

Environmental destruction in times of coronavirus

Cases of damage to the environment and human rights during the global pandemic in Europe, Caucasus, and Central Asia



TRANSITION



**National Endowment
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Prague 2020

Environmental destruction in times of coronavirus

Cases of damage to the environment and human rights during the global pandemic in Europe, Caucasus, and Central Asia.

Prague 2020

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Foreword

Lukáš Pokorný, Former Vice-chair of the Bureau of the Aarhus Convention

With slight exaggeration, it is possible to say that in the former Soviet bloc states, public involvement in decision making is still considered a mere “side effect” of the democratization that began with the fall of the Iron Curtain. Something that will come by itself as the democratically elected bodies become stronger and officials and politicians follow their legal obligations.

This is, of course, only partly true: without clear rules and restrictions for decision makers (at central, regional, and local level), but also the definition of a “playing field” for citizens, public involvement would be unthinkable. On the other hand, history and culture also play an extremely important role in this regard. I remember a meeting of business and non-profit representatives in Switzerland, as part of the evaluation of Swiss environmental policies by the Organization for Economic Co-operation and Development (OECD). Having experienced the coordination of two reports on the implementation of the Aarhus Convention in the Czech Republic, I expected trench warfare: a war of paragraphs and mutual mistrust. But the opposite was true. As one of the participants explained to me, in Switzerland, compromise is seen as an important factor for survival: the Swiss, threatened for centuries by far larger states, simply had to agree in order not to disappear into the dust of history.

Czechoslovak history also knows moments in which the public played a groundbreaking role: the Velvet Revolution would probably not have had such all-encompassing support if the Communist regime had not ruthlessly trampled not only on the human but also the environmental rights of its citizens. The November demonstrations against the appalling air pollution in northern Bohemia were a harbinger of far deeper changes in society. The demonstrations have shown that even in Central Europe, civil society can be confident and have a major impact on public affairs. To this day, this heritage is alive: there are dozens of environmental organizations in the Czech Republic that strive – also thanks to the EU legal framework – to maintain the very delicate balance between development and nature conservation in one of Europe’s most industrialized countries. However, as can be seen from the cases that Arnika presents in this publication, EU membership is only a partial insurance policy against the worst violations of international law in the area of participation. Along with totalitarian states such as Belarus, developed and rich states, such as the Czech Republic or Slovenia, also appear on the list of offenders.

Unfortunately, we have been hearing in the Czech Republic since the late 1990s that non-profit organizations are unelected pressure groups. In recent years, attacks on them – in many countries physical and with fatal consequences – have intensified, while other stakeholders, who exert their pressure much more vigorously, are seen as a legiti-

mate part of society, not as a “tolerated pendant” or side effect of democracy. This view deepens at times such as the COVID-19 pandemic. Unfortunately, the pandemic laid bare how deep-rooted the view of civic participation as an obstacle and difficulty is in many countries.

I would have very much liked to write that I am pleased that Arnika is monitoring the worst cases of exclusion of citizens from deciding on important projects with a high impact on the environment. However, in addition to huge respect for Arnika, which has been monitoring the state of public involvement for a long time, I feel deeply sorry for the missed chance.

I would have much preferred to be able to write about how the state – at least in the Czech Republic – witnessed an incredibly active, resourceful, and active civil society during the COVID-19 pandemic, reconsidered its negative approach to participation in decision making, and started to take the non-profit sector as an equal and reliable partner.

Introduction

Peter Krivošík

With the advent of the COVID-19 pandemic, which poses a threat to human health and lives, some states have reacted to this unexpected situation by unprecedented steps taken against their own citizens, their basic rights, and the environment. Almost everywhere around the globe measures have been taken to prevent and fight the spread of COVID-19. The UNECE Executive Secretary “observes that Governments have adopted different measures for weathering the pandemic, walking the thin line between public health and civil liberties”. What is worrying is that in many countries governments have imposed restrictions on individual freedoms and environmental rights that are guaranteed by constitutions and international conventions. On May 6, 2020, the U.S.-based democracy monitor Freedom House released its annual Nations in Transit report. It contains a warning that at the time of the pandemic a growing number of states in Central and Eastern Europe have ceased to respect democratic institutions or even started to openly attack them. And there are a considerable number of states with democratic régimes amongst them. Moreover, many governments in Eastern Europe and Central Asia have used the pandemic situation as an opportunity for suppressing and trampling on human rights. Amnesty International pointed this out and insisted that any strict measures issued to combat the pandemic must be “temporary, proportionate, and in line with human rights standards”.

Across the region, many cases of misuse of the lockdown have been reported. Whether it is accelerating changes in legislation and policies with an impact on the environment and citizens’ rights, prohibiting protests and persecuting activists for exercising their environmental rights, issuing fast permits for controversial projects, not implementing EIA procedures or not respecting other legal procedures, starting to build constructions without authorization or conducting other illegal activities, this is all done in order to take advantage of the situation. It is all happening in a time when rights of movement and gathering are restricted or banned, and civil society cannot organize to manifest its attitude. Moreover, this goes hand in hand with the non-disclosure of information to the public by state authorities, not giving the concerned public an opportunity to participate in decision-making processes, and not taking into account the comments and opinions of the public and professionals. In such situations, the state should be held accountable for violations of international conventions such as the Aarhus Convention or Ramsar Convention, European legislation such as the Habitats Directive, Birds Directive, EIA Directive, or Water Framework Directive, or at least for violations of national legislation.

It is also worth mentioning that within the European Union there are attempts by lobbyists working on behalf of various industries to achieve a suspension of crucial environmental initiatives and instruments. Traditional industries such as automobile



manufacturers and airlines, but also other sectors, speak openly against the policies and measures on environmental protection and climate change by justifying their stance with arguing the need to tackle the upcoming economic crisis, which is starting as a result of the COVID-19 pandemic. The pandemic is being used as a pretext for attempts to influence or change the existing legislation that was designed to protect the environment and public health and wellbeing. Several political parties and leaders have taken a similar stance, such as Poland, which has expressed the view that the European Union should abandon its Emissions Trading System or at least exempt Poland from the scheme to allow Poland to use the financial means to deal with the effects of the pandemic and climate change. Some such lobbyists and politicians have even tried to weaken or at least delay the goals and instruments of the emerging European Green Deal, using the argument that now is the time to concentrate on restarting economies, ignoring environmental principles, rules, and standards. However, right now the European Green Deal with all its instruments offers a perfect opportunity to secure both the economic recovery and the green sustainable future of the European Union.

