

To: Virginijus Sinkevičius, Commissioner for Environment, Oceans and Fisheries
Cc: Florika Fink Hoojier, Director General, DG Environment
Humberto Delgado Rosa, Director, Directorate D, Biodiversity
Andrea Vettori, Head of Unit D.3 Nature Conservation
Robert Konrad, Advisor for Biodiversity
Andrzej Januszewski, Unit ENV F2 – Bilateral & Regional Environmental Cooperation

23 February 2024

The Energy Community Treaty urgently needs stronger nature safeguards

Dear Commissioner Sinkevičius,

Following [previous civil society requests](#) asking the Commission to strengthen the [Energy Community Treaty](#)'s nature safeguards, we were heartened to see the conclusions of the Treaty's [26th Environmental Task Force meeting](#) in December 2023, and ask you to ensure a timely proposal from the Commission on the habitats, birds and water framework directives.

At the meeting, the Commission presented potential updates to the Treaty and stated that on the *'nature-related directives and the Water Framework Directive, decisions at the 2024 [Ministerial Council] meeting would be possible, provided that work commences shortly.'*

As civil society organisations from, or working in, the Energy Community Contracting Parties – the Western Balkans, Georgia, Moldova and Ukraine – we would like to underline the importance of tabling a proposal on time for this year's Ministerial Council meeting.

The integration of the Energy Community and EU energy markets is finally starting to speed up, for example through market coupling, nudged forward by the Carbon Border Adjustment Mechanism. As such, it is crucial to ensure that all the countries play by the same rules.

Most of the Energy Community Contracting Parties have already transposed these directives into their national legislation to a large extent, but implementation remains an issue. We are convinced that including the Habitats, Birds and Water Framework directives into the Treaty would provide fresh impetus and support for proper implementation.

The rich biodiversity and high-value rivers in the Energy Community countries must not be sacrificed for the sake of exporting energy to the EU, and producers in our countries must not be allowed to maintain unfair competitive advantages by failing to apply EU nature and water safeguards.

In response to a [March 2023 letter](#) from 60 non-governmental organisations on this issue, Ms Florika Fink Hoojier wrote that *'I would like to assure you that we see a benefit in beefing up the environmental legislation in the Energy Community Treaty. However, we consider this can be done at a later stage without compromising environmental protection.'*

It is our firm conviction that our biodiversity and rivers cannot wait any longer for adequate protection. They have already suffered greatly from a wave of largely unregulated hydropower development in most of our countries.

Now, spurred by the recent energy crisis, an improving regulatory environment, and cost decreases, solar and wind development is finally ramping up, which is welcome and necessary. Many of our organisations have spent years advocating for this. But adequate environmental safeguards are a fundamental precondition for the success of such development and for the avoidance of a public backlash against renewables.

We therefore ask the Commission to ensure that a proposal to include the Habitats, Birds and Water Framework Directives in the Energy Community Treaty is tabled on time for the 2024 Ministerial Council meeting.

For our part, we are ready to work on ensuring sufficient support for the proposal from the Contracting Parties and would be glad to hear any specific suggestions on how we can help.

Kind regards,

Ms Pippa Gallop
Southeast Europe Energy Policy Officer
CEE Bankwatch Network,

On behalf of the following NGOs:

Aarhus Center in BiH

Bosnia and
Herzegovina



Ambasadori održivog razvoja i
životne sredine (Environmental
Ambassadors for Sustainable
Development)

Serbia



Atelier for Community
Transformation - ACT Foundation

Bosnia and
Herzegovina



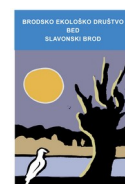
Balkan Green Foundation

Kosovo



Brod Ecological Society - BED

Croatia



Center for Environment

Bosnia and Herzegovina



Center for protection and research of birds

Montenegro



CEE Bankwatch Network

Regional



Centre for environmental research and information Eko-svest

North Macedonia



Civic initiative Zeleni Kolašin

Montenegro



ClientEarth

Global



EDEN Center

Albania



EcoAlbania

Albania



Eco-team

Montenegro



Ecological Association Rzav

Serbia



Eko Forum Zenica

Bosnia and Herzegovina



Eko Gotuša	Bosnia and Herzegovina	
Green Alternative	Georgia	
International Association of River Keepers Eco-TIRAS	Moldova	
Journalists for Human Rights	North Macedonia	
Klub sportskih ribolovaca Travnik	Bosnia and Herzegovina	
Majski cvijet	Bosnia and Herzegovina	-
Milieukontakt Albania	Albania	
Montenegrin Ecologists Society	Montenegro	
Organic Agriculture Association	Albania	
NGO Action for Social Justice	Montenegro	-
NGO Association of young ecologists of Niksic	Montenegro	
NVO "Da zaživi selo"	Montenegro	-

NGO Green Home

Montenegro



NVO Edukativni poredak Mama

Montenegro



Parks Dinarides

Montenegro



Protection and Preservation of Natural Environment in Albania

Albania



Society for genetic conservation of B&H endemic and autochthonous resources „GENOFOND“

Bosnia and Herzegovina



Udruženje "Za Doljanku" Jablanica

Bosnia and Herzegovina



WWF Adria

Regional



Zeleni Neretva Konjic

Bosnia and Herzegovina

