



Tibor Mikuska
Croatian Society for Bird and Nature Protection
tibor.kopacki.rit@gmail.com
HR-31000 Osijek, Croatia

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OPEN LETTER TO THE INTERNATIONAL SAVA RIVER BASIN COMMISSION

To:

Mr. Mitja Bricelj, Chairman
International Sava River Basin Commission
Kneza Branimira 29/II, Branimir Centar
10000 Zagreb, Croatia

Dear Mr. Bricelj and members of the 5th FASRB meeting,

We, the undersigned NGOs, are writing this open letter to protest against the proposed declaration which is to be adopted at the 5th meeting of the Parties to the Framework Agreement of the Sava River Basin (FASRB) in Zagreb on December 2nd.

We want to draw your attention to the shortcomings of this draft declaration as it is

- violating EU legislations
- violating national legislation
- based on false information provided in the draft river basin management plan
- risking the outstanding ecosystems of the Sava River basin
- lacking clear commitments and goals in regards to protection of ecosystems and biodiversity

Argumentation

Part II - Sava River Basin Management Plan

Point 5: „**Approve** the “Sava River Basin Management Plan”, set up in the Annex 1 of this “Declaration”, as a milestone for the cooperation of the Parties in the implementation of the “FASRB”.

This passage is

- violating Croatian legislation: According to Croatian national legislation - specifically the Environment Protection Act (Official Gazette no. 80/13, art. 62-63) – a **Strategic Environmental Impact Assessment (SEA) procedure must be undergone prior to adoption** of every strategy, plan and programme that might affect ecological networks. The same requirement is legally binding for water management strategies, plans and programs. Moreover, a strategy, plan or programme, for which the SEA procedure is obligatory, must also undergo **the Nature Impact Assessment (NIA) procedure** according to the Nature Protection Act (Official Gazette no. 80/2013).

- breaching EU legislation: Since the SEA procedure for the Draft Sava River Basin Management Plan in Croatia has not been completed (and in fact has never been prepared at all, according to the enclosed 4th Croatian country report on implementation of the FASRB), the **approval of the Draft Management Plan would be a clear breach of respective national and EU legislations.**

Point 8: „Keeping in mind the existence **of certain deficiencies and unreliability of data** in the “Sava River Basin Management Plan” that should be addressed in the next cycle of the river basin management planning, we commit ourselves to making additional efforts to ensure resources for the implementation of the activities coordinated by the International Sava River Basin Commission, in particular for development of the new Sava River Basin Analysis and upgrading of the “Sava River Basin Management Plan”.

“Certain deficiencies and unreliability of data” in the existing Draft Management Plan is a broad understatement. In reality, the document provides false and misleading information. According to Map 9 of the Draft Sava River Basin Management Plan „Morphological alterations of surface water bodies“, most of the Sava River and its tributaries Česma, Una, Vrbas, Ukrina, Bosna, Drina and Kolubara are classified as „severely or moderately modified water bodies“ (Picture 1).



Picture 1 Map 9 from the Draft Sava River Basin Management Plan (version downloaded from official ISRBC web page on 23 Nov 2014¹)

