ROAD TO STABILITY?
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Project: Public Participation in the Reconstruction Process

This publication is based on contributions from:

Ivona Malbasic
Keti Medarova
Miodrag Dakic
Ana Colovic
Dusica Radojcic
Aneta Bosevska
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For the Earth
P.O.Box 975
Sofia 1000
BULGARIA
e-mail: zemiata@iterra.net

www.zemiata.org
www.stabilitypactwatch.info

Editors: Ivona Malbasic, Greig Aitken

Design: Maria Matorova, Aspectrum Ltd.

Printed by: Kontecst Ltd.

To order copies of this booklet, please contact
Keti Medarova, keti@bankwatch.org
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>7</td>
</tr>
<tr>
<td>The Plane in Our Back Yard</td>
<td>9</td>
</tr>
<tr>
<td>Skopje Bypass Project</td>
<td>17</td>
</tr>
<tr>
<td>Sava River Initiative</td>
<td>22</td>
</tr>
<tr>
<td>Public Participation in the Country Assistance Strategy Process in Macedonia</td>
<td>27</td>
</tr>
<tr>
<td>New Waste Water Treatment Plant for Pula Loan for the Future, Solution from the Past</td>
<td>31</td>
</tr>
<tr>
<td>Addresses of Contributors</td>
<td>35</td>
</tr>
</tbody>
</table>
INTRODUCTION

This is the first attempt to compile a publication focusing on projects financed by various International Financial Institutions such as the European Investment Bank and European Bank for Reconstruction and Development, in the Balkans. The Stability Pact, as a broad political initiative to bring the region closer to the EU integration process and to achieve stability in the Balkans, has been signed in 1999.

The Stability Pact Watch Group has been established in September 2002, and it has been monitoring infrastructure projects within the Stability Pact framework within the project "Public participation in the reconstruction process". We believe that the ambitious goals of the Stability Pact will be achieved only if public, NGOs and citizens in our countries, take part in the complex decision making process.

So far, decisions have been made far from the region, with very limited public participation. That is especially the case with the Working Table II on economic reconstruction and development that accounts for most of the investments within the Stability Pact framework. That was the main driving force for us to start monitoring the initiatives, activities and projects related to large infrastructure investments. Motorways, airports, waster water treatment plans and other infrastructure projects have been attracting the greatest attention of donor countries and International Financial Institutions, which is not surprising in a post conflict situation. However, most of these investments are coming in form of loans, which means that citizens in already indebted countries will have to pay them back in a situation where aid coming to the Balkan region is getting smaller and smaller.

In this booklet, we compiled a set of case studies based on NGO experiences in their effort to monitor, influence and get information regarding
these projects. In some cases, such as the Development and Extension of Sofia Airport, NGOs have been trying to raise their concerns and those of the affected people, for several years. Unfortunately, our experience has shown that views of those affected by the projects are very often neglected and not taken into account seriously.

We believe that it is important to continue with the international community's efforts to help the region. However, it should be done in a different way, taking into account local people's needs and with broad involvement of civil society. Experience from Bosnia has shown that giving the large portions of money with no vision for the future, poor oversight and little public involvement is not bringing expected results. We would like to change the 'business as usual approach' and work together with people form the Balkans, NGOs, trade unions, international institutions and our governments to make the dream of stable and prosperous Balkans a reality.

The Stability Pact Watch Group is proposing more investments in environmental projects, especially for the clean-up activities related to the NATO air strikes, which had tremendous impact in the region. We believe that more investments should come in the form of grants and micro credits, because they proved to be successful even in a very difficult post war environment. We demand more project documentation to be publicly available. In addition, NGOs and other interested parties should be invited to important meetings of the Pact, in order to take part in the decision making process.

*Ivona Malbasic*
THE PLANE IN OUR BACK YARD

Introduction
The Sofia Airport is situated in the eastern part of the city of Sofia, very close to communities, and thus poses serious problems to the population and environment. Due to the limited participation of affected stakeholders and the lack of information flow, the development and decision-making of the project has proven to be nontransparent and undemocratic. The large loans being taken and the very poor economic indicators put under question the project's justification. For these reasons Bulgarian NGOs and affected citizens have argued against the plans for the airport's expansion, and the concerns about its inappropriate location have a long history.

Background
Sofia, the capital of Bulgaria, is situated directly in the centre of the Balkan Peninsula, thus placing it in a strategic position as far as transport is concerned. The project for Reconstruction, Development and Extension of the Sofia Airport LOT B1 new Terminal Building and related facilities and LOT B2 new Runway system, taxiways and related works is part of two Trans European Corridors - N4 and N8. This project is considered as a high priority, by both the Bulgarian Government and European Union.

In November 1996, a General Master Plan for Reconstruction, Development and Extension of the Sofia Airport was developed by the British Company "Sir Halcrow and Partners" and adopted by the Bulgarian Government. The plan calls for the construction of new passenger and cargo terminals and a new runway.

The European Investment Bank approved a loan of EUR 60 million in September 1997 before the final project was drawn up. Several months later, in June 1998, additional financing of EUR 40 million came from the
Kuwait Fund for Arab Economic Development, followed by EUR 7.6 million from Phare for technical assistance in project planning, design and supervision, and for airport administration. Phare involvement was justified with the argument that "...without Phare participation, providing technical assistance for Sofia Airport, the disbursement of first tranche under the finance contract with EIB will not take place."