References:

- [Environmental democracy in times of COVID-19](#) (UNECE Executive Secretary's Blog, article, June 5, 2020)
- [Nations in Transit 2020: Dropping the Democratic Facade](#) (Freedom House, report, May 6, 2020)
- [Eastern Europe, Central Asia governments responding to coronavirus with 'repressive' measures, Amnesty says](#) (Radio Free Europe/Radio Liberty, article, April 29, 2020)
- [European Green Deal: Lobbyists try to water down a sustainable way out of the Corona crisis](#) (S. Giegold – MEP, article, April 23, 2020)



photo © Martin Holzkecht / Arnika

Armenia

Government restricts provision of environmental information

Summary of the case:

On April 2, the Armenian government approved a draft amendment to the Law on Freedom of Information which introduced restrictions on the provision of environmental information. The amendment was proposed by the Ministry of the Environment and it states that “the provision of environmental information may be refused if it may adversely affect the environment, including the breeding sites of rare species”. Environmental and human rights activists, however, are concerned that the exceptions can be abused against citizens and journalists following controversial cases and can worsen the overall access to environmental information. These suspicions relate mainly to mining and ore processing projects that are a subject of serious conflicts between civil society and private corporations nowadays, with the authorities playing an ambiguous role.

Core of the problem:

The first draft of the law was listed in a government database for public scrutiny in December 2019. However, civil society groups say the version approved on April 2, 2020 – while the country was in lockdown during the coronavirus pandemic and public gatherings or protests were forbidden by the state of emergency – differs substantively. The approved version includes an extra clause that would give authorities the right to withhold “information that can negatively affect the environment”. Right after the information about the amendment was published by the Ministry, it was met with severe criticism. Shushan Doydoyan, President of the non-governmental Freedom of Information Centre, has described the initiative as an “illiterate project rejected by the public” that was brought to the government session “in a hidden manner”. The NGO Reporters Without Borders has commented on the bill, noting that the government’s restriction of access to environmental information “violates the principle of transparency adopted by the Armenian authorities”.

Violation of the law and/or human rights:

According to the analysis of the Human Rights Defender of Armenia (the ombudsman), the draft amendment to the Law on Freedom of Information does not comply with the provisions of the Aarhus Convention, as it contains high risks of unjustified refusal to provide information. The new formulation of the law is not clear enough and gives officials the right to interpret the law at their own discretion.

References:

- [Government of the Republic of Armenia approved draft law restricting provision of environmental information](#) (EcoLur, article, April 3, 2020)
- [The draft law on providing information on the environment contains the risk of unjustified refusal](#) (statement of the Human Rights Defender of the Republic of Armenia, April 3, 2020)
- [Reporters Without Borders criticizes bill restricting access to environmental information in Armenia](#) (panorama.am, news article, April 3, 2020)
- [Armenia seeks to weaken environmental information law](#) (eurasianet.org, news article, April 10, 2020)



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Belarus

Persecution of activists opposing Brest battery plant

Summary of the case:

On April 17, Dmitriy Androsyuk, Alexander Kabanov, and Dmitry Bekalyuk were arrested for “feeding the pigeons” on Lenin Square in Brest in Western Belarus. They have been coming there every Sunday since February 2018, together with dozens of other people, to protest against the construction of a battery plant, which the citizens suspect will have a negative environmental impact. The state authorities have refused to authorize these public gatherings. Although the Belarusian government, unlike other European countries, did not impose a lockdown or any other measures to protect the population from the COVID-19 pandemic, many people decided to self-quarantine. The state has taken advantage of the weakened civil society by persecuting those who still went out to protest. Since April 2020, 34 people have been detained. In total, they were arrested, held for 115 days, and fined 19,980 Belarusian rubles (about 7600 euro).

Core of the problem:

The protests have been aimed against the “iPower” battery plant, owned by a Chinese corporation. Its construction began in 2017 in the Brest Free Economic Zone, after the project received a positive Environmental Impact Assessment (EIA) decision. However, the citizens are concerned about possible adverse effects of the factory and in January 2018, they started a public campaign against it; more than 40,000 people signed a petition. The only public gathering permitted by the authorities took place on April 29, 2018. Since all other protests were deemed illegal, the citizens express their opinion by meeting at Lenin Square every Sunday to “feed the pigeons”. This form of protesting started on February 25, 2018.

Violation of the law and/or human rights:

Belarus is a party to the Aarhus Convention, which prohibits the prosecution of activists exercising their environmental rights. However, the investigation of the case of the harassment of activists protesting in 2012-13 against the construction of a nuclear power plant in Ostrovec confirmed that the government keeps breaking these principles. On March 9, 2020, the Aarhus Convention Compliance Committee issued a review expressing serious concern over the situation in Belarus and noting that the case of Brest “demonstrates that persons seeking to exercise their rights under the Convention in the Party concerned remain at risk of penalization, persecution, or harassment for doing so. On the basis of the information before it, there is no indication to the Committee that the situation is improving in this respect. The Committee considers this to be a matter for grave concern.”

References:

- [Brest activists under arrest for protests against battery factory](#) (Stop the Persecution of Activists, news article, May 18, 2020)
- [How Brest ecoactivists are persecuted during the protest: facts and figures](#) (Ecohome, news article, May 18, 2020)
- [Second progress review of the implementation of decision VI/8c on compliance by Belarus with its obligations under the Convention](#) (official Aarhus Convention website unece.org, progress report, March 9, 2020)



photo © Robert Oroz

Bosnia and Herzegovina

Illegal construction of hydropower plants

Summary of the case:

In the southern part of Bosnia and Herzegovina (precisely in Republika Srpska, one of the two entities of the state), two private investor projects of small hydropower plants on almost untouched rivers, Bjelava and Mala Bjelava, are being built without the necessary permits. Nature defenders suspect that yet another construction on Vrhovinska River might be illegal. Investors are taking advantage of the government's measures to tackle

the COVID-19 pandemic. In order to prevent destruction of these rivers, environmental defenders call on state authorities to immediately stop the illegal construction.

Core of the problem:

Bosnia and Herzegovina is one of the last European countries that can still be proud of its wild and natural rivers which provide refuge for more than a quarter of all endangered European fish species living in running water. Over 120 dams and small hydropower plants have already been constructed on the 240 watercourses. Several hundred others are proposed which has provoked huge public controversy because of potential loss of drinking water and damage to the environment. During the national lockdown due to COVID-19, some investors started to build controversial projects despite the absence of necessary permits.

