

To: Mr. Jeremy Wates

From: Aleksander Mita, representative of the Alliance for the Protection of the Vlora Gulf

Re: Albanian Government violation of the Aarhus Convention

Date: April 27, 2005

Dear Mr. Wates;

(1) I am submitting this communication on behalf of the Alliance for the Protection of the Vlora (Albania) Gulf. I, Aleksander Mita, am one of the primary coordinators for the alliance. The alliance is comprised of a group of citizens, and has gathered over 14,000 signatures from local citizens requesting more information & a referendum to choose the environmental future of Vlora. Further contact information for myself and other primary alliance members is included at the bottom of this communication.

(2) This communication concerns the proposed construction of an industrial park in Vlora, Albania (population 145,000). The proposed park will consist of a power plant, gas pipeline, oil pipeline, oil deposits and an oil refinery in the bay of Vlora. The communication is meant to address the non-compliance of the Albanian government on two points related to the proposed park:

- (1) The failure of the Albanian government to properly inform and consult the population regarding plans for the industrial park
- (2) To ensure that the Albanian government properly addresses citizen's environmental concerns related to the industrial park.

(3) In this communication, the party within the Albanian government is comprised of the Ministry of Energy and Industry and the Ministry of the Environment, which is representing the central government on this issue. We have submitted several requests for information or communication regarding the plans for the industrial park to the Ministry of Energy and to the Ministry of the Environment, but have not ever received an answer from them.

#### Chronology of Events 2003-2004

(4) The Albanian Energy Corporation (known as KESH in Albanian) organized three public hearings in Vlora to present the "Environmental Assessment Impact for the Industrial Park" prepared by the American company, MHG Consulting. In total 150 people from Vlora were present at the three meetings. The so-called public presentation in the three meetings consisted solely of members of the local government. It should be noted that the government proposing the industrial park is Socialist Party and the local government members are all Socialist Party members as well.

Thus the so-called public participation meeting was essentially local party members supporting the ambitions of central party members. Local community members from other parties and non partisan community members were not invited or informed of the meeting. Few NGOs participated.

2003-2004

(5) Local civil society (under the guise of the Civil Society Development Centre of Vlora) organized a series of interest group round tables to discuss the contradiction between the theoretical guidelines of the Albanian Economic and Social Development Strategy (NSSED) which defines Vlora as a priority tourist zone and the government's decisions aiming to establish the industrial park. The industrial park plans being put forward called to develop the industrial park contain an oil pipeline (AMBO project), a gas pipeline, installations for the storage of petroleum in 200 ha, three thermal power plants, each one 135 megawatts, a refinery, and oil transport through tankers on 560ha inside the Protected National Park, near the Lagoon of Narta and practically inside the town of Vlora. The concerns of civil society in the national conferences of NSSED have not had any positive results.

February 2005

(6) Local civil society (under the guise of the Civil Society Development Centre of Vlora) organized a round table discussion on the issue of the industrial park. The event was held at the Municipality Culture Palace meeting room and the event had around 60 participants. Local representatives of the two biggest political parties were invited but only the opposition participated. Thus no representatives from the political party pushing the park attended the meeting. The meeting was televised on two local television stations.

March 2005

(7) The alliance began circulating petitions among the citizenry in Vlora requesting a referendum on the proposed industrial park and has collected 14,000 signatures to date. At this time the alliance also began spreading information regarding the park and its estimated environmental impact to citizens in the Vlora region. The government has thus far responded by saying that the industrial park will support tourism and that the pollution level will be under the European standards and that they have properly informed and consulted the public opinion.

April 2005

(8) Two public rallies in the centre of Vlora town have been held, with another rally in front of the Albanian Ministry of Energy and Industry against AMBO project, and several public meetings. Dozens of articles in national newspapers and web sites ([www.albania-guide.net](http://www.albania-guide.net)) have been published on the topic.

April 2005

(9) Albanian law requires a petition to be signed by 1/10th of persons on the registered voters list in order to hold a referendum. Vlora town has 145,000 citizens and 83,000 voters. To date, we have collected approximately 14,000 signatures on the petition. The Central Election Committee is legally bound to answer our request for a referendum within three months. Construction is scheduled to begin on the plant within the next two months.

Provisions of the Convention Contravened

(10) This communication is intended to highlight non-compliance of the Albanian government in regards to public opinion. Specifically the Albanian government has contravened the following sections of the Aarhus Convention:

- Article 3, paragraph two regarding public participation in decision making.
- Article 6, paragraph two regarding timely public information in an environmental decision making procedure
- Article 7 regarding adequate provisions for the public to participate in the preparation of plans and programs relating to the environment.

#### Domestic Remedies

(11) This demonstration of public opposition to the project, in addition to the signatures on the petition, has not been taken seriously at all by the local or central government. The only response we have received from the government is unofficially mockery. Because domestic remedies have not yielded any results, this is the first time we are taking the issue to a neutral international investigation and settlement body.

(12) Please do not hesitate to let me know if you need or would like additional information or documentation on this issue. I am submitting a paper copy of this letter in the post mail.

Best regards,

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