No final project existed at the time, but the scope of the airport's modernisation plans was decreased. The Phare grant covered only the design of the new passenger terminal and new runway, with the cargo terminal no longer mentioned in project documents. The total project cost was estimated at EUR 186 million.

The development of this supposedly "high priority" project continued at low speed until a new financial supplement from the EU could be secured. In 2000 it becomes the most important one in the framework of the Stability Pact for South and Eastern Europe. Through the ISPA program a grant of EUR 50 million is approved for the project. Thus, it receives larger funds than all the Stability Pact's spending on private sector development initiatives, economic reforms, business development, vocational training and education, environmental projects, and social development. At that time the expansion was still in the design process and the project's final EIA was not yet finished.

The total cost of the project varies between 192 and 210 million EURO. The loan share in it is 100 million EURO.

**Environmental and Health Impacts**

An EIA for the whole expanded airport complex was never conducted, nor were alternatives properly assessed and taken into account. The existing two non-technical summaries of the EIA reports for Lot B1 and Lot B2 that were submitted to the Commission and the EIB state: "The Bulgarian Ministry of Environment and Waters has not required, and until now has seen no reason to require, the performance of a full EIA report". Thus, no studies have been done on the real cumulative impacts of the airport facilities, which violates both national and European legislation (Act on Environmental Impact Assessment, EIA Directive 97/11/EC).

The airport is situated in the city of Sofia, very close to communities, and thus poses serious problems for human health, due to the high levels of noise to which the citizens are exposed. According to the Health Risk
Assessment Report (HRAR)\(^3\), conducted in addition to the EIA reports, the airport negatively impacts almost all functions, organs and systems of the human body (central nervous, cardio-vascular, digestive and endocrine systems). The report was supposed to show "the actual number of citizens affected by high noise levels living near the airport" and "to determine the sites that are covered by health protection standards within the Public Safety Zone". The experts admitted that meeting those two requirements is impossible because of the lack of a thorough EIA. The conclusion of this report says that the assessment was made based on indirect criteria.

According to the project description, one justification for the extension of the airport is that it will prevent aircraft from flying over the city of Sofia and thus will reduce noise levels. In the Health Risk Assessment Report experts recognise the opposite consequence - due to traffic growth, the number of affected citizens will increase. Note also that a previous ban of flights over the city of Sofia was consistently violated; therefore citizens are convinced that no one can guarantee these new promises of future prohibited flights. In the determination of the Public Safety Zone, a contour of 60 dB(A) was used for daytime operation. There is no night contour because according to the HRAR, no night flights are planned. Note that night flights were previously prohibited for a short time but soon were permitted under a Decision of the Ministry of Environment and Waters from April 2002\(^4\).

The impacts of the airport on the environment were falsely determined to be insubstantial in the EIA reports. They did not take into account the actual impacts connected with operating this airport. According to the EIA reports there were 61 600 citizens adversely affected by noise during the summer and 81 000 people during the winter of 1999/2000. There are a number of emission sources of atmospheric pollutants (the aircraft gaseous emissions, exhaust gasses from the roadways and parking lots), which will definitely increase due to the growth of air and road traffic. The functioning of the Sofia Airport has serious negative impacts on surface and ground water due to de-icing and anti-icing procedures, there are insufficient facilities to collect and purify wastewater from aircraft servicing, and ineffective functioning of the existing drainage system. There is a threat of direct leakage of wastewaters into the Iskar River, which the new runway will cross via a bridge. The
runway and its associated bridge will cross the important Via Aristotelis bird migration route.

Independent experts from the Bulgarian Association of ecologists, including professors of environmental protection, town planning and runway planning engineers, ICAO experts and pilots conclude that the EIA report is not an accurate assessment of threats posed to public health and safety. In this connection one must note the first Ministry of Environment and Waters Decision N12 on EIA of the project for reconstruction of the Sofia airport dated August 10, 1993, which "accepts as the number one priority human health and citizens' safety while the Sofia Airport is in operation."

During the past 40 years, there have been six airplane crashes and two other serious accidents with airplanes in the Sofia region.

**Public Participation and Access to Information**

The public participation as democratic principle was many times highlighted by authorities as an obligatory condition for the development and implementation of the project but in fact was never really present. NGOs were never acknowledged as an interested party and are not included in the development of plans for environmental protection and mitigation measures. Some of the local municipalities "Vrajdebna", "Poduene", "Vasil Levski" and "Hristo Botev", and affected communities (Initiative Committee for citizens Protection of the Activities of Sofia Airport - IC) were informed from time to time about the project, but rarely were their concerns taken into account. Other municipalities like "Hadgi Dimitar", "Krivina" and "Suha reka", which are also seriously affected by the airport facilities, have never been contacted at all.

