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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

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**Complaint in stand-by**

**IMPACT OF A PROJECT FOR THE REGULATION OF  
THE DANUBE RIVER ON THE RIVER'S  
BIODIVERSITY IN CROATIA**

*REPORT BY THE COMPLAINANT*

*Document prepared by  
WWF Mediterranean Program*

## **IMPACT OF A PROJECT FOR THE REGULATION OF THE DANUBE RIVER ON THE RIVER'S BIODIVERSITY**

### **Report by the complainant**

Croatian government (Investor: Croatian Agency for Inland Waterways) is planning a big and over dimensioned project for the regulation of Danube river (EIA decision is still pending by Croatian Ministry of Environment and Nature Protection) for the purpose of navigation. The proposed regulation is planned on 1433-1380 km (53 km long river stretch between Croatia and Serbia). There are 92 planned new river training structures (left and right bank of the Danube): 72 T-groins, 15,5 km of new embankments, 2 parallel structures and sand dredging. The main purpose of this project is explained as "fixing the river regulation line in order to establish navigation route, stability of river banks, protection of banks from erosion and proper transport of ice and sediment" (EIS Ch. 1 p. 2). However, the concept dates back to former Yugoslavian times and intends to finalise the implementation of the regulation corridor, which was defined in the 1970es and which has started to be implemented in the 1980ees. Environmental needs, such as the protection of the unique natural values in the area, were not taken into account properly.

Following regulation works have been already approved by the Croatian ministries without any previous EIA or SEA nor Transboundary Impact Assessment/ESPOO with Serbia:

- 2008/09: 4 new T-groins (1405-1406 rkm) and new embankment
- 2011: new embankment built (1412 rkm) also without any NIA (Nature Impact Assessment)

The complaint is being submitted to the Bern Convention secretariat for the following reasons:

- Old fashioned river regulation project (dates back to 1978!)
- No consideration of JOINT STATEMENT on Guiding Principles for the Development of Inland Navigation and Environmental Protection in the Danube River Basin and EU-PLATINA Manual
- No evident approximation to EU law (FFHD, BD, WFD, FD) and applying strategic planning and appropriate assessments (EIA, NIA)
- No evident approximation to the obligations under the Bern and Ramsar Conventions
- No SEA and Transboundary EIA/Espoo with Serbia
- Impacts on national and international key protected areas of about 50,000 ha and of outstanding natural values in Europe including:
  - a. Nature Park, Special Zoological Reserve and Ramsar site "Kopacki Rit"
  - b. Transboundary UNESCO Biosphere Reserve "Mura-Drava-Danube" (the affected area is core and buffer zone of designated (HR) and planned (RS) TBR MDD); see: <http://www.amazon-of-europe.com/>
  - c. Sites of National Ecological Network (Podunavlje i Donje Podravlje HR1000016) and planned Natura 2000 sites
  - d. Special Nature Reserve and Ramsar site "Gornje Podunavlje" in Serbia
- No justification is given for such large technical interventions, while no settlements or infrastructure exists that could be threatened by flooding nor do modern approaches to navigation require such measures
- Impact on best preserved river stretch and floodplain areas along the upper and middle approx. 1900 km long Danube section from its source to Iron Gate
- Impact in largest and best preserved softwood forests in the Danube Basin
- Impact on the most important fish spawning area across the Danube Basin, beside the Danube delta.

- Impact on the last specimens of the nearly extinct ship sturgeon (*Acipenser nudiiventris*) and the highest density of breeding pairs of White-tailed Eagles in Continental Europe (approx. 70 breeding pairs).

Kopački rit is an inner delta wetland with specific morphological and sedimentation processes characteristics. It is situated in the central section of the Danube floodplain, at the confluence of the Danube and one of its five major tributaries, the Drava River. The area is a mosaic of lakes, marshes, wet grasslands, reed beds and riverine forests. The area is annually flooded up to three months per year, and this interaction of water and land generates high biological diversity with over 400 vascular plant, 293 bird, 56 mammal, 55 fish, 11 amphibian and 10 reptile species.

Kopacki rit regularly supports 20.000 waterbirds, particularly during breeding season, spring and fall migration, as well as during wintering period.

Among rich flora and fauna mentioned above, specific species potentially affected and listed on Bern Convention appendices are:

#### **Appendix I –**

*Salvinia natans, Trapa natans, Typha minima*

#### **Appendix II –**

**Birds:** *Ardea purpurea, Botaurus stellaris, Ardeola ralloides, Nycticorax nycticorax, Ixobrychus minutus, Ciconia nigra, C. ciconia, Haliaeetus albicilla* (50 pairs), *Falco cherrug, Milvus migrans, Aquila clanga, Riparia riparia, Chlidonias hybrida, Ch. nigra and Sterna hirundo, Phalacrocorax pygmaeus* (max. 250), *Platalea leucorodia* (max. 1.000). The site is an important migration and wintering area of waterfowl.