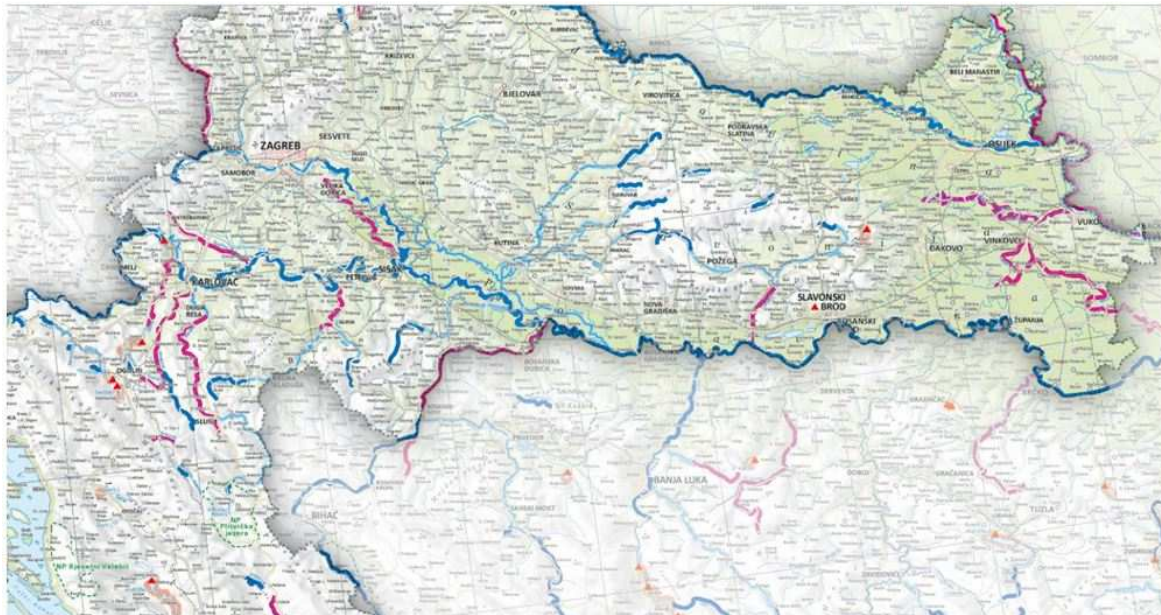
This designation of the Sava River and several tributaries is misleading and must be revised. It is a result of insufficient data and investigations which would prove the high ecological value of wide sections of the Sava River, particularly downstream of Krško (SLO).

¹http://www.savacommission.org/dms/docs/dokumenti/srbmp_micro_web/srbmp_final/sava_rbmp_draft_eng_03_2013.pdf

Several recent studies produced by Riverwatch/EuroNatur² and WWF³ prove that the hydro-morphology of the majority of rivers in the Sava River basin is only „slightly to moderately modified“ and some stretches are even in a pristine or near natural state (picture 2 and 3).



Picture 2: Hydro-morphology of the Sava basin in 2011, as assessed in the framework of the “Blue Heart of Europe” campaign⁴ (blue = pristine or near natural; green = slightly or moderately modified; yellow= extensively modified; red= severely modified/impoundments). <http://balkanrivers.net/en/map>



Picture 3: Results of the WWF assessment (both hydro-morphological and biological) within the framework of the DASHI project⁵. (dark blue = most outstanding river reaches; light blue = river reaches important for connectivity; pink = river reaches important for representation; red triangles – existing dams).

² <http://www.balkanrivers.net/en/content/studies-0>

³ http://croatia.panda.org/dinarski_luk/dashi/

⁴ <http://www.balkanrivers.net/en/campaign>

Comparing these studies with the Draft Sava River Basin Management Plan, it is evident that the plan is based on false information. To a large extent, the Sava is classified as a (candidate) heavily modified water body (HMWB), e.g. in HR and BiH (Map 14 of the Plan). This does not reflect the actual status of the rivers but the intention of the ISRBC to facilitate the construction of hydropower plants (picture 4) and the deepening of the navigation channel in future. Such management practices contradict the EU water Framework Directive, as well as the Habitats Directive, which applies for large sections of the Sava River that are listed as Natura 2000 sites.



Picture 4: Hydropower plants in Sava basin: Existing (black), planned (red) and under construction (yellow). Riverwatch/EuroNatur 2012. <http://balkanrivers.net/en/map>

Part IV Navigation issues

Point 18: „We commit ourselves to urgently resuming activities on the demining of parts of the Sava River banks and the preparing of the necessary design documentation, as well as timely ensuring of the funding for the execution of works on the rehabilitation development of the Sava River waterway“.

The ISRBC commits itself to pursuing the development of economically unviable and ecologically detrimental goals by aiming to upgrade the existing navigation classes of the Sava River. Officially, the Sava is treated as an international navigation corridor, however, with regards to the actual utilized capacity it represents a minor appendix of the main European Rhine-Main-Danube navigation corridor which ends in Sisak. Thus, the Sava River cannot be treated as an internationally important navigation channel. The present navigation plans of the ISRBC are obviously influenced by the outdated vision of building a Danube-Sava-Adria Canal.