The Initiative Committee for Citizen Protection of the Activities of Sofia Airport is established to present and defend the interests of the citizens living around the Sofia airport and are most affected by its functioning. On April 4, 2001, a Memorandum between the Initiative Committee and representatives of the Ministry of Environment and Waters, Ministry of Transport and Communications and the Ministry of Health was signed. Some of the Memorandum's points are obligatory conditions in the Decision N.20-5/2001 of the Ministry of Environment and Waters on the Environmental Impact Assessment. Some of them are: prohibition of the night flights between 11 pm - 6 am,
prohibition of the aircraft flying over the city of Sofia, except in case of bad weather, prohibition of the engine testing between 7 pm - 7 am, determination of Public Safety Zone around the airport and identifying the actual number of over noised people, adoption of a Noise Act until the end of 2002, determination of noise abatement measures, public control on the airport activities and the implementation of the environmental activities, etc. After the elections the administration in the Ministry of Environment and Waters has changed with the new Government, which led to the violation of the signed Memorandum.

Initiative Committee immediately addressed its concerns about the violation of the Memorandum in front of the Ministry of Environment and Waters, Ministry Transport and Communications and the Ministry of Health, but there was no reply. Later, in April 2002 the Ministry of Environment allowed again the night flights. Initiative Committee several times raised the issues about the presence of aircraft over the city of Sofia, when the weather was not bad, but it was not taken into account. So far, a Noise Act is not adopted at all. The Public Safety Zone includes only a small part of the affected areas. There are only certain mitigation measures undertaken for some of the affected houses but this process is very slow.

On May 30, 2002, a program, created to implement point 19 from the Ministry of Environment and Waters Decision N 20-5/2001 for public control on the implementation of Sofia airport project was signed. It is signed by representatives from the municipality administrations of "Poduene", "Kremikovtzi", "Slatina", the chairman of Initiative Committee, General Air Administration Ministry of Transport and Communication and Sofia Airport Administration.

This program obliges the Ministry of Environment and Sofia Airport Administration: to provide full monthly information about the noise levels, registered by the currently existing and future noise monitoring system, to all stakeholders, to control the air companies not to fly over the populated areas of Sofia, to include representatives of the Initiative Committee and municipalities in the discussions for the adoption of the Noise Protection Plan for the territory of the Public Safety Zone, to inform the stakeholders about the implementation of all the conditions in the Decision at each stage of the project implementation, to provide any kind of information about the realization of the project and the impact on the
environment, to perform every month meeting in the Ministry of Environment and Waters (every last Friday at 2 pm) to discuss and tackle problems, which were faced during the realization of the project and during the development of the environmental programs.

There is almost no information input from the responsible institutions and most of the municipalities are not informed regularly as they were promised. Their participation is limited and did not have the possibility to comment on the adoption of the Noise Protection Plan. Since the signing of this Program till the end of 2002 (seven months), only two or three meetings have taken place in the Ministry of Environment, because the responsible institutions were not present.

The citizens from "Vrajdebna" Municipality are the most affected since the project will be implemented upon their lands. Some of their houses will be demolished and their lands appropriated. First, they were promised good compensation for the loss of their homes and for a beginning of new life. Unfortunately, they were compensated only for the portion of their lands included in the Sanitary Safety Zone. Thus, they were forced to file cases in court for not receiving a real satisfactory compensation for their demolished homes (case pending). The Mayor of Vrajdebna also shared that authorities have promised new jobs for the local people, but since the launch of the construction, none of them has been offered employment.

In November 2002 a special Declaration was signed by 22 Bulgarian environmental NGOs at the National Conference of Bulgarian environmental NGOs, which conclude that the project for the Extension of Sofia Airport is financially and environmentally unsustainable. This Declaration calls for the responsible financing institutions not to disburse the money and not to allow the project to be implemented. The Declaration was not taken into account by neither the national, nor the European authorities.

The Bulgarian environmental NGOs have tried numerous times to influence the project's development process by sending letters and meeting with responsible national and European institutions, but their concerns and calls were never incorporated in the development and implementation plans of the project. Recently, responsible institutions refuse to address the complicated and inconvenient problems stemming from the implementation of this dubious project, often insisting that the project is
already approved and that no further discussions are necessary despite the altering conditions.

**Conclusions**

The manner in which this project was driven so far, by both the European and national authorities, is jeopardizing human health, the state of the environment and the patience of the Bulgarian taxpayer.

The EIA should be revised and carried out in compliance with national and European legislation, taking into full account the functioning of the recent airport facilities, the new terminal building and the new runway. The EIA reports must show the cumulative effect of the airport on the environment and the population.

The development and implementation of the project should be carried out in a transparent manner. NGOs as well as the affected communities and municipalities must participate in all activities related to the project development and implementation. There must be a permanent information flow giving actual data about the project's development and the problems faced.

We consider that financial assistance via grants could be better used to renew the existing runway, satisfying the existing passenger flow this way. It can be also used for environmental/health protection measures to ensure that the project meets the high environmental standards in the EU acquis. There is no valid reason for placing the high burden of large loans for this unsustainable and unnecessary project on Bulgarian taxpayers.

**ENDNOTES**

3. Health Risk Assessment Report, Amendment to the Final Report on
EIA for the project Sofia Airport Lot B2 New Runway System, Taxiways and Related Works, Institute for Air Transport/Project 2000-09/Polyconsult ECO Ltd, April 2001
Introduction
The Skopje Bypass is a planned 25 kilometer highway around Skopje, the capital of Macedonia. The state-owned company, Fund for National and Regional Roads of Macedonia (‘Project Sponsor’), has requested a EUR 25 million loan from the European Bank for Reconstruction and Development (EBRD) for the construction of Section 2 of the bypass.