**Reptiles and amphibians:** *Emys orbicularis, Bombina bombina and Hyla arborea*

**Mammals:** *Lutra lutra, Felis silvestris*, and 12 species of bats *Chiroptera*.

**Insects –**

*Coleoptera: Cerambyx cerdo*

*Lepidoptera: Apatura metis*

*Odonata: Leucorrhinia pectoralis, Ophiogomphus cecilia*

#### **Appendix III –**

**Mammals:** *Castor fiber*

**Birds:** *Ardea alba* (max. 1.100), *Ardeola ralloides, Egretta garzetta, Nycticorax nycticorax, Ixobrychus minutus, Botaurus stellaris, Anthya nyroca, [Anser fabalis, Anser anser, Anser albifrons]* some 15.000 specimens, [*Anas platyrhynchos, Anas crecca, Anas penelope, Anas clypeata, Anas strepera, Anas acuta, Aythya ferina, Aythya fuligula*] some 50.000 specimens.

**Fish:** *Acipenser ruthenus, Rutilus pigus, Misgurnus fossilis, Zingel streber, Zingel zingel*

**Insects:** *Lucanus cervus*

#### **Habitats that are to be influenced are:**

Permanent rivers/streams/creeks; permanent freshwater lakes (over 8 ha); seasonal/intermittent freshwater lakes (over 8 ha); permanent freshwater marshes/pools – ponds (below 8 ha), marshes and swamps; seasonal/intermittent freshwater marshes/pools on inorganic soil – sloughs, potholes, seasonally flooded meadows, sedge marshes; freshwater, three-dominated wetland – swamp forests, seasonally flooded forests, wooded swamps on inorganic soils.

Recent floodplain that extends from the river Danube to the dikes on the both sides of the river – still under influence of regular annual floods, from 1-15 km wide, this is the most important part of the site concerning its wetland functions and values and makes the core zone.

The realisation of the planned measures would lead to a deterioration of the ecological and hydro-morphological quality of the Danube River. The permission of the project would constitute a violation of various international conventions and European Directives

The proposed regulation project is a continuation of old-fashioned approach in the river management in Croatia. It is located within the boundaries of national and international key protected areas of about 50,000 ha, which is home to e.g. 300 bird species

Flood protection and river regulation interventions in the past have already caused significant river bed deepening (over 1 m per section) and consequently a decreasing trend of water levels in this section. The further canalization of the Danube riverbed will further accelerate this process and will have serious impacts on terrestrial and aquatic habitats, the rare fauna and flora. It will cause significant environmental impacts: riverbed erosion, sediment imbalance, sinking surface and groundwater levels and cut-off floodplains. Disconnecting the river from its floodplain would **cut off the natural life arteries**. As a result wetland areas of Kopački rit and Gornje Podunavlje and alluvial forests dry out (e.g., oak, ash and poplar forests), fish lose their spawning grounds and species populations decline or are disappearing (common carp, tench, Ferruginous Duck etc.). This would negatively affect the livelihood of local people, depending on benefits which healthy river ecosystem provide to them such as good quality drinking water, fish, wood or income due to nature-oriented tourism.

Kopački rit is a Ramsar site since 1993 and is being listed in National Ecological Network (Podunavlje i Donje Podravlje HR1000016). Kopački rit is also Emerald and IBA site, and it is listed as a potential Natura 2000 site. Gornje Podunavlje in Serbia is a mirror wetland of Kopački rit on the other side of the Danube and it is as well Ramsar site and IBA site.

Moreover, On 3 October 2011 the Croatian Ministry for Environment started the Environmental Impact Assessment (EIA) procedure. NGO sent a complaint to the EC (see annex). In February 2012 the EIA study was made public. NGOs sent comments against the project and EIS (see annex) to the Croatian Ministry for Environment and Nature Protection and EU-Commission. The final decision on the project by the Ministry is still pending.

Beginning of 2012 the EU Commission engaged an independent expert to review the EIS and project. An analysis was issued (see annex) which clearly states: It doubts the meaningfulness of the project, criticizes that the EIS is of very low quality and impacts were not assessed properly. The expert recommends rejecting the EIS, reconsidering the project, and preparing a joint integrated strategic plan for the Danube in line with EU law and international standards including Serbia.

The recent monitoring report issued by the European Commission on Croatia's state of preparedness for EU membership has detected significant gaps in the implementation of EU environmental law. In particular, the report criticizes the insufficient quality of Environmental Impact Assessment studies (EIAs) and finds that they are not in line with EU standards (see annex; page 43-45).

Furthermore, the Ramsar Convention Secretariat is planning a Ramsar Mission in this area, possibly already in 2012.

The critic that the Croatian Water Management sector is applying old fashioned approaches in river management and not state of the practice has similarly already been expressed in the course of the EU Twinning Project „Implementation of Water Framework Directive in Croatia“ (2007-2009), by the European Parliament in its Resolution of 16 February 2011 on the 2010 progress report on Croatia (stressing the need to apply the EU rules on development authorization also in respect of structural alterations to the course of the Danube and other rivers) and at the EC Fact Finding Mission to Croatia (2009) assessing the river management projects and impacts along the Lower Drava River (rkm 0-56) which are fully comparable to this Danube regulation project (same investor and technical planner using the same approach, measures, outcomes) (find report under: <http://www.amazon-of-europe.com/en/menu18/>).

Above that, the Espoo Convention mechanisms with Serbia are not used before, but they eventually get started with the process. Still there is no public information on this.