Violation of the law and/or human rights:

Srbinjeputevi Ltd. obtained a concession agreement from the Ministry of Energy and Mining of the Republic of Srpska for two small hydropower plants, Bjelava and Mala Bjelava, both on eponymic rivers in the Foča municipality. The company also received a permit to conduct a geological survey, but conducted neither an EIA process nor a construction proceeding required by the law. Activists have video evidence from 16 April 2020 that the company has begun illegal construction. Additionally, because no permits have been officially issued, the concerned public did not have information about the project and was deprived of an opportunity to raise their concerns, questions, and comments. In regard to a small hydropower plant Hotovlje on Vrhovinska River in the Kalinovik municipality, Delaso Ltd. and the Ministry of Energy and Mining of the Republic of Srpska concluded the concession agreement in 2019; the company has valid permits for construction of a fish breeding facility. On 3 March 2020, the Ministry issued a decision stating that the company is not obliged to conduct the EIA process. Environmental activists have photo and video evidence from 16 April 2020 that construction has begun on what they suspect might be the small hydropower plant. If Delaso Ltd. has indeed already started construction without a construction permit, then the company is breaching the laws on Spatial Planning and Construction of Republika Srpska.

References:

- [Increasing destruction of nature in times of pandemic – expansion of hydropower under protection of curfew](#) (CZZS, press release, April 21, 2020)
- [Investors taking advantage of corona crisis to build five small hydropower plants in Bosnia and Herzegovina](#) (Balkan Green Energy News, article, April 23, 2020)
- [Bosnian Serb entity denies ignoring illegal power plants](#) (Balkan Insight, article, April 27, 2020)



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Bulgaria

Pollution of rivers by mining and industrial wastewaters

Summary of the case:

In Bulgaria, the pollution of rivers has been a problem for a long time. Rivers and groundwater are mainly threatened by the extractive industry. Riverside forests and riverbeds are constantly being destroyed by operators aiming to extract river sediments. Rivers most significantly devastated and polluted by metal ore mining are Topolnitsa, Luda Yana, Malak Iskar, Yugovska, Batanska and Varbitsa. Additionally, many rivers (e.g. Struma, Topolnitsa, Maritsa, Yugovska, Varbitsa) are polluted due to the uncontrolled discharge of untreated industrial wastewater coming from various enterprises. Since the state imposed quarantine measures to stop the COVID-19 pandemic, the pace of the discharge of harmful activities has fastened and, as a result, the level of pollution increased. The local inhabitants have sent many notifications to the responsible authorities, but their response was either minimal or non-existent.

Core of the problem:

In Bulgaria, water resources are relatively scarce, covering only 0.3% of the country's territory. Mining and discharge of wastewaters cause environmental and social harms. But the rivers, polluted by heavy metals, are used as a source of water for drinking, irrigation, and fishing. According to the Balkanka Association, fish poisoned by pollution were found in large parts of rivers. Surface waters as well as ground waters are polluted, which causes evident health risks for the population. Furthermore, polluted waters pose a threat to soils adjacent to rivers. As a result, opportunities for farming and tourism are greatly limited.

Violation of the law and/or human rights:

Deterioration of the ecological and chemical status of the surface waters means a breach of the article 4 of the EU Water Framework Directive. In its reasoned opinion on March 7, 2019, the European Commission urged Bulgaria to correctly transpose provisions of the EU Directive 2006/21/EC on the management of waste from extractive industries into national legislation to reduce pollution. The ongoing extraction on the six above-mentioned rivers and their documented detrimental effects indicate Bulgarian non-compliance with these provisions. While authorizing activities on the rivers, recommendations from environmental impact assessments (EIA) are often disregarded. Additionally, while the public was focused on dealing with the COVID-19 pandemic, many enterprises from the extractive industry took advantage of this situation to release stored waste into the rivers. A fall in the price of metals has further motivated such irresponsible behavior. For instance, discharging wastewaters from industrial enterprises in the town of Pernik into the Struma river causes visible damage. On March 21, 2020, there was documented pollution of the Topolnitsa river coming from wastewater from the Ellatzite copper mine. Furthermore, in March, an excessive concentrations of zinc and manganese (5-8 times higher than usual) and cadmium and cyanide (2-3 times higher than usual) were measured in the Varbitsa river near Zlatograd.

References:

- Complaint to the Commission of the European Communities concerning a failure to comply with Community law (Balkanka Association, complaint, April 30, 2020)
- [And the river continues to flow](#) (Bodil.bg, D. Sabev, article, March 28, 2020)
- [Fishermen protest in two cities against river pollution](#) (Dnevnik.bg, article, June 10, 2020)
- [Fishermen protest against poisoning of rivers](#) (Agro.bg, article, June 10, 2020) the COVID-19 pandemic. In order to prevent destruction of these rivers, environmental



photo © Tibor Mikuška, Hrvatsko društvo za zaštitu ptica i prirode

Croatia

Sediment extraction from the Drava at Petrijevci

Summary of the case:

The first attempt to carry out an extraction of 1,115,103 m³ of sediment from the River Drava on a section between kilometres 23 and 35 to lower the risk of ice floods is dated back to March 18, 2019, when the Ministry of Environmental Protection and Energy published information about an Appropriate Assessment (AA) procedure on its website. At that time, the Water Act was amended. Flood protection projects were allowed to be implemented without undergoing an Environmental Impact Assessment (EIA) or Nature Impact Assessment (NIA). WWF Adria drew the attention of the DG Environment of the European Commission to this situation. On September 25, 2019 Hrvatske vode – the Croatian water management authority – cancelled the project and closed the AA procedure. In November 2019 a meeting between the DG Environment and the Ministry took place,

with the result that the Water Act has to be changed by April 2020. The second attempt to launch the project described above started on February 11, 2020 with the publishing of information about an AA procedure for the extraction of around 460,000 m³ of sediment to ensure the optimal river bed flow for ice, sediments, and high water levels on a section between kilometres 30 and 32.5 of the Drava. At a time when attention was diverted by the COVID-19 pandemic, permits allowing the project were issued quickly, followed by the immediate beginning of initial works.

Core of the problem:

The upper part of the flow of the River Drava is heavily regulated and its ecological status has deteriorated, while the lower part hosts some of the last free-flowing river sections in Europe. The area belonging under Natura 2000 is a protected habitat for a large number of water bird species. Despite that, regular maintenance for flood protection is performed in the river bed to cover up the ongoing excavation of sediments. Extraction has already taken place without an EIA or NIA being conducted previously, although the procedure is needed in order to find out if the works have any negative impacts on the river sections protected under the EU Habitats and Birds Directives.