Two key pan-European transport corridors (Corridor VIII and Corridor X) cross the country and intersect in Skopje, forming a part of the Trans-European Network. The Skopje Bypass is a part of Corridor VIII.

The Skopje Bypass has been proposed for more than 30 years. It was first introduced during preparations for the Skopje Basic Urban Plan in 1965, and in 1985 the need for the bypass was confirmed by additional amendments to the Plan.

The currently proposed bypass contains two sections. Section 1 is being financed by the European Investment Bank (EIB) and Section 2 by the EBRD, the Macedonian Government and the KfW Group form Germany.

Problems
The non-governmental sector of Macedonia with the help of CEE Bankwatch Network has followed the development of the Skopje Bypass Project. In early 2002, certain problems with the alignment of the bypass in the area north-west of Skopje, in the villages of Orman and Volkovo, were identified. The alignment here is planned to pass very near a water
A reservoir containing drinking water, over a graveyard in the village of Volkovo, near churches and through fertile agricultural land used for cultivation. The local community was never invited to or participated at either the project planning meetings or scoping meetings for the Environmental Impact Assessment.

As a result, the villagers were dismayed by the alignment as important local sites will be destroyed during the construction and operation of the highway. They therefore asked NGOs to help them change the alignment of the road.

**Independent Review**

The non-governmental organisations offered help in the shape of lobbying the Fund for National and Regional Roads of Macedonia as well as the EBRD, demanding a change of the alignment. After four months of NGO pressure, the EBRD deemed that the number and the seriousness of complaints being made about the project was significant. It therefore suggested that the whole project should be revised by an independent consultant. The consultant proposed several measures to decrease the impact of the road on the community, featuring the micro-relocation of the alignment towards the churches.

Convinced that the micro-relocation would not solve the problems and still remaining concerned with the alignment, the villagers raised their voices against the "road of death" using the following arguments.

**Lack of Public Involvement**

The project has been developed without the knowledge and involvement of the local community from the villages of Volkovo and Orman. The scoping process for the Environmental Impact Assessment of the project did not include the affected citizens of Volkovo and Orman. The inhabitants of these villages learnt that the road would pass near their villages, affecting important sites and locations, only six months later. They immediately contacted the Ministry of Transport and the Road Fund in order to receive more information and to discuss the route. However, the Road Fund showed no understanding for the villagers or their alternative proposals for the project. Even during the public consultations held in April 2002, the representatives of the Fund for National and Regional Roads of Macedonia showed total disrespect to the proposals made by local communities and NGOs.
Danger to the Water Reservoir
The water reservoir was built solely by the donations of the local population and it is the private property of the community. It is also one of the most essential landmarks in the community, symbolising the unity of the community. The bypass is set to pass less than 20 metres from the reservoir. The independent reviewer believes that the road will not cause damage to the reservoir and proposes that the Road Fund would issue a guarantee that would see to the safety of the reservoir, including monitoring its structure during the construction and for two years once the road is operational. However, this guarantee is not specified in the Environmental Management Plan and therefore the villagers are less than reassured that the Road Fund will take care of their reservoir. If no guarantee is issued for the period of construction and for the first two years of the road's lifetime, then the road remains a serious threat to the reservoir.

Impact on the Church and Cemeteries
The planned route will pass close to the Church of St. Atanasij and over cemeteries in Volkovo.

At less than ten metres from the proposed route of the road two Orthodox churches with a graveyard are located. The churches are regularly attended by the local people. The St. Atanasij church is the only church in the area that performs all religious services for the community. If the bypass is built next to the church, substantial noise and pollution will occur and the church's importance, value and role for the community will be severely diminished.

The proposed route would go through a part of the local cemetery, located next to the church. This land is the only such land used for burials. Constructing the road over the graveyard is completely unacceptable for the local people. The right to religion and belief is undisputable and should not be forgotten or ignored.

Destruction of Agricultural Land
The planned bypass route in this area will destroy first class agricultural land used by local farmers for cultivating different food products. The farmers financially support themselves and their families by supplying
the citizens of Skopje with healthy and high-quality food products. If their land is to be taken for the purpose of building a bypass, the farmers will lose the possibility to grow and expand their production and the city of Skopje will suffer from a lack of such products. Of the total land set to be used by the road construction, 40 per cent consists of first class land and 28 per cent of other agricultural land.

**The Alternative Route**
The villagers have proposed a different, north-oriented route which would solve the problems of the currently proposed route. The designers of the Balkan Consulting Company have estimated much higher costs for this route, in spite of the fact that the villagers suggested that the route could be constructed on state-owned land which would decrease the needs for expropriation and therefore reduce costs.

**Decisions**
At the end of 2002, The Ministry of Transport and Communications of Macedonia made significant efforts to overcome the problems, organising a series of meetings to which all interested parties were invited. A consensus on the issue was regretably not reached. Subsequently the villagers and the NGOs called for a review of the whole Environmental Impact Assessment and the consultant's proposal by a group of local experts, including the Ministry of Environment and Urban Planning - it had not been involved at any stage of the project.

