

To  
The European Economic and Social Committee  
Rue Belliard 99  
B-1040 Brussels

May 13, 2010

**Subject: Position for the discussion on how the civil society can monitor the future established Transport Community, to take place at the 3<sup>rd</sup> Western Balkan Civil Society Forum, 18-19 May, Brussels**

Dear Madam/Sir,

We very much appreciate being invited to the 3<sup>rd</sup> Western Balkans Civil Society Forum and see this event as an important opportunity to share our opinions and views regarding the development of the Western Balkans region, especially when discussing the civil society role in the process of accession and integration in the European Union. However, we regret to note that environmental CSOs, unlike other 'social' stakeholders, have not been involved so far in a continuous dialogue on developments that have significant environmental impact, such as the establishment of the SEE Core Regional Transport Network.

According to a recent EEA report, transport accounts for one fifth of greenhouse gas emission in EU, as emissions grew by 28% in the period 1990-2007. This tells us two things: 1) the transport sector is an important one to regard when proposing solutions for a low carbon economy in Europe; and 2) that the Transport Policy for the Western Balkans should have a robust environmental agenda, if the countries of the region want to develop a sustainable transport infrastructure, compatible with the low-carbon objectives of the European Union, that the Western Balkans aspires to join soon.

Regarding the EESC Opinion on the Transport Policy for the Western Balkans, we as environmental NGOs regret that we were not able to provide our feedback on the document before its adoption. Our input, based on in-depth knowledge and analyses of the current transport initiatives and environmental situation in our countries (summarized in Balkan Transport Blueprints publication done by South East Development Watch), would have improved the integration of the environmental agenda, which is needed for building sustainable future for the region. Please see in Annex to this letter some of our concerns. We would very much appreciate further discussion on those points.

Having in mind the above said, we would like to state our expectation, to be involved in the development and approval of the Treaty for establishment of the Transport community with the countries of the Western Balkans (as mentioned in p. 4.3 of the EESC opinion). We strongly believe that there is much space for improvement of the future cooperation and communication between the CSOs from the region and the European institutions, and we hope that CSOs participation will be enabled through regular follow-up events in the future. In this context, we would like to point to the EESC that it should recognize the work and expertise of other non-governmental organizations in the region (not exclusively REC). There are many active Networks of NGOs, with more than 10 years of experience in the topic that should also have a place in the future cooperation and communication regarding transport policy.

Furthermore, we would like to point your attention to the established Environmental Forum ([www.envforum.eu](http://www.envforum.eu)), a platform which enables environmental NGOs from the Western Balkans to take active part in the EU enlargement process through an open dialogue with the Commission. In the future collaboration and communication and especially in the work of the

Social Forum, there should be a possibility for the two platforms to interact regarding environmental issues and we sincerely hope that the opinions and positions of the Environmental Forum will be taken into consideration by the Social Forum and EESC.

We would like to thank you in advance for your collaboration and your response to our letter.

Sincerely yours,

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*Attached to this letter Annex 1.*

## **Annex 1.**

### ***Initial Comments to the Opinion on the Transport Policy for the Western Balkans***

#### **1. Private Investments**

Under 1.3 – The EESC calls to the governments of WB countries to exploit opportunities for private funding/co-financing of priority projects as well as complementary projects (public-private partnerships) and create a suitable environment for this type of project. In its publication, “Never mind the balance sheet- The dangers posed by public-private partnerships in central and eastern Europe”, the CEE Bankwatch Network clearly shows the disadvantages of and consequences from public-private partnerships and warns governments to carefully consider whether the promotion of public-private partnerships is “encouraging unaffordable spending, placing a large long-term burden on taxpayers, and crowding out alternative financing arrangements”. Having in mind the lack of capacity and experience of the national and local governments in WB countries with public-private partnerships, we strongly believe that they should not be encouraged to take on such projects but rather informed about the options and allowed to choose the best themselves.

#### **2. Environmental legislation in Western Balkans**

Under 5.2.3 it is stated: “Since environmental legislation forms an important part of the *acquis*, the issue of whether it shall or shall not be applied is not relevant. It can be argued, however, that the Western Balkan countries have been experiencing serious problems in the enforcement of environmental laws.”

We understand your point as an intention to promote environmental legislation on an equal base as the rest of the EU *acquis communautaire*. We would like to make the point that requiring the enforcement of the environmental *acquis* as precondition for any further investment in the region is of great importance. This was the approach followed by the EC in the previous accession negotiations with current new member states from the CEE region.

As you noted correctly, the enforcement of the EU legislation is currently lagging. Environmental legislation is not a priority for the Western Balkan countries due to number of reasons among which the lack of understanding of long term benefits and win-win opportunities in economic development that protect and preserve the ecosystems resilience. Therefore the role of the EU institutions should be promoting and ensuring that adequate measures and provisions for that are made in all EU documents.

More specifically, regarding the national and regional level transport plans and strategies, the Strategic Environmental Assessment (SEA) is an essential tool for making sure that the planned activities under the strategies and plans are sound for the environment and people. We hereby insist to have the obligatory SEA procedure for every plan/programme included in the final recommendations to the Commission.

We also insist for full transposition and compliance with “Birds Directive” 2009/147/EC, “Habitats Directive” 92/43/EEC, Bern Convention (already obligatory for non EU states), and Water Framework Directive 2000/60/EC (considered as requirements for advancing transport plans and projects).

#### **3. Balance of the modes**

Under point 3.1 the document discusses the Core Road Network, and the low quality of the roads in the region, but it does not mention the real needs. From the environmental, safety and climate change points of view, emphasis should be placed on road and rail maintenance rather than new constructions.

From our experience with monitoring transport plans and projects, the Western Balkan countries tend to prioritise construction of new motorways to serve the international transit for which funds are easier to attract, which as a result negatively impact the modal shift. In order to achieve real balance of the modes, much more focus should be placed on the railways and their improvement on regional, national and local level.

Point 3.3.1 states that inland water transport is cheapest and greener transport. We would like to highlight the need of careful assessment of the external environmental impact of the inland water transport in terms of its impact on river ecosystems and biodiversity. We would like to remind you also that Western Balkans countries are characterised with rich biodiversity that will be key for reaching EU biodiversity protection objectives.