Violation of the law and/or human rights:

A study used within the AA procedure within the second attempt to launch the project contained old and inadequate data. For assessment of the impact on the Natura 2000 areas the study took into consideration only the impact on fish species. On March 6, 2020, WWF Adria delivered its comments demanding cancellation of the project or at least the conducting of an EIA/NIA procedure. However, it did not receive any official answer and a permit for the project was issued on March 26. Environmental defenders have photo evidence from March 29 of ships ready for the excavation of sediments at the bridge in the municipality of Petrijevci. On March 30, 2020, the Ministry issued a permit allowing the project to start without any need for an EIA/NIA procedure to be conducted. The permit contains the answers to the comments made by WWF Adria and the Zeleni Osijek association: none of their demands was accepted. A company has been contracted for the implementation of the works and on the basis of a notice from March 31, the initial works started.

References:

- [Sand mining in the heart of the Amazon of Europe](#) (WWF, article, April 17, 2020)
- [In the midst of the pandemic, the excavation of sediment from the Drava started!](#) (Zeleni Osijek, article, April 14, 2020)



photo © Petr Zewlakk Vrabec

Czech Republic

Controversial recodification of the Building Act

Summary of the case:

The Ministry of Regional Development is preparing a new version of the Building Act with the aim of modernizing and speeding up the process of the issuing of construction permits. However, it did not perform any analysis to review what exactly causes the delays that are the subject of objections and why. The Prime Minister and the Ministry support such a fast pace of its preparation, as they argue that the recodified law will facilitate new construction that will become a catalyst for the restart of the economy after the COVID-19 pandemic subsides. In the second half of April 2020, the proposal of the Act

went through the last comment procedure. Subsequently, it went to the Legislative Council of the Government. However, under the guise of streamlining construction, the proposed law is intended to significantly weaken the position of the public administration bodies defending and promoting the public interest and strengthen the position of builders. Similarly, it weakens the opportunities of the public to participate in decision making.

Core of the problem:

From the answers of the building authorities, it appears that the most common causes of the lengthy process of the issuing of construction permits are errors in applications, incomplete documentation, or other defects on the side of investors, and also the lack of approval from the State authorities involved. Furthermore, the scheme of spatial planning can put considerable pitfalls in the way of well-prepared applications for zoning permits. But even these findings are far from sufficient. The NGOs argue that the Ministry should propose the needed changes in the construction law on the basis of a qualitative analysis of a sufficiently large sample of completed application procedures for permits and streamline the application process for all parties involved, not only the builders. However, the intended changes take away the right to defend effectively for those most affected by the negative effects of construction and also remove the competences of professional institutions that protect e.g. the environment, historical heritage, or public health.

Violation of the law and/or human rights:

Instead of performing a thorough analysis of the situation, the government decided to entrust the preparation of the law to the Chamber of Commerce, which associates and represents developers. For the preparation of such a complex law, short deadlines for commenting were set and thus there were only limited opportunities for stakeholders to formulate their proposals in detail. Moreover, not enough time was given for the employees of the Ministry to settle the comments and to consult them with objectors. As a result, the proposal is full of exceptions and innovations, departing from the original intention to make the law simple and clear. The proposal abolishes the binding expert opinions of the State authorities responsible for the protection of the environment or historical heritage and concentrates decision making on the impact of buildings on the public interest in the hands of a centrally managed building authority. Instead of improving and streamlining the work of State bodies, the proposal transfers the responsibility for complying with the law to builders and suppresses the rights of local self-government, property owners, civil society organizations, and conservationists.

References:

- [Building Act written blindfolded](#) (Lidovky.cz, V. Orcígr, article, April 20, 2020)
- [The preparation of the new Building Act is a dangerous experiment - we should stop it and start again](#) (Deník N, P. Kolínská, article, April 17, 2020)
- [The new Building Act will limit the protection of nature and historical monuments. The super-bureau will take rights away from everyone](#) (The Green Circle, press release, November 25, 2019)



photo © Petr Zewlakk Vrabec

Czech Republic

Controversial commercial complex in Prague received zoning permit in secret

Summary of the case:

The commercial and administrative complex, Central Business District, is without exaggeration the most significant contemporary piece of architecture to be built in the historical heart of a medieval city. Since its beginning in 2009, the project (total area of 22,000 m² – total floorage up to 100,000 m²) has faced controversies. Penta Investment Group received a zoning permit for the first phase of the project from the Building Authority of Prague 1 on April 17, 2020, when the Czech Republic was in a 'State of Emergency' which was declared by the government due to COVID-19. One of the restrictions was a curfew, prohibiting public gatherings or other forms of civic protest. Shortly before (March 17 – April 4, 2020), the Building Authority had excluded the public (civic associations and association of owners of neighbouring residential building) from administrative proceedings. They submitted an appeal, but handling this case would take several years, and it does not have a suspensive effect on the decision.

Core of the problem:

The vast area around the Masaryk railway station belongs to the largest brownfields in Prague. There is a general consent that nowadays, it is necessary to find a new use of the plot. However, citizens and a number of experts and civic associations criticize the fact that a massive 9-story structure of concrete, glass, and golden spikes should be built in a close proximity to the historical city centre. The city center is enlisted as a UNESCO World Heritage site. Other reservations concern an increase in individual car traffic and air pollution, purely commercial function of the new buildings, lack of public spaces in the project, worsening of the problem of the heat island, insufficient pedestrian permeability, etc. However, public authorities have ignored public demands for a long time, and they have satisfied the developer.

Violation of the law and/or human rights:

The Building Authority of Prague 1 did not announce issuance of the zoning permit at the official desk as required by the Administrative Code. Although the project has changed during the permitting process, the investor did not go through obligatory EIA procedure. The civic associations and association of owners of the neighbouring residential buildings were excluded from the zoning permitting process shortly before the permission was issued; their appeal did not have the ability to affect the final decision. Both key decisions in a case lasting for 12 years were made during a state of emergency declared by the government which prevented the citizens from staging an effective protest.