As a result of the meetings, the Ministry prepared an information package for the Macedonian government. However, despite the numerous and strenuous efforts on the part of the local community and the non-governmental sector to alter the disastrous route of the bypass road, the government decided not to change the route at all. The decision was made on February 20, 2003, after more than a year of lobbying and fighting for change along environmentally friendly lines.

With the backing of more than 25 NGOs from more than 17 countries across Europe, the community redoubled their efforts to inform and urge the Macedonian government, the European Bank for Reconstruction and Development and the Road Fund to alter the route and save the environment. Yet the EBRD's Board of Directors approved the project on May 19, and the government signed the loan agreement on July 15, 2003.
Environmental Management Plan

Under the project's Environmental Management Plan (EMP), the Macedonian government is obliged to establish the Environmental Monitoring and Advisory Group (EMAG) - a committee responsible for monitoring the implementation of the EMP. Once construction activities begin, the EMAG should be fully operational. The EMAG will be chaired by the Environmental Monitor who is an independent expert to be appointed by the EBRD and it should include representatives from the Ministries of Transport and Environment, Road Fund, the local affected communities of Volkovo and Orman as well as interested NGOs. However, the EMAG has not been established yet and NGOs have still to receive information about the final establishment of this Committee.

A baptistery is currently being built on the church’s property and, regretably, the bypass is set to pass through this area. The community remains opposed to the disruption of the church's operation because of the inevitably large amount of vehicles that the bypass will bring. Their fight does not end here.
Introduction
The Sava is the main artery sustaining life in the river basin. It flows for 930 kilometres, from the Julian Alps in Slovenia, through Croatia and Bosnia and Herzegovina, until it reaches Serbia and Montenegro where it enters the Danube River. It catches water from 60 per cent to 70 per cent of the four countries’ land mass and provides more than 80 per cent of the total available water. It is also an important transport corridor and fertile agricultural region. Yet there are many problems in the river basin, some of them caused by the wars in former Yugoslavia and some by years of neglect and bad environmental management.

The International Sava Basin Commission Initiative came into being on November 29, 2002 with the signing of a letter of intent in Sarajevo. Governmental representatives from all the Sava river basin countries signed the letter. After the official launching of the initiative, meetings were held in Brcko (Bosnia and Herzegovina) and hosted by the Office of High Representative-North for Bosnia and facilitated by the Stability Pact. Besides these parties, partners to the project include the US government, the government of Japan, the European Commission, the government of the Netherlands (International Agriculture Centre), the government of Hungary, OSCE, the World Bank, Southeast European Cooperative Initiative, International Commission for the Protection of Danube River, the Danube Commission, Global Environment Facility and Regional Environmental Centre for South Eastern Europe (REC). The high delegation of the Sava River basin countries signed the Framework Agreement in Slovenia at the beginning of December last year.
The Second Article "Objective of The Agreement" says that the Parties shall cooperate in order to achieve the following goals:
- Establishment of an international regime of navigation on the Sava River and its navigable tributaries;
- Establishment of sustainable water management; and
- Undertaking of measures to prevent or limit hazards, and reduce and eliminate adverse consequences, including those from floods, ice hazards, droughts and incidents involving substances hazardous to water.

Public Participation
Before the agreement was signed, the public did not have an opportunity to get more information about the negotiations between the countries. All questions addressed to the Secretariat - the REC, Country Office Bosnia and Herzegovina, which serves as a technical and legal support organisation, received the response that it was too early to give more information and that negotiations were on a diplomatic level and thus closed to the public.

After the signing of the Agreement, the parties started with different activities in order to develop action plans for particular segments such as water management and environment, rehabilitation and development of navigation and legislation. The public had no opportunity to take part during the action plan preparations, although the negotiations at the diplomatic level had finished.

The action plan of the Water Management and Environment Sub-group contains the following statement.

The bases for elaboration of the Action Plan were:
- Framework Agreement on the Sava River Basin (October 2002);
- Convention on Cooperation for the Protection and Sustainable Use of the Danube River Basin;
- Common Strategy on the Implementation of the Water Framework Directive (2-4 May 2001);
- Current (urgent) and future (strategic) mutual activities regarding solving of specific problems in this field (flood protection, water reservoirs management, water regime control profiles setting etc.)
The bases for the Action Plan look impressive. It goes on to mention the public involvement:
- Framework Agreement in article 21 (Monitoring implementation of the Agreement) states: "The implementation monitoring methodology will include timely provision of information to stakeholders and the general public by the authorities responsible for implementation of the Agreement."

Also, in the Agreement it is stated that the Parties shall cooperate on the basis of, and in accordance with, the Water Framework Directive. The Water Framework Directive in article 14 (Public information and consultation) states: Member States shall encourage the active involvement of all interested parties in the implementation of this Directive, in particular in the production, review and updating of river basin management plans. Member States shall ensure that, for each river basin district, they publish and make available for comments to the public; Member States shall allow at least six months comment in writing on those documents in order to allow active involvement and consultation. Paragraphs 1 and 2 shall apply equally to updated river basin management plans.

