deçan's Canyon, in the place known as "Zalli i Rupës" as a result of the constructions that have been done there.

Photo by: "Pishtarët"

Last year at the place known as "Zalli i Rupës" there was no drop of water in the river. That place looked like a desert.

Shpresa Loshaj, "Pishtarët"

The basic difference between a water permit and a concession is that the concession is granted through a public competition process, while a water permit is not.

The water permit is issued for the use of water for general consumption as well as for other activities that affect the water regime, while the concession is issued for the use of water for business activities, such as the use of water power for the production of electricity, etc.

According to the report, all hydropower plants are built in the immediate vicinity of water-streams from which they generate energy, which is contrary to the provisions of the Law on Waters of Kosovo, which prohibits construction at a distance of less than 30 meters from full lines.

“Out of 20 HPPs operating, only four of them have environmental permits, while another 16 operate illegally, without environmental permits, contrary to the law on Environmental Protection,” stated in the report.

The report states that the issuance of environmental consent for the three HPPs: “Lumbardhi II”, “Belaja” and “Deçani” is illegal. This is due to the fact that the three HPPs are treated differently in different administrative acts according to the operator’s preferences. For example, environmental consent was given to all three together, as was municipal consent, whereas water and environmental permits were issued separately. Urban permits are issued for two HPPs together, while for one separately.

The working group that compiled this report has considered that the issuance of the water permits for HPP “Deçani” and “Belaja” was done without verifying the ecologically acceptable flow.

The report states that the ascertainment of the commission for environmental permits that “fish trails are functional” is unprofessional as it was done without adequate monitoring of the functioning of fish trails.

“With the construction of HPP “Lumbardhi”, the location “Zalli i Rupës” has been extremely degraded as a result of the exploitation of gravel by the holder of the construction permit. Also, the road to this location has landslides as a result of the constructions, which presents difficulties in crossing this part of the road”, stated in the report.

The report also states that in the locations where the constructions took place in Deçani’s Canyon, the place has remained degraded, the fish trail is not implemented properly, there are illegal dumping of excessive concrete on the river banks, there are no measurements of water level / flow neither before nor after water intake works, the route of the pipelines extends over public surfaces, the concrete structures in the water intake works are in complete incompatibility with the landscape etc.

Despite the many findings of this report, Shpresa Loshaj, environmental activist and founder of the environmental protection organization “Pishtaret” (Albanian for “torch”), says that it should include the non-implementation of the contract that Kelkos had with the Municipality of Deçan.

Among the main points of the contract is the rehabilitation of the places where the company operates during the construction of hydropower plants and accompanying infrastructure.

Preportr has sent questions to the Municipality of Deçan, regarding the non-implementation of the contract between this municipality and Kelkos, environmental degradation, transparency regarding this matter, etc., but has not received a response.

The Mayor of Deçan, Bashkim Ramosaj, spoke about this matter last year when a Parliamentary Inquiry Commission was established to review the process of licensing, operation, supervision and appliance for hydropower plant permits.

In the meeting of this commission, Ramosaj said that the norms for the construction of hydropower plants foreseen in the signed contract were not respected in the case of hydropower plants built by the company Kelkos and that the environment has not returned to its previous state.

“The Municipality of Deçan has been misled by all this documentation, because apart from that, it has not fulfilled any obligation, no commitment, no right that originates from the initial agreement that has been signed,” said Ramosaj.

Speaking about environmental damage, he said that two water sources have been lost from the constructions of hydropower plants.



Due to the constructions in laying the pipes, the access to the river has become very difficult for the citizens

Numerous environmental degradations

Shpresa Loshaj has been very vocal towards the environmental consequences caused by the construction of hydropower plants by the company “Kelkos”.

She says that the construction of hydropower plants has changed Deçani’s Canyon’s geography and that the damage has started since 2013, when construction began. She says that despite the damage that has been done over the years, little is known about hydropower plants and that people have generally been afraid to talk about this matter.