Furthermore, the Draft Declaration is missing clear commitments and goals in regards to the protection and improvement of ecosystems and biodiversity. It lacks data demonstrating the natural values and protected areas (both national and international protection status) along the Sava River.

⁵ [http://awsassets.panda.org/downloads/rijeke_i_rijeni_segmenti_od_iznimnog_znaaja_za_hrvatsku.jpg](http://awsassets.panda.org/downloads/rijeke_i_rijeni_segменти_od_iznimnog_znaaja_za_hrvatsku.jpg)

Preservation and restoration measures are a major component of the management measures stipulated in the EU Water Framework Directive and a disregard of this component would harm the ISRBC's reputation as an international management body, as well as its member states.

Based on the facts represented above, the undersigned NGOs urge the ISRBC and the Parties of the 5th FARSB meeting to

- not sign this draft declaration
- develop a new draft declaration which respects the requirements of the European Union's legislative framework and standards as well as appropriately addresses ecological management goals
- revise the Draft River Basin Management Plan and include information on biodiversity and ecosystem values
- prepare a Strategic Environmental Assessment for the Management Plan

As long as relevant international standards and legislations are not met by the ISRBC, we urge the **European Commission** to stop funding any projects promoted by the ISRBC or national water management authorities which are based on the current incomplete and misleading Draft River Basin Management Plan.

Signed by:

<p>Riverwatch, AT</p>  <p>http://riverwatch.eu/en/</p>	<p>Euronatur, D</p>  <p>http://www.euronatur.org</p>	<p>Hrvatsko društvo za zaštitu ptica i prirode, HR</p>  <p>http://www.ptice.hr/</p>
<p>Centar za ekologiju i energiju, BIH</p>  <p>centar za ekologiju i energiju www.ekologija.ba</p>	<p>Brodsko ekološko društvo, HR</p>  <p>www.bed.hr</p>	<p>Društvo za opazovanje in proučevanje ptic Slovenije, SLO</p>  <p>DOPPS http://ptice.si/</p>
<p>Hrvatsko herpetološko društvo, HR</p>  <p>http://www.hhdhyla.hr/</p>	<p>Hrvatsko društvo za biološku raznolikost, HR</p>  <p>http://www.hibr.hr</p>	<p>Ornitološko društvo "Naše Ptice", BIH</p>  <p>http://ptice.ba/</p>

<p>Centar za životnu sredinu, BIH</p>  <p>Centar za životnu sredinu</p> <p>www.czzs.org</p>	<p>Društvo za zaštitu i istraživanje biodiverziteta, BIH</p>  <p>http://dizb.weebly.com/</p>	<p>Zelena Akcija, HR</p>  <p>http://zelena-akcija.hr/</p>
<p>Bosansko-hercegovačko herpetološko udruženje "Atra", BIH</p>  <p>https://www.facebook.com/BHHUATRA</p>	<p>Centar za krš i speleologiju, BIH</p>  <p>http://www.centarzakrs.ba</p>	<p>Ekotim – Udruženje za zaštitu okoliša, prirode zdravlja, BIH</p>  <p>http://ekotim.net/bs/</p>

Cc/

1. Mr. Karmenu Vella, European Commission, DG Environment
2. Ms. Violeta Bulc, European Commission, DG Move
3. Ms. Kristalina Georgieva, European Commission, DG Budget
4. Ms. Corina Cretu, European Commission, DG Regio
5. Mr. Neven Mimica, European Commission, International cooperation & development
6. Mr. Ivan Zavadsky, ICPDR
7. Ms. Irena Majcen, Ministry of the Environment and Spatial Planning, Slovenia
8. Mr. Tihomir Jakovina, Ministry of Agriculture, Croatia
9. Mr. Mihail Zmajlović, Ministry of Nature and Environmental Protection, Croatia
10. Mr. Jerko Ivanković-Lijanović, Ministry of Agriculture, Water management and Forestry, Bosnia and Herzegovina
11. Ms. Snežana Bogosavljević-Bošković, Ministry of Agriculture and Environmental Protection, Serbia