The convention on Cooperation for the Protection and Sustainable Use of the Danube River Basin is better known as the Danube Convention. The International Commission for the Protection of the Danube River (ICPDR) was established with a view to implementing the objectives and provisions of the Danube Convention. So far, it has been very active in promoting public participation in river basin management plans. In April 2003, the ICPDR organised a workshop whose overall objective was to develop a Strategy for Public Participation in Danube River Basin Planning.

The objectives of the Strategy are twofold:
- To ensure public participation in WFD implementation, especially in the first instance concerning the development of river basin management plans.
- To assist national governments to comply with their obligations under the Water Framework Directive.

Participants at this workshop were experts on river basin management and experts on public participation from the whole Danube catchment area.
The Common Strategy on the Implementation of the Water Framework Directive (Involvement of stakeholders, NGO's and civil society) states in point 3.3: "The strategic implementation paper recognises the importance of an active involvement by stakeholders, NGO's and civil society. The strategic implementation process should be based on the principles of openness and transparency, encouraging creative participation from interested parties. These parties may be involved both in the work of the strategic co-ordination group (as observers) and in the specific working groups and other activities under the joint implementation strategy (as participants). The involvement level should be decided on a case-by-case basis depending on the scope and the topic of the relevant process or working group. By identifying the kind of involvement needed for each situation of the implementation process, the Commission and Member States intend to ensure both the effective participation of and contribution from the interested parties and to enhance their understanding of the different elements related to the process. The basic idea is to promote an open and clear exchange of views and concerns between all the parties directly responsible for the implementation of the framework directive and those who will be interested in or affected by it."

Provision of information to the public is a first and vital step in public participation, and if that step is missing one cannot say that participation exists. Thus far, we have not noticed any activity conducted by responsible authorities that could be termed "timely provision of information" to the public. If information is not provided, there can be no active involvement on the part of all the interested parties in the production, reviewing and updating of river basin management plans.

**Conclusion**

Action plans for managing different aspects of the Initiative have already been developed. The public was not informed on time and still lacks the necessary information. Interested parties did not have an opportunity to be actively involved in the development of the Sava River Basin Management Plan. In addition, the public did not have the chance to assist national governments to comply with their obligations under the Water Framework Directive. Notions of openness and transparency have been neglected. The encouragement of creative participation from interested parties has been sorely lacking.

It is common for officials to say that the Sava Initiative is the beginning of a process of cooperation that could become a model for other internation-
al river basins in the region. However, in view of the evidence so far, we seriously hope that the Initiative does not become a model for public participation in the region.

ENDNOTES

Convention on Cooperation for the Protection and Sustainable Use of the Danube River Basin
http://ksh.fgg.uni-lj.si/danube/envconv/
http://eelink.net/~asilwildlife/DanubeConvention.html


http://www.bmu.de/files/water_framework_directive.pdf

Guidance on Public Participation in Relation to the Water Framework Directive

Framework Agreement on the Sava River Basin
PUBLIC PARTICIPATION IN THE COUNTRY ASSISTANCE STRATEGY PROCESS IN MACEDONIA

Background

The first Country Assistance Strategy (CAS) for Macedonia was prepared in 1998. It contained the support program that the World Bank was offering to Macedonia from 1999-2001 through International Development Agency and International Bank for Reconstruction and Development resources. The World Bank and the Macedonian government developed the CAS together, without any public participation or involvement from Macedonian civil society.

Throughout 2001, Macedonia faced internal conflicts and political instability that resulted in armed conflicts. Thus, during 2001, the climate in Macedonia was not suitable for the preparation of the new CAS.

Instead, in August 2001, the World Bank prepared the Transitional Support Strategy (TSS). This was supposed to cover the period until the end of 2002. However, as a result of the continuing political instability that led to a slow down in reform, the scope of the TSS was extended to 2003. The preparation of the TSS did not require the same procedures as the CAS nor was public participation included in the process.

The latest CAS for Macedonia was approved by the Board of Directors of the World Bank on September 9, 2003. The worst case scenario will provide USD 20 million; the base case scenario will provide USD 90 million; in the best case scenario Macedonia will receive USD 165 million.

The latest CAS process was actually the first chance for the public, the Macedonian NGO sector and civil society to express their views on this crucial issue. Though the World Bank made some improvements regarding public participation in the process, during the preparation of the last CAS a need for future improvements became apparent. We believe that
our demands can only help the World Bank to improve its own procedures regarding public participation in the CAS process in the future.

**Lack of Information**
The draft version of the new Country Assistance Strategy for Macedonia was not released. There was pressure from local NGOs requesting the draft version for commenting; this unfortunately did not happen. A few local NGOs sent a letter to the officials in the World Bank office in Skopje asking for more information, the draft CAS document, information for the public through the media and a longer consultation period.

Unfortunately, the only documents available for public comment were on the World Bank website. The new Country Assistance Strategy was a three page document, available in the local language. However it did not provide interested parties with much information. This document contained the list of priorities that would be included in the new Strategy of the World Bank, with the possibility to comment through the website.

The very low number of people with internet access in Macedonia means that consultations and information dissemination through a website is not an appropriate means for involving many people in a meaningful discussion about the CAS. NGOs in Macedonia are still concerned that the public was not sufficiently informed about essential factors relating to the CAS and about the possible ways they could have been involved.