“Last year at the place known as “Zalli i Rupës” there was no drop of water in the river. “That place looked like a desert,” says Loshaj.

Even the pictures that were taken in that period of time witness the environmental degradations that were done in this place.

Loshaj says that due to constructions, the level of the road has been raised in relation to the river, because


they could not put the pipes underground, but they covered them with soil. For this reason, the river has remained very low, so there is a steep slope there.

“For this reason, you can no longer go out for a picnic near the river, as people did before the pipes were laid. “That part was accessible before working there,” said Loshaj.

This was also noticed by the Preportr team during the visit to Deçani’s Canyon. It is very difficult to reach the river for miles, as the distance between the road and the river is already about two meters.

Shpresa Loshaj says that in the places where it was excavated to insert the pipes, now there are no pines and woods, but the bushes have come out and in this way the habitat of the trees has been destroyed.

“We have seen it several times and we have photos and videos that show that the river did not have water. So, the river no longer has fish, because they do not survive if one day it stops the water and after a few days it releases it and thinks that life continues there”, says Loshaj.



One of the 12 catchments that have been built in the villages of the Municipality of Shtërpçë.

"Out of 20 HPPs operating, only four of them possess environmental permits, while another 16 operate illegally, without environmental permits, contrary to the law on Environmental Protection".

Report of the working group on hydropower plants and their impact on water and the environment

Despite the damage done to the environment, Loshaj says that the institutions at the central and local level have continuously protected Kelkos, by not providing data on the constructions that have been taking place in Deçan's Canyon.

She says that the organizing to defend Kelkos has been very massive and has constantly tried to silence dissenting voices.

"We have placed the posters that are 2-3 meters long in Deçan with messages for the protection of Deçan's

Lumbardhi, someone removes them at night. Even in front of the door of my house someone came at night and removed my poster. The removal of posters at night is not only intended to remove the poster, but to send messages to be careful", said Loshaj.

Due to the activism related to the construction of hydropower plants in the Deçan's Canyon and public statements related to this matter, in June last year, the Kelkos company filed a civil defamation lawsuit against Shpresa Loshaj and Adriatik Gacaferri.

"For two years the water in this city is not drinkable and this has come as a result of the construction that Matkosi has done with the hydropower plant 'Shtërpca'".

Granit Berisha, activist

The ad-hoc coalition of civil society organizations responded to the company's lawsuit. This coalition has said that the purpose of the lawsuit was never for Kelkos to win the case, but the purpose was to intimidate activists who criticize the operations of this company in that area.

But on the 18th of October this year, Kelko's representatives informed lawyer Rina Kika that they had withdrawn the lawsuits against the two activists.

Shpesa Loshaj is not satisfied with the actions of the current government, as she expected that measures will be taken against Kelkos due to the numerous violations they have committed. She says they are just asking for the law to be enforced.

"If Kelkos got the permits illegally in December, then they said that they would withdraw their permits. To not revoke the previous permits, but the law says that if the operator has acted illegally, such as there is no water study, no water meter, no rehabilitation of the environment, can no longer operate, because if it operates they will do irreparable damage to the river. "The Minister of Environment, Liburn Aliu, must stop Kelkos work in this case and give them time to do the working", said Loshaj.

Consequences on the drinking water and the river flow

Even the construction of hydropower plants in the Municipality of Shtërpçë has aroused many reactions from citizens. The main objections were to environmental degradation and the consequences of "burying" the river by putting it in pipes.

Preportr has visited several locations in this municipality, to see closely the constructions that have been done. Residents of this area who did not want to be identified, say that a lot of environmental damage has been done. Several catchments have been built in the area which collect water even from small streams.

Granit Berisha has been engaged as an activist to help the residents of the villages of the Municipality of Shtërpçë to articulate their demands and objections regarding the environmental damage that has been caused and is being caused due to the construction of hydropower plants.