References:

- New District: Masaryk Railway Station – Florenc (Arnika, description of the case) <https://arnika.org/masarykovo-nadrazi-florenc>
- Penta obtained a zoning permit for the construction at Masaryk Railway Station, the process is criticized by civic associations (E15, article, April 23, 2020) <https://www.e15.cz/byznys/reality-a-stavebnictvi/penta-ziskala-uzemni-rozhodnuti-pro-stavbu-u-masarykova-nadrazi-proces-kritizuji-sdruzeni-1369037>
- National Heritage Institute will demand a review of the zoning permit regarding the construction of a new building at Masaryk Railway Station (NHI, press release, May 7, 2020) <https://www.npu.cz/cs/pro-media/60304-npu-bude-pozadovat-prezkum-uzemniho-rozhodnuti-ve-veci-vystavby-nove-budovy-u-masarykova-nadrazi>

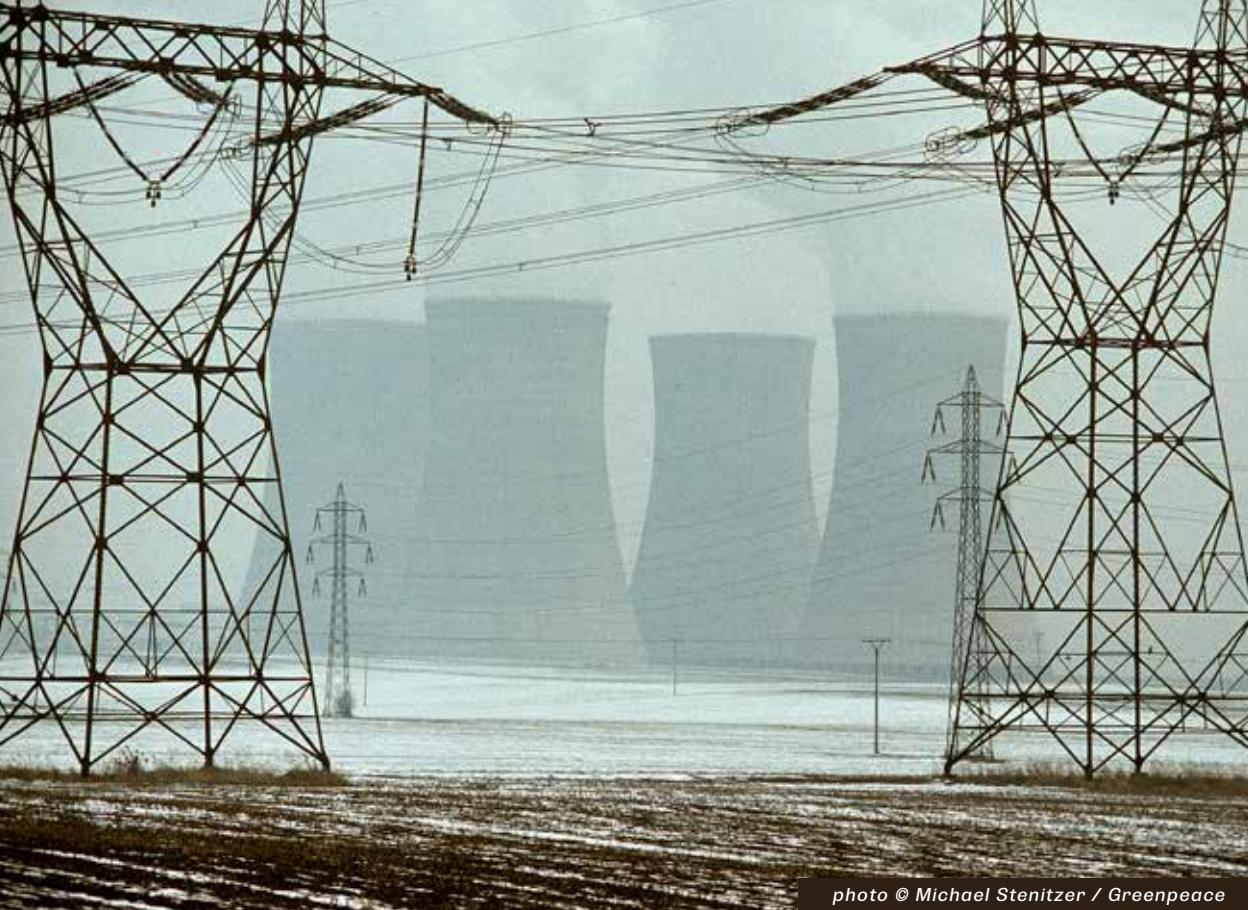


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Czech Republic

Fast steps to secure the construction of the nuclear power plant

Summary of the case:

At the end of March 2020, the ČEZ Group, a government-owned energy corporation, submitted a 1600-page application to the State Office for Nuclear Safety for approval of the construction of two new units at the Dukovany Nuclear Power Plant. On April 27, the government adopted a draft framework agreement with the ČEZ Group on the construction of a fifth unit. On the same day the government approved a proposal for a contract with ČEZ that defines the conditions of a zoning permit and selection of a contractor. At the end of 2020, the ČEZ expects to start a tender, with the contractor to be selected by the end of 2022. A third contract between the government and ČEZ is under preparation, with its purpose being to define the conditions under which the State will buy electricity from ČEZ or from the company that would operate the fifth nuclear unit.

Core of the problem:

The government has taken advantage of a situation in which the activities of civil society slowed down as a result of restrictions imposed during the COVID-19 pandemic to hastily adopt the proposals for the two contracts that would otherwise be a subject of stormy public discussion and scrutiny. Investment in nuclear energy is a risky undertaking from an economic point of view, because it will increase the State's dependency on imports of uranium and threaten its energy transformation aims. The optimistic estimate is that the construction of the fifth unit at Dukovany should begin in 2029; it should be put into operation in 2036, and will cost around 250 billion Czech crowns (about 10 billion euro). The fifth unit should have an output of 1,200 MW and produce 9 TWh of electricity annually, which would correspond to one-tenth of the Czech Republic's expected consumption. Environmental organizations argue that it would be better to invest in renewable sources and measures that are applicable immediately and not after tens of years.

Violation of the law and/or human rights:

During the COVID-19 pandemic, ČEZ submitted its application for the location of two new units at the Dukovany Nuclear Power Plant. The administrative proceedings are being handled by the State Office for Nuclear Safety. According to Czech law, the only participant in the proceedings concerning nuclear installations is the applicant. In 2017, politicians pushed for an amendment to the EIA Act, according to which these proceedings are conducted without public participation. In addition, at a time when restrictive measures to prevent the spread of the coronavirus were in effect and when civil society and professionals had fewer opportunities to exercise public scrutiny, the government swiftly approved the proposals for two contracts that provide the basis for the construction of the new nuclear unit – the largest public investment in the Czech Republic in half a century. Besides that, the Standing Committee on the Construction of New Nuclear Resources has not met once, even online, during the period when the restrictive measures have been in force. Some of its members pointed out that they only learned of the proposals for the contracts from the media. In July 2020, the contract proposals between the government and ČEZ were signed by both parties.