Although local NGOs requested that the CAS information as well as the opportunities for public participation ought to have been listed in the local media, efforts from the authorities to inform the public about how they could get involved in the process were missing.

**Public Participation**
The public consultation process did, however, take place. Not in a way that was expected, but certainly better than for the previous CAS in 1998 when no consultations took place at all.

The consultations were in the form of a public debate that took the following form:

1. Focus groups:
   - Two homogenous groups consisting of parliamentarians and journalists
   - Twenty-one heterogenous groups consisting of representatives of the
Public Participation in the Country Assistance Strategy Process in Macedonia

economy, small and medium enterprises, NGOs, trade unions, universities, and local authorities.
· Fourteen-fifteen focus groups from towns in Macedonia other than Skopje.

2. Questionnaires
3. Interviews with experts from different areas (stock exchange, scientists, university professors)

Focus Groups
According to information received by NGOs, each focus group included two representatives from the NGO sector on average. The total number of people that were able to express their opinion was between 240 and 250. The focus groups individually consisted of ten to eleven participants.

The participants received topics for discussion just a few days before the consultations. During the presentation of the issues on what the CAS is, they were given some additional technical information about the importance of the CAS.

However, free and open participation during the discussions was lacking as participation was by invitation only. Some of the participants such were invited personally to take part during the debate. The only participants that could take part in the consultations were those chosen by the Institute for Social, Juridical and Political Research of Macedonia that was running the public consultations in the CAS process.

Other interested parties that wanted to take part in these consultations could not do so because they were not invited. Equally, they could not find out much because information about the topics for discussion and the CAS information was only disseminated to the chosen participants.

In any case, such a selection of participants was inappropriate.

NGOs were told that if in a town where, for example, environmental issues are particularly important, then environmental NGOs would receive priority to take part in the consultations. However, in Veles, currently the most polluted town in Macedonia, environment NGOs were not invited. The problem is who decides on priority issues and why should certain organisations be excluded from the consultation process? NGOs
believe that this approach creates a very biased and unbalanced selection of participants that is not in line with World Bank procedures. In addition, if we are talking about "public" consultations, it should mean that the "public" is informed about an upcoming event. Moreover, every citizen of the country where the World Bank is preparing a strategy that will shape the country's future should have the right to take part in public debates. Alas, this was not the case in Macedonia.

Questionnaires
Another means of public opinion assessment towards the new CAS was through questionnaires. These were conducted on a door to door basis, canvassing people over 18 years of age. It included 1200 citizens of Macedonia.

Interviews
The interviews included about 22 experts from different fields. The interviews had a different approach, insisting on the recommendations and professional opinions of the representatives.

Conclusion
While NGOs congratulate the World Bank office in Macedonia for the improvements it made, we also see a need for improvements in the future CAS process in Macedonia. For the purpose of having truly open and meaningful public participation, NGOs have developed a set of demands which, in our opinion, would help to achieve better results in the future:

1. Release of the draft Country Assistance Strategy before the consultations is a crucial precondition for public participation. The World Bank should not only release the draft, but should also translate it into the local language.
2. There must be more information about the CAS process and about possible ways for people to play a part in the process. The World Bank money will have to be paid back by Macedonian taxpayers. Therefore they have the right both to know what is planned for their country and to express their views on CAS.
3. Finally, the word "public" by definition should mean every citizen of the Republic of Macedonia, not only those who were chosen to take part in the consultations. NGOs are aware that not every citizen is able to and wants to be involved in such processes. However, the opportunity should be there for all who want to take part in the consultations.
NEW WASTE WATER TREATMENT PLANT FOR PULA
Loan for the Future, Solution from the Past

When the EBRD announced a bid for a loan in 1996, city authorities in Pula have commissioned a Feasibility Study for the existing sewerage system and an Environmental Impact Assessment (EIA) for the Municipal Environmental Infrastructure Investment Programme (MEIP). Both of the studies were accepted by the EBRD in 1997 and the loan was approved the year after. The city of Pula has announced a tender for detailed project of the development, and the company Hyder from the Great Britain was selected.

When the MEIP project that was supposed to solve the waste water treatment in Pula has been developing, a long term study of sewerage treatment for the next 25 years did not exist. Therefore, long term concept of developing a good sewerage treatment, except from the old study from 1978, did not exist. The principles of sewerage treatment that existed in 19th century have been used in MEIP project and approved through the EBRD loan. However, over the last hundred years the land use and planning, along with the protection of environment have changed substantially.

Today's problems in Pula are caused by an inappropriate sewerage system in the city. Waste water from the households and industry mostly end up in the bay of Pula, while the ground water and drinking water wells, became more and more polluted.

Intensive urbanisation of the city and bad sewerage system along with intensive agriculture in the mainland, generate more and more waste water
and storm water. As a result, surface and ground waters that enter the water supply system are becoming increasingly polluted.

The problem of sewage treatment is getting more severe as the existing system has reached its threshold and therefore cannot bare future development and requirements of environmental protection.

The new land use plan for the city of Pula envisages development of new areas. However, the existing sewerage system already cannot satisfy the current needs of the city. It is very questionable how could it bare additional pressure.