He says that one of the consequences is the reduction of the drinking water hours in the city of Shtërpçë and the pollution of water resources.

"For two years the water in this city is not drinkable and this has come as a result of the construction that Matkos has done with the hydropower plant 'Shtërpca'", says Berisha.



This is the condition of the regional road Shtërpçë - Brezovica due to the constructions that have been done there for the installation of pipes from Matkos.

He says that most of the Lepenc River flows are diverted into hydropower plants because they generate a lot of kinetic energy because they have very large declines. According to him, this has resulted in their destruction, the fall of vegetation, especially in the river flow, which is like a protected landscape in the park area.

“We have received many complaints from that community. They complain about the small amount of water that is insufficient for the agriculture they are developing,” says Berisha.

Furthermore, he says that there have been many individual complaints from residents because in many properties, the economic operator has started operating without obtaining permission from the owners. For this reason, civil lawsuits have been filed by citizens with the request that the operator stops the constructions.

Also, the community of residents from the Biti village in Shtërpçë is in administrative dispute with the Ministry

of Environment regarding the issuance of environmental permits to the company Matkos, mainly in not being involved in decision-making on projects that affect the environment and the community.

Residents of this village had protested several times to oppose the construction of the hydropower plant in the Lepenc River.

Granit Berisha says that there was no public discussion with the residents regarding the construction of hydropower plants, respectively environmental damage.

“When we requested access to public documents, the record of the meeting was on an A4 sheet written in the first person by the official of the ministry. In the list of participants are four officials from the ministry”, says Berisha, adding that the place of the meeting was one of the restaurants owned by the owner of hydropower plants in Brezovica and that this meeting was held far away from the citizens.

The report of the working group also found numerous legal violations that were committed while providing relevant documentation for the company Matkos.

According to the report, the concession procedure for granting the right to use water as required by the Law on Waters of Kosovo has not been implemented, and that water consent has been granted without meeting any of the water conditions.

This report also states that in the water permit there is no data on water intake works, their location, pipelines, ecological inflows for each of the water intake profiles etc.

The construction permits for HPP “Brezovica” was issued on water property, in the immediate vicinity of the river, contrary to Law on Waters of Kosovo, which determines the distance of at least 30 meters for the construction of facilities from the line of high fleets.

“In none of the profiles of water intake works there is no measurement of water flow, as required by water conditions and water permit. “The granting of water property for use with a decision by the Municipality of Shtërpca to “Matkos Group” is contrary to the Law on Waters of Kosovo”, the report states.

The environmental consent has been issued for the construction of generating HPPs along the Lepenc River by the Municipality of Shtërpçë, without specifying cadastral parcels.

“Although the environmental permit has not been issued for these two hydropower plants, the HPPs are operating”, the report says.

According to this report for HPP Brezovica and HPP Viça there is no fish trail in any of the water intake works, the pipeline route extends through public areas, there is no measurement of the water level/ inflows either before or after the water intake works, the investor has no information on how much ecological inflow should be released into the river, the concrete structures in the water intake works are in complete discrepancy with the landscape, the hydropower building is in the direct vicinity of the river, on the water property.

In addition to damages of this nature, the constructions of the hydropower plants have also caused damage to the regional road.

The Ministry of Infrastructure, which at that time was led by Lumir Abdixhiku, on February 10, 2020, gave consent to the Matkos company to install an underground pipe in the regional road of Shtërpçë- Brezovica. Although more than 20 months have passed since this consent was given, the road rehabilitation has not been fully done.

The Ministry of Environment and Infrastructure says that this road is waiting for the last layer of asphalt to be laid.

“Before this is done, initially, work is being done on repairing the sidewalks which were damaged during the interventions of the Matkos company. “As soon

"The Directorate for the Administration of Sharri National Park, as well as the Directorate for the Administration of Bjeshkët e Nemuna National Park, have never been contacted or consulted about issuing permits for the construction of hydropower plants."

