

Ms. Iva OBRETENOVA - Secretary of the Bern
Convention, Head of the Biodiversity Unit
Bureau of the Standing Committee to the Bern
Convention

31 July 2017

**Subject: Complaint No. 2016/9 - Possible threat to “Svaneti 1” Candidate Emerald Site
(GE0000012) from Nenskra Hydro Power Plant development (Georgia).**

Dear Ms. Obretenova,

Balkani Wildlife Society was asked to support with biodiversity expertise Association Green Alternative, complainant of Complaint No. 2016/9 - Possible threat to “Svaneti 1” Candidate Emerald Site (GE0000012) from Nenskra Hydro Power Plant development (Georgia). Balkani experts have carried out biodiversity surveys in the areas of the planned Nenskra Hydropower Project and Adjaristsqali Hydropower Project in June 2016, October 2016, April 2017, July 2017.

In light of Balkani’s findings, presented below and in the attached reports, we would like to ask the Bureau of the Standing Committee to the Bern Convention to include the Complaint No. 2016/9 on the agenda of the next Standing Committee of the Bern Convention with proposals to:

- 1) Open a file and send recommendations to the Georgian government to stop the development of the Nenskra project until Georgia will not provide evidence to be ready and willing to protect the precious candidate Emerald site and to involve local people in decision making.
- 2) Send a fact finding mission in 2018, which should research the mismatch of information that complainants provide, on one side, and the Georgian authorities, on the other side.

Our information shows a severe infringement of Article 4 of the Bern Convention: "*Each Contracting Party shall take appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species, especially those specified in Appendices I and II, and the conservation of endangered natural habitats*" regarding the following species:

Eurasian otter, Eurasian lynx, brown bear, Persian leopard, West Caucasian tur, booted eagle, Caucasian snowcock, Caucasian grouse, green sandpiper, red-breasted flycatcher, Caucasus Chiffchaff, green leaf-warbler, Dinnik's viper, several fish species

And natural habitats:

Caucasian *Fagus* forests, Riverine scrub, Continental humid meadows, Montane river gravel habitats, Unvegetated river gravel banks, Moist or wet tall-herb and fern fringes and meadows, Ponto-Caucasian montane *Alnus* galleries, Euxinian ravine forests, Nordmann's fir forests.

We believe that this is a priority case as Nenskra project promoters have approached for financial support several International Financial Institutions which have committed to apply the Bern Convention and EU substantive environmental standards (Habitats Directive, Birds Directive, Water Framework Directive). In September two banks – the European Bank for Reconstruction and Development (EBRD) and the Asian Infrastructure and Investment Bank (AIIB) – are due to make decisions on financing, which if positive will result in the prompt start of construction activities. Meanwhile, a lot of exploratory and preparation works are being carried out, causing already adverse impacts on the environment and preventing local communities' traditional land use.

We would also like to stress that this a case not only of general violation of article 4 of the Bern Convention, but also a case where the Nenskra project is located in territories removed from the “Svaneti 1” candidate Emerald site (GE0000012) without any scientific biological or environmental justification. The Georgian Government has disregarded the procedures for evaluation of sufficiency of the proposed Emerald sites as adopted by the Standing Committee in 2013 (T-PVS/PA (2013) 13), when in February 2016 (a month after a meeting with the project promoter) it changed the borders of the site without any scientific proof. There are no conservation plans for these territories as they were also removed from the proposed new national park (Svaneti Protected Area) leaving no alternative for local people, such as sustainable tourism development. The Chuberi and Nakra communities have signed a [Collective statement regarding the Nenskra hydropower plant](#) with more than 300 signatures against the project.

Last but not least we have proved significant impacts of other HPP in Georgia during construction phase that we expect to happen also in the Nenskra case.

Please find enclosed the following documents when deciding how to proceed with the case on the Nenskra project:

1. Review of key biodiversity and environmental problems of Nenskra Hydropower Project (June 2017). Report ordered by Association Green Alternative, prepared by BALKANI Wildlife Society. 15 pp.
2. Report on the importance of the territories excluded from the “Svaneti 1” candidate Emerald site (July 2017). Report ordered by Association Green Alternative, prepared by BALKANI Wildlife Society. 14 pp.
3. Report on environmental problems of Shuakhevi Hydro Power Plant, Adjara, Georgia. Report ordered by Association Green Alternative, prepared by BALKANI Wildlife Society. 13 pp.

Best regards,

David Chipashvili - Association Green Alternative (Georgia)

Andrey Ralev - Balkani Wildlife Society (Bulgaria)