The existing principles of sewerage with sludge settlement stations right on the sea shore, very often situated on attractive touristy locations, emit the waste water to the sea using the shortest way possible and without proper treatment are known as "the solution for pollution is dilution". This kind of approached has to be changed in the 21st century.

The increasing quantity of waste water is ending up into the sea without treatment, which is not in accordance with the EU standards Croatia should comply with. The northern part of the Adriatic Sea is shallow and closed which only worsens the problem.

Non integral planning of the city development has caused building of the expensive infrastructure such as waste water treatment which didn’t follow the dynamics of city development and changes it has caused.

**The Present MEIP Is Not a Good Long Term Solution**

The city of Pula applied for a loan as soon as the opportunity to get the money from the EBRD appeared. The project aimed at repairing the old infrastructure and it was planned on basis of an old sewerage treatment study from 1978.

To get the money as soon as possible, a quick solution to repair the old infrastructure only along the narrow coastal strip was used. The sewerage system upstream wasn't touched at all and no one thought about an optimal long term solution for the city. As a result of such approach, and
according to the project for which Pula got the EBRD loan, it is not possible to connect new city areas to the sewerage system. In addition, drinking water from the wells and the sea near Pula, are not protected at all, although that was an aim of the project.

The project study actually assumes no population increase and concentration of citizens. It means that sewerage system was not planned as a developing one that would enable access of new city areas. In short, the MEIP project didn't try to find the best, long term solution. The project only repaired part of the existing sewerage system and waste water treatment devices and outlets. Although the aim of the project was to protect the port of Pula and wells, the project was not designed to achieve these goals.

**New Sewerage System - Development or Manipulation?**

There are many interesting details in the project. For example, the economic analysis of construction and maintenance were done on the basis of technological and economic analysis by Hyder. Figures were the following: first level of treatment - approximately DEM 16 million (at that time the loan was expressed in DEM) and the second 30 million, figures that were too high even for the western European countries for the technologies covered in the study (conventional membrane, physical, chemical and biological technologies).

The contracts for equipment and pipes have been signed, part of them already ordered and paid, without having the location of the WWTP approved and without an open tender. Pipes have arrived all the way from Poland.

Green Istria organized public debate about the project at the end of 2001. Various stakeholders took part in the debate and some participants had doubts about the use of the money. Representatives from Green Istria asked the responsible authorities to explain where did the money go. The replay was: "We don't know." Eleven million Kuna which were obtained from citizens of Pula for the construction of WWTP has disappeared.

**New Study**

A new long term study for sewerage system has been recently carried out, which clearly showed that the MEIP project was not sustainable and was not a good solution for the city of Pula. In spite of that, the MEIP and the old location for the WWTP is being pushed forward. Even the authors of the new study
have been pushed to include the MEIP solution into the new study. Meanwhile, the citizens are still paying for construction of the new infrastructure.

**Conclusion**
The example of Pula shows bad management of a loan, without solutions that would solve the project goals. With MEIP, neither the waste waters would be treated in an appropriate way, nor the environmental protection would be ensured. And the loan was approved with exactly these aims.

Documentation of Hyder Company clearly stated that some solutions were not good, but that they had a project task (terms of reference) which had to be fulfilled. Unfortunately, the political decision of Croatian Waters and city of Pula had the final word, not the solution that would be appropriate technically, economically and environmentally. In spite of the political situation, the Hyder Company shouldn't have suggested a solution for which they admitted was not good and still ask for one million Euros.

To conclude, the money for a project that will not solve the problems of waste waters is being taken from the citizens of Pula. Moreover, drinking water supplies and coastal areas of Pula will not be protected.
ADDRESSES OF CONTRIBUTORS:

Keti Medarova
FOR THE EARTH (ZA ZEMIATA)
P.O. box 975,
Sofia 1000
Bulgaria
tel./fax: +359 2 9804109
e-mail: keti@bankwatc.org, zemiata@iterra.net
www.zemiata.org

Miodrag Dakic
YOUNG RESEARCHERS OF BANJA LUKA
(MLADI ISTRAŽIVACI BANJALUKE)
Mladen Stojanovica 2
78000 Banja Luka
Republika Srpska
Bosnia and Herzegovina
tel./fax: +387 (0)51 320 960
E-mail: mibl@teleklik.net
www.mibl.org

Ana Colovic
ECO-SENSE (EKO SVEST)
Kozara 68/ 3-9,
1000 Skopje, Macedonia
tel/fax: +389 (0)2 3070 779
E-mail: info@ekosvest.com.mk
Web: http://www.ekosvest.com.mk
Aneta Bosevska  
PROAKTIVA  
P.O. Box 695  
Skopje, Macedonia  
tel./fax: + 389 2 113708  
www.proaktiva.org.mk

Dusica Radojcic  
ZELENA ISTRA  
Gajeva 3,  
52100 Pula.  
Tel.: + 385 52 506 065  
udruga-zelena-istra@pu.tel.hr  
http://www.zelena-istra.hr/

Ivona Malbasic  
CEE BANKWATCH NETWORK  
Coordinator for SEE  
Varfok u. 18, 1012 Budapest  
tel.: +361 487 0135  
fax: +361 487 0136  
email: ivona@zpok.hu  
www.bankwatch.org