

U4 Helpdesk Answer

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The Western Balkans and Turkey: Overview of corruption in the environment and climate sector

Corruption remains a challenge in Western Balkan countries and Turkey, including in the environment sector and climate domain. Political drivers of corruption in the sector emanate from entrenched patronage networks and state capture common across the region, which has led to the awarding of contracts mostly to political elites and their allies.

Economically, the provision of government subsidies in the booming hydropower projects is regarded as a major driver of corruption in the energy sector. In addition, there is also increased involvement of organised criminal groups in illegal logging, and these groups use both corruption and violence in their operations.

Evidence shows that most areas affected by corruption in the sector include energy, forestry, waste and the extractive industries. In addition, corruption tends to be most prevalent during the procurement stage, as well as affecting environmental law enforcement.

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Query

Please provide an overview of the drivers of corruption in the environment and climate sector in the Western Balkans (Albania, Bosnia & Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia) and Turkey, as well as the areas most affected by corruption. In addition, what are the measures mitigating corruption in the sector, and which organisations are involved?

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Caveat

There is little recent comprehensive research on corruption in the environment and climate sector in most Western Balkans countries. Information is mostly available on energy, followed by forestry and mining, but with very little information in other areas of the sector.

Introduction

Corruption is one of the major challenges faced across the Western Balkans and Turkey (Bak 2019; Zvekić and Vidlička 2020a). Evidence shows that the region still performs poorly on various tools measuring perceptions of corruption.

MAIN POINTS

- In 2016, Western Balkan countries and Turkey had an average Corruption Perceptions Index (CPI) score of 39.8 out of 100 – which then dropped to 37.8 in 2020 – indicating an increase in public sector corruption.
- Patronage networks deeply entrenched in political systems across the region have resulted in the corrupt awarding of contracts in the environment and climate sector to political elites and their allies.
- Poor governance around subsidies allocations in hydropower projects across the region exacerbated corruption in the energy sector, and evidence shows that most contracts are awarded to politically connected persons who are making huge profits from the subsidies.
- Evidence shows that most areas affected by corruption in the sector include energy, forestry, waste and extractives. In addition, corruption tends to be prevalent during the procurement stage, as well as in environmental law enforcement.

For instance, from a range of 0 (most corrupt) to 100 (least corrupt) on the 2020 Corruption Perceptions Index, North Macedonia and Bosnia and Herzegovina both scored 35, followed by Albania and Kosovo at 36, Serbia at 38, Turkey at 40, with Montenegro scoring the highest at 45 (Transparency International 2020). The global average score is 43, and it is clear that most countries still perform below this average score. In 2016, the Western Balkans and Turkey had an average score of 39.8 – which then dropped to 37.8 in 2020 – indicating that the public sector is regarded as even more corrupt than four years ago.

The Worldwide Governance Indicators, which measures six dimensions of governance from a score of -2.5 (worst) to 2.5 (best), also shows a picture of poor governance performance within the region. For instance, the Control of Corruption indicator shows that all countries in the region have negative scores, with Albania scoring -0.53, Bosnia and Herzegovina -0.61, Kosovo -0.56, North Macedonia -0.41, Montenegro -0.03, Serbia -0.45 and Turkey -0.29 (World Bank 2019).

Nonetheless, the region has fair performance on other indicators, For instance, on Voice and Accountability, only three countries have negative scores: Bosnia and Herzegovina (-0.20), Kosovo (-0.30) and Turkey (-0.81). Others score positively, such as Albania (0.15), Montenegro (0.03) and Serbia 0.03, while North Macedonia's score is neutral (0.00) (World Bank 2019).

Citizens' trust in government is also low in the Western Balkans. According to the OECD (2020), trust in government has declined since 2007. In 2019, only one-third of citizens on average expressed confidence in their national government, which is 4 percentage points lower than in 2007. The report also pointed out the negative

relationship between perceived corruption and confidence in government, as countries such as Bosnia and Herzegovina and Kosovo with lower levels of confidence in national government correspondingly have higher levels of perceived corruption (OECD 2020).

There are currently negotiations to accede Western Balkans countries into the European Union. However, addressing corruption is regarded as one of the principal issues in the Western Balkans for progress towards reaching European Union standards (Ben-Meir and Xharra 2019; Cuckić 2020; European Parliament 2021).

In its 2018 strategy to the Western Balkans, the European Commission reiterated that to meet all membership conditions and strengthen their democracies, countries needed comprehensive and convincing reforms in crucial areas (European Commission 2018). From a governance perspective, the Commission explicitly stated that “the countries show clear elements of state capture, including links with organised crime and corruption at all levels of government and administration”, which need to be addressed (European Commission 2018: 3).

The 2020 strategy by the European Commission also emphasised the need to address corruption in the Western Balkans. It specifically pointed out that a major factor for the existing structural weaknesses in the region “is poor governance and, in particular, limited progress in addressing shortcomings in the rule of law and in tackling corruption” (European Commission 2020a: 3).

Some literature have also hinted that the high levels of corruption and state capture in the Western Balkans are undermining the EU enlargement process (Ben-Meir and Xharra 2019; Lemstra 2020; Dettmer 2021), and that political

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elites may be reluctant to implement effective reforms as they fear losing political power (Vachudova 2019).