References:

- The government approved two of the three contracts for the construction of a new unit at Dukovany nuclear power plant (Deník.cz, article, April 27, 2020) <https://www.denik.cz/ekonomika/vlada-cez-paty-blok-dukovany-20200427.html>
- Investing in new nuclear units in times of crisis is a risky business (Greenpeace, article, April 1, 2020): <https://www.greenpeace.org/czech/clanek/6181/investice-do-novych-jadernych-bloku-v-dobe-krize-je-riskantni-podnik/>
- The price of the new reactor will hit consumers (Green Circle, press release, June 10, 2020): <http://zelenykruh.cz/cena-za-novy-reaktor-dopadne-na-spotrebitele>



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Greece

Newly adopted law weakens environmental legislation

Summary of the case:

At a time when Greece was fighting COVID-19, the government submitted a bill titled “Modernization of Environmental Legislation” to the Parliament. Environmental defenders point to the fact that the government misused the pandemic to introduce legislation weakening environmental standards, especially in the field of protected areas, EIA procedures and licensing, legalizing illegal constructions, or waste management. Therefore, they demanded the withdrawal of this bill. However, a parliamentary vote on the bill was held on May 5, 2020 and the controversial bill was approved.

The core of the problem:

The vote on the complex anti-environmental bill was held in the midst of an unprecedented situation in which citizens did not have the right to exercise their basic constitutional rights, to call for meetings and assemblies, or to meet in collective bodies. The bill was passed just a few days before the relaxation of COVID-19 restrictions regarding freedom of movement. Its content provides for the lowering of environmental standards and simplifying required procedures with the aim of prioritising economic interests over preservation of the natural environment. On the day of the vote, the Parliament ignored many professional and institutional bodies, environmentalists, and citizens which opposed the bill.

Violation of the law/rights:

The new law weakens Greek environmental legislation in several respects. It has introduced a change in land use by creating four protection zones in which large investment activities can be allowed, which undermines the protection of the Natura 2000 sites required by the European Habitats Directive and Birds Directive. Further, the law shifts the responsibilities of the previously autonomous and independent Protected Areas Management Bodies to the Ministry of the Environment. The law established that private entities will evaluate environmental impact assessments (EIA) and control the licensing process. Moreover, it imposes new limitations on relevant public service departments, such as stricter deadlines for the submission of opinions and recommendations. The newly adopted law also enables construction in forestlands and, in some cases, within wetlands and watercourses. It legalizes residential construction that has been previously rejected by the Council of State and the Supreme Administrative Court. Upholding such illegal construction in streams increases the flood risk and goes against the EU Water Framework Directive 2000/60/EC. In relation to waste management, the law simplifies procedures; for instance, for a transfer of waste a permit is not required any more, but instead just a simple entry in a registry. In addition, it omits any measures to deal with illegal landfills and the uncontrolled disposal of municipal and industrial waste in streams.

References:

- [Withdrawal of the anti-environmental bill](#) (change.org, petition, May 5, 2020)
- Parliament approves controversial environmental bill ([ekathimerini.com](#), article, May 6, 2020)
- [Greek protesters accuse government of using coronavirus as cover to pass anti-environmental law](#) (Independent, article, May 7, 2020)



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Hungary

Government decrees restricting environmental rights

Summary of the case:

In Hungary, the COVID-19 pandemic has been used by the Government to increase its power, mainly through the Emergency Powers Act, approved by the Parliament on March 30, 2020. It enabled the Government to rule by decree until it decides to end the “state of emergency”. While the Prime Minister, Viktor Orban, stated that the emergency powers will enable him to act quickly and effectively during the emergency and are therefore proportionate, critics pointed out that the measures had no time limit and also included potential jail terms for only vaguely defined “scaremongering”. Furthermore, they expressed apprehension that such measures would feed into the process of the weakening of independent institutions. Among the more than 100 decrees were also some stripping opposition-run municipalities of power and finances.

Core of the problem:

In Hungary, the independence of non-state actors, such as journalists, NGOs, and academia, is being slowly eroded. In this sense, the COVID-19 pandemic led to even greater weakening of the division of powers and civil rights, including environmental ones. These were rendered almost obsolete in certain areas, as the Government ruling by decree

stripped the public of the right to be informed about planned activities and the right to participate in the decision-making process, and, ultimately, also barred it from access to justice in certain cases.

Violation of law and/or human rights:

Where the environment is concerned, all three pillars of the Aarhus Convention were severely weakened; it is considered incompatible with EU law, according to some politicians and experts. Government Decree (GD) No. 191 of May 8, 2020 made it possible to start an activity requiring a permit without it, through the introduction of a simple notification sent to the responsible authority (it was upheld by Act 58 of 2020 on the pandemic preparedness situation). GD 288 of 17 June 2020 includes detailed rules and lists matters in which the “controlled notification” cannot be applied and a permit must be obtained (in the areas of forest use, mining, hazardous waste, sewage sludge, and protected animals and plants). In the process of considering the notification by the relevant authorities, the public is excluded as there is no obligation to inform it about the start of such a procedure. Moreover, any legal remedies are next to impossible to apply as the approval (decision) of the proposed activity does not contain a detailed description of the conditions under which such activity can be carried out. It only approves/dismisses the notification.

References:

- [Freedom in the World 2020 \(Hungary\)](#) (Freedom in the World, report, 2020)
- [Hungary no longer a democracy after Coronavirus law](#) (Balkaninsight, article, March 31, 2020)
- [Hungary's emergency law ,incompatible with being in EU', say MEPs group](#) (The Guardian, article, March 30, 2020)



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Kazakhstan

Doubts over virtual public hearings

Summary of the case:

On March 15, the President of Kazakhstan declared a state of emergency that lasted almost two months. On May 14, 2020 the Ministry of Ecology, Geology, and Natural Resources submitted a request to the Compliance Committee of the Aarhus Convention (ACCC) seeking advice on whether the holding of public hearings during the COVID-19 pandemic through videoconferencing would meet the requirements of the Convention and secure adequate public participation in decision making. This provoked a wide discussion in the Aarhus region on the basis of which, on July 1, 2020, the ACCC adopted recommendations for involving the public in environmental decision making via virtual means. It is essential to mention that Kazakhstan was the only party to the Convention that consulted the ACCC about how to adjust the procedures during the lockdown.

Core of the problem:

Residents of Kazakhstan often experience difficulties when trying to access information and to have a say in decision making. There are several complaints pending to the ACCC concerning the violation of the principles of the Aarhus Convention. Civic society reported public hearings being purposely organized during the Christmas or holiday periods, refusal to show projects and studies to citizens, official websites purposely shut down, and sometimes even people being refused admission to public hearings. Although the non-governmental organizations welcome the proactive approach taken by Kazakhstan, they are also concerned whether the usage of virtual means will really ensure effective public participation in a country with such a poor track record. EcoForum, the national network of environmental NGOs, points out that the online format of public hearings can enable the involvement of those people who previously experienced problems with their participation (persons with disabilities, mothers with young children, people living in remote areas, etc.), while at the same time it represents challenges. First of all, this concerns internet connections, which relate to both internet access and quality and technical skills. Other issues include the identification of participants or the risk of technical manipulations that can limit public involvement, such as restricting public access, turning off mics, and other similar tricks.

