

Statement of Fitore Pacolli, Member of Kosovo Assembly from Lëvizja VETËVENDOSJE!

Abuse and misuse of water resources in Kosovo has started in 2010. Kelag/KelKos has been the leader in this business and others have followed its bad pattern of building hydropower plants. For years, KelKos operated through an expired environmental consent without a fully-flagged environmental license. This was made possible through a process where water permits to economic operators were issued without public tender procedures for the use of water resources through concession in contradiction with the Law on Waters of Kosovo. Thus it's been argued that KelKos illegally produced and sold electricity in Kosovo.

The many objections of the civil society, MPs and experts were ignored by the government. Roughly a month ago the Ministry of Environment issued environmental permits for "Belaja" and "Decan" power plants without KelKos fulfilling all the requirements. Energy Regulatory Office has granted Kelkos the licence to use the scarce water of Lumbardhi for a period of time of 40-years. One of the requirements for the initial environmental consent was the construction of a dam at Zalli i Rupes, with the purpose of ensuring the community will have running water for drinking and agriculture, as well as for touristic purposes. This has never occurred.

Here in Kosovo the whole process of hydropower plants has been followed by serious violation of the Constitution and laws of Republic of Kosovo. For us the whole process is corrupted from local level to ministerial level. Hydropower is considered a renewable source of energy and therefore is often described as environmental friendly, but for us it comes with grave environmental impact on water resources and the ecological circle.

Kosovo has enacted a strategy on water resources that didn't go through substantial public debate. As a result the priority of this Strategy was on use of water for the purposes of energy production. There is a stark contradiction of this Strategy with the actual legislation. On the other hand the EU has several strong pieces of legislation that are meant to protect, freshwater ecosystems from the negative effects of energy projects. The moderately strict EU rules and legislation hitherto ignored by Kosovo politics and this was also stressed by the EU Report, which states that Kosovo made no progress on aligning water legislation with the EU acquis. EU Water Framework Directive (WFD) recognizes that "water is not a commercial product like any other but, rather, a heritage which must be protected, defended and treated as such". The report also recognizes the danger we face with the fact that "dam safety and management are inadequate, as are flood risk mapping and prevention... and the cumulative effect of the construction of numerous small hydroelectric power plants harms the environment".

What is now happening in Kosovo will also affect our process towards EU integration. Kosovo will be required to implement the EU environmental acquis and rehabilitate its rivers. If we don't have a clearer and tougher stance right now, tomorrow will be too late for Kosovo water resources and environment.

Until now, we have had only one government which pursued a holistic approach to the water sector and the power plants specifically, and that was Kurti's government. Access to safe and sufficient water is a basic human right and Lëvizja VETËVENDOSJE!, respects hierarchical water needs recognized in treaties and international law and including the Law on Waters of Kosovo. Thus, our water resources must first be used for drinking water, domestic use, and agricultural use and if there is enough we can use them for energy production and other activities. Our aim is to address the environmental damage as considered by Kosovo's Ombudsman person, as well, as a human rights violation.

This behavior is inexcusable and is rather reminiscent of colonialists than of modern companies. We are regularly informed about how Kelag is operating in Kosovo. As soon as we succeed in returning to government, we will carefully analyze, in close cooperation with civil society, whether and how Kelkos has violated the laws of Kosovo. If we find evidence of what we believe, we will take legal action against the company.