Kosovo Environmental Protection Agency

as these repairs are completed, the paving of this road will begin immediately", it is said in the response.

Despite the findings found in the report of the working group regarding the construction of HPPs in the Deçan's Canyon and in Shtërpçë, from this ministry they say that they have not yet taken any measures and have not given any deadline when something can be undertaken.

Considering the complaints of the residents that the construction of hydropower plants has affected the reduction of water and consequently the reduction of the drinking water, the Ministry of Environment says that so far, they have not made such an assessment.

Hydropower plants were built in the protected areas

Protected areas, namely National Parks are created to ensure the conservation and rejuvenation of natural habitats, biological species, their assets, and natural landscapes and are habitats for the aforementioned plants and animal species and other species for which it would be difficult to survive in environments outside of them due to human intervention.

The above-mentioned hydropower plants have been built in protected areas, respectively in national parks. The response of the Ministry of Environment states that "there are no hydropower plants that have been built in protected areas, but there are constructed water intake works, which are allowed by the water law."

But the Kosovo Environmental Protection Agency (KEPA), which operates within the Ministry of Environment, says that the areas where the hydropower plants were built in Deçan's Canyon and in Shtërpçë are territories of national parks.

They say that the Institute for Nature Protection (part of KEPA), which is responsible for monitoring the state of natural resources in protected areas, is not involved in this process.

According to (KEPA) "The Directorate for the Administration of Sharri National Park, nor the Directorate for the Administration of Bjeshkët e Nemuna National Park, have not been contacted or consulted about the issuance of permits for hydropower plants." stated in the KEPA's response.

From this institution, they say that the construction of hydropower plants within protected areas in general and National Parks in particular, is associated with

"One such example of the destruction of these natural values is the operating of the Hydropower Plant in the National Park "Bjeshkët e Nemuna", part of Deçan's Canyon, where the bed river source has been degraded and it can be said that all fauna associated with the flow of Deçan's Lumbardhi".

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direct impacts on general natural values, aquatic and terrestrial flora and fauna, landscape, specific habitats, and especially on the fauna where most endangered are aquatic species, such as fish, other aquatic vertebrates, etc.

"The diversion of water from the natural flow for the needs of hydropower plants affects the change of air humidity and microclimate, which as a consequence will lead to chain reactions for many aquatic animal species, such as fish, aquatic insects, mollusks, butterflies, frogs, tritons, waterfowl, but also for the plants that are found in the riverbed itself", it is said, among other things, in KEPA's response.

According to KEPA, interventions during the construction of hydropower plants, in addition to the impacts on the disruption of the ecological balance with consequences for biodiversity and other natural values are also accompanied by an impact on the local climate of the area.

"One such example of the destruction of these natural values is the operating of the Hydropower Plant in the National Park "Bjeshkët e Nemuna", part of Deçan's Canyon, where the bed river source has been degraded and it can be said that all fauna associated with the flow of Deçan's Lumbardhi", it is said in KEPA's response.

Regarding these consequences and many other damages, KEPA says that through Kosovo's Institute for Nature Protection and the directorates of National Parks has requested that these activities be banned in national parks.

"These letters were addressed to the Chief Inspector, Secretary, and to the Minister of MESPI, but unfortunately our recommendations and remarks were not considered," it was said in KEPA's response.

Preportr has also sent questions to the companies Kelkos and Matkos regarding the above-mentioned issues, but none of these companies have responded.



This article was developed through the Media For all programme funded by the UK Government. The content gathered and views expressed are the sole responsibility of ÇOHU! and in no way can it be considered a reflection of the views of the donor.

Funded by the UK Government and delivered by the British Council in partnership with the Thomson Foundation, BIRN and INTRAC, this two year programme, Media For All project, supports media across the Western Balkans, by providing expert mentoring, training and financial support to engage with and deliver a diverse range of content to all citizens as well as implementation of media outlets' business ideas.