Violation of law and/or human rights:

The issue described concerns Articles 6-8 of the Aarhus Convention, which obliges each party to provide for effective public participation in decision making. The ACCC concludes that the Convention does not preclude the holding of public hearings during the global pandemic through videoconferencing or other virtual means and emphasizes that the binding rights set out in the Convention cannot be reduced or curtailed. The ACCC further presents a number of requirements, for example: the need to ensure alternatives for those citizens who do not have access to a high-quality internet connection, by e.g. participating in a hearing by calling a toll-free phone number to listen to the proceedings and to ask questions and make statements; the need always to ensure the possibility of submitting written comments; the need to provide contact details for technical support, etc. The Committee also concludes that the present advice is provided in the specific context of the current pandemic and should not be read as applying once the restrictions on free movement and public gatherings have been lifted.

References:

- [ACCC/A/2020/2 Kazakhstan](#) (Aarhus Convention Compliance Committee, May – July, 2020)
- [Ensuring the public's right to know in the COVID-19 pandemic](#) (Article19, May 11, 2020)



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Moldova

Illegal logging for timber

Summary of the case:

On March 13, 2020 the Ministry of Agriculture, Regional Development, and the Environment issued an order to prohibit all kinds of logging in Moldovan forests. Moldsilva, the central forestry authority, managing most of the national forest land under public ownership (82,1% or 336.6 thousand hectares), accepted this order, and on March 27, 2020, imposed an obligation to comply with it on all forest enterprises. Despite this fact, environmental defenders reported that approximately 27 hectares of forests were cut down, and pointed out that illegal logging was going on. This suspicion was soon confirmed by an inspection of the Ministry and the Inspectorate for Environmental Protection; it revealed that large areas of forest have been cut down in some parts of the country after March 13, mainly in the districts of Stefan Voda, Anenii Noi, and Straseni. It happened during the extraordinary situation declared by the Parliament from mid-March as a reaction to the COVID-19 pandemic.

Core of the problem:

Moldova is one of the European countries with extremely low forest coverage. The official data gives a figure of 11%. But according to many experts, there is no more than 7% of forests that can provide ecosystem services. The total forest area in Moldova is 423,000 hectares, of which 376,000 hectares are forests alone; the rest are shrubs and forest plantations. The most valuable are oak forests. During the periodic draughts, as in 2019-2020, the role of forests is very important because they form the hydrological regime. But the elimination of big trees and reducing their density led to a tremendous weakening of the forest's capacity to regulate the water regime and adapt to climate change. Illegally cut timber also became an important fuel for rural areas, a source of cash, and the subject of corruption. Overall, there is a lack of opportunities for public control over the management of forests. A ban on entering parks and forests issued by a temporarily created governmental committee during the pandemic has made it even more difficult to control.

Violation of the law and/or human rights:

Since 2005, Moldova has had in place a National Action Plan to combat illegal logging and other forest contraventions. Its strategic objective is to conserve the national forest resources. Despite the commitment under the plan, data shows that the total area of logging under the control of Moldsilva increased by 1.4 times during 1993-2014 and the total volume of logging for timber performed by this entity increased 2.6 times during the same period. A study on the scale of illegal logging in Moldova revealed that possibly around 500 thousand m³ of harvested wood went unrecorded in recent official documents produced by governmental authorities. This amount represents domestic consumption of forest resources which are likely to come from illegal and/or unsustainable activities. According to the National Bureau of Statistics, Moldova is losing three hectares of forest per hour. Despite the ministerial order issued in March 2020, illegal logging continues.

References:

- [An inspection carried out in the forests of the Strashensky district](#) (Point.md, article, April 26, 2020)
- [Forests cut down on 27 hectares, planted on 5 hectares](#) (Vedomosti, article, April 17, 2020)
- [Climate change is inevitable – how to adapt to it](#) (SPUTNIK, article, April 3, 2020)



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Slovenia

The government takes advantage of the pandemic to defeat defenders of the environment

Summary of the case:

Slovenian environmental defenders have drawn attention to disturbing changes in the national legislation that were under way during the COVID-19 pandemic. On April 28, 2020, the National Assembly of the Republic of Slovenia (the lower chamber of the Parliament) approved an amendment to the Act Determining the Intervention Measures to Contain the COVID-19 Epidemic and Mitigate its Consequences for Citizens and the Economy (ZIUZEOP-A). Before it was approved, activists called on the government to withdraw the problematic Article 42. Two weeks later, the National Assembly adopted an amendment to the Nature Conservation Act and construction legislation. The new versions of these three laws significantly limit the space for civil society organizations to participate in ad-

ministrative procedures in decision making on the environment and to defend the public interest.

Core of the problem:

There are almost 30 thousand kilometres of rivers and watercourses in Slovenia. Almost 60% of its surface is covered by forests, making it one of the greenest countries worldwide. However, recent legislative changes adopted under the guise of mitigating the consequences of COVID-19 pose a threat to this natural wealth. It deprives most civil society organizations of the right to express their opinion within an Environmental Impact Assessment (EIA) or construction permit proceedings. The climate-sceptic rhetoric of the Slovenian prime minister raises concern that the government might start endorsing controversial investments, such as, for instance, nine big dams on the River Sava, in accelerated mode and without taking environmental aspects into account.

Violation of the law and/or human rights:

Recent amendments to the construction and nature conservation legislation introduce unreasonably strict conditions for civil society organizations to be able to participate in administrative procedures. They must have at least 50 active members, three full-time employees with university degrees, and assets exceeding 10,000 euro. Moreover, they must meet these conditions retroactively for two years and prove their compliance by revealing minutes of their annual general assembly meetings, the names of those present, and extracts from bank accounts. Only a few NGOs will be able to meet these very narrowly defined conditions and thus represent the public interest in the decision-making process. The amendment to the ZIUZEOP-A Act disqualifies environmental NGOs from participation in administrative procedures concerning infrastructural projects and excludes some large constructions, such as wind farms or power lines, from the EIA. Furthermore, it reduces the time to file lawsuits or appeals at the administrative court from 30 to 15 days. As a result, it will be more difficult for the concerned public to object to possible illegalities in the decisions made. These amendments contradict the provisions of the Aarhus Convention and the EIA Directive of the EU (2011/92).

References:

- [Call for Action: A flood of emails to the members of the Slovenian National Council](#) (Balkan River Defence, press release, May 6, 2020)
- [Environment committee approves restrictions on environmental NGOs](#) (Total Slovenia news, article, May 13, 2020)
- [Exposed: Slovenian government exploits pandemic to shatter environmental safeguards](#) (BirdLife International, article, May 11, 2020)



photo © Stop Poisoning Kryvyi Rih

Ukraine

Budget cuts for environmental projects and restrictions on public hearings

Summary of the case:

Amidst the COVID-19 pandemic, Ukraine has adopted changes that impact on its environmental policy and may hamper the solving of environmental issues. Verkhovna Rada (the Parliament) adopted amendments to the law „On the State Budget for the Year 2020“ on April 18 which cut investments in energy-efficiency and environmental projects, while at the same time providing more funding to the coal industry. Fighting the coronavirus has also had an impact on the holding of public hearings within Environmental Impact Assessment (EIA) procedures. Since March 12, 2020, the whole country has been in lockdown and gatherings of more than ten people have been banned. On the same day, the Ministry of Energy and Environmental Protection cancelled all planned public hearings and suggested that the public should send their comments via postal or electronic mail.

Core of the problem:

On May 6, a group of the Members of Verkhovna Rada, at the initiative of, and supported by, the Ministry of Energy and Environmental Protection, came up with a draft amendment of the EIA Act. They proposed to cancel the holding of public hearings during the period of quarantine and for 30 days beyond in order to prevent the spread of COVID-19, and allow stakeholders to submit their comments on the planned activities only in writing. Although the country has an online EIA register, the level of legal awareness of the citizens is rather low and internet connections, especially in rural areas, are unsatisfactory. The cancellation of the public hearing can thus seriously impede public participation in decision making. The draft law was proposed to be amended between the two sessions. Several MPs proposed introducing virtual public hearings and limiting the duration of the restrictions and raised the question of whether the amendments could comply with Ukraine's Constitution, which does not allow restrictions on human rights. These proposals were, however, rejected, and the amendments were approved in their original version on June 18.

Violation of the law and/or human rights:

The Ukrainian Climate Network has appealed to the Government and Prime Minister to prevent budget cuts that affect energy efficiency and environment-oriented measures. Such cuts and the financing of the coal industry are not in line with SDGs, the European Green Deal, and the goals of the EU-Ukraine Association Agreement. In response to the criticism of the restrictions on public hearings, the Chair of the Committee on Environmental Policy and Nature Management of the Parliament stated that postponement or suspension of public hearings would violate the rights of investors to obtain EIA conclusions within the time frame stipulated by law. However, the approved amendments of the EIA Act violate the rights of citizens to participate in decision-making procedures. The Aarhus Convention Compliance Committee expressed in its opinion in July its conviction that limitations or restrictions on Aarhus-related rights during the pandemic are not justifiable.

References:

- [Ukrainian Climate Network called on the government not to cut spending on environmental projects](https://climategroup.org.ua/news/ukrainian-climate-network-called-on-the-government-not-to-cut-spending-on-environmental-projects) (climategroup.org.ua, news article, April 28, 2020)
- [Businesses call to adjust the issue of EIA process results because of the quarantine](https://ecolog-ua.com/news/businesses-call-to-adjust-the-issue-of-eia-process-results-because-of-the-quarantine) (ecolog-ua.com, news article, April 29, 2020)
- [During the quarantine, the EIA procedures will be conducted online](https://ecolog-ua.com/news/during-the-quarantine-the-eia-procedures-will-be-conducted-online) (ecolog-ua.com, news article, May 7, 2020)
- <http://w1.c1.rada.gov.ua/pls/zweb2/webproc34?id=&pf3511=68761&pf35401=529747> (document: Comparative table to the draft Law of Ukraine, June 10, 2020)



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Ukraine

Thermal power station operates at full capacity, flouting EIA conclusions

Summary of the case:

On April 20, 2020, the Dnipro Thermal Power Plant (DTEK) started to operate at full capacity. This included engaging its seventh and eighth units, which were previously inactive for a year. According to the EIA conclusion from May 15, 2018, these two energy units were supposed to be equipped with new electro filters to reduce air pollution. Reopening the two units without installation of the required filters thus broke the binding conditions of the plant's operation. The activist Iryna Chernysh from the non-governmental organization Save Dnipro provided information about the situation on her Facebook profile on April 23, 2020 and raised the question of why DTEK had started to illegally pollute the air again during quarantine, after the units in question hadn't been working for a whole year.

Core of the problem:

DTEK is one of the largest environmental polluters in Dnipro, an industrial regional centre, and is thus watched carefully by the defenders of the environment.

When Save Dnipro, the leading environmental NGO in the city, learned that these new units are operating without the mandatory electro filters, the NGO addressed Oleksandr Marinovski, a member of Verkhovna Rada (the Parliament) and the parliamentary Committee on Environmental Policy, in an official letter sent on April 23, 2020, asking him to bring up this issue at a meeting of the Committee. Marinovski proposed that the Committee should approach the Ministry of Energy and Environmental Protection with a recommendation to limit the operation of energy units that are non-compliant with the conclusions of the EIA.

Violation of the law and/or human rights:

By operating the seventh and eighth units without the installation of new electro filters, DTEK broke the binding conditions set by the conclusion of the EIA. The local activists suspect that the plant might have done so intentionally during the COVID-19 pandemic in the hope that this illegal operation would not be noticed or investigated, since the attention of the public and authorities was focused primarily on the pandemic. On May 6, this case was discussed at a meeting of the Committee on Environmental Policy of Verkhovna Rada. On May 29, Save Dnipro informed that the operation of the seventh and eighth units suddenly stopped at night, most probably as a result of public pressure and measures taken by the state authorities.

References:

- [For the third day DTEK is working with all available capacity!](#) (Facebook post, April 23, 2020)
- [EIA conclusions concerning the activities of DTEK](#) (Ministry of Environment and Natural Resources of Ukraine, eia.menr.gov.ua, May 15, 2018)
- [Letter from Save Dnipro to Member of the Parliament Oleksandr Marinovski](#) (sent on April 23, 2020)
- Save Dnipro states that DTEK's 7th and 8th blocks were stopped (Facebook post, May 29, 2020)

About us

Arnika – Citizens Support Centre (Czech Republic)

Established in 1996, non-governmental organization Citizens Support Centre has many years of experience promoting access to information, public participation in decision-making, and enforcing environmental justice. Its experts assist various civil society organizations, municipalities, and individuals in solving cases related to environmental destruction and right of the local communities for healthy environment throughout the Czech Republic. Since 2001, Citizens Support Centre is section of Arnika. It also participates in international projects focused on environmental protection, persecution of activists and on strengthening the principles of environmental democracy in Central and Eastern Europe, Caucasus, and Central Asia.

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