Another key point for the negotiations is the region's alignment with EU's energy, climate and environmental policies. The 2020 strategy pointed out that Western Balkan countries needed to commit towards making the region greener and achieving climate neutrality by 2050 as envisaged by the European Green Deal (European Commission 2020: 2, 10). The deal is EU's blueprint for tackling challenges of green transition, climate change, biodiversity loss, and excessive use of resources and pollution, decoupling economic growth from resource use and environmental degradation. In the Green Deal, the EU also emphasised the need to support the Western Balkans' transition towards a green agenda (European Commission 2019: 20).

As a result, Western Balkan leaders recently endorsed the [Sofia Declaration on the Green Agenda for the Western Balkans](#). They committed to implement actions in five pillars, which include climate, energy and mobility –such as alignment to EU Climate Law, circular economy, depollution, sustainable agriculture and food production, and biodiversity. The Green Agenda is regarded as an important step towards EU accession (European Commission 2020b).

Drivers of corruption in the environment and climate sector in the Western Balkans and Turkey

Political drivers

Since the chaotic and violent events of the 1990s, the political economy in the Western Balkans has been mainly characterised by the political influence of elites and groups over state affairs (Bak 2019: 1). Such influence has led to a prevalence of patronage networks and capture of state institutions (Kraske 2017; Dzankic 2018).

Across the Western Balkans region and Turkey, patronage networks are deeply entrenched, and public offices and opportunities are awarded based on patronage systems rather than on merit (Cvejic et al. 2016; Kraske 2017; Zúñiga 2020: 12). Political loyalty begets potential enrichment, and those in power mostly award public contracts as payback mechanism to friends and foes (Zvekić and Vidlička 2020b: 17). Moreover, the capture of state institutions is a systemic issue that underpins the states' modes of operation because interests of particular groups are usually prioritised over public interests (Keil 2018; Marovic et al. 2019; Bak 2019: 4).

Such patronage networks and capture of state institutions have also enabled political elites to influence the operation and governance of the environment sector. For instance, according to a study, in almost all Western Balkan countries, the board of directors from energy state-owned enterprises are dominated by people appointed on political party basis. In a seven countries analysis, at least 27 political figures had a seat on the boards

of energy related state-owned enterprises (SOEs), which was seen as a form of reward for senior members of political parties (Southeast European Leadership for Development and Integrity 2016: 3).

The politicised system of SOE governance of has exacerbated corruption in the energy sector, manifested in various forms such as gross mismanagement and irregularities in public procurement contracts (Southeast European Leadership for Development and Integrity 2016).

According to a study in Kosovo, interests of senior politicians, political parties and individual powerful government officials have reportedly captured the regulation of gravel extraction – from the licensing stage to the collection of mineral rents and the monitoring of environmental pollution. This has exacerbated corruption in the sector as there is a massive spike in road investment that benefit the private interests of elites instead of public interest (Kosova Democratic Institute 2018).

Evidence indicates that contracts in the environment and climate sector across the region are awarded based on political affiliation or proximity to political elites. For instance, a report by non-governmental organisation Mreža za Afirmaciju Nevladinog Sektora (MANS) in Montenegro alleged that there was state capture in the energy sector as most hydropower projects in the country were awarded to owners that are directly related to the former prime minister Đukanović or his political party (Markovic et al. 2018).

In 2019, the State Commission for the Prevention of Corruption in North Macedonia opened an investigation on how FeroInvest, whose majority shareholder is the current Deputy Prime Minister for Economic Affairs Kocho Angjushev, allegedly obtained a public contract and the rights to use the

land to build the Topolki small hydropower plants without a tender process (Gallop et al. 2019:33).

The commission also opened investigations against a member of the cabinet of the then Minister of Transport and Connections – responsible for issuing construction permits – for the procedure under which his company allegedly gained hydropower concessions and construction sites (Gallop et al. 2019: 33).

In Turkey, procurement data between 2004 and 2011 showed that most procurement contracts in the energy sector were awarded to politically connected firms whose owners/shareholders were members of the ruling party or were close relatives or immediate family members of ruling party officials (Gürakar et al. 2016: 33).

Economic drivers

One of the most economically lucrative business in the environmental sector is hydropower construction, which has grown expeditiously in the Western Balkans region over the last decade (Gallop et al. 2019: 5). According to a 2020 report, there were 3,431 hydropower plants planned in the Balkans, 108 were under construction and 1,480 were operational in the Balkans (Schwarz 2020).

A major driver of the hydropower boom in the region is the offer of public subsidies in the form of feed-in tariffs and fixed prices for long-term contracts paid to renewable energy producers (Gallop et al. 2019: 5). Further, European financial institutions have also offered financial packages promoting renewable energy in the region (Djordjevic et al. 2020).

Generally, the issuance of renewable energy certificates and provision of government subsidies make the sector vulnerable to corruption as

different actors scramble to secure contracts from the government and maximise profits (Moliterni 2017; Rahman 2021). Likewise, the considerable economic interests in the Western Balkans' and Turkey's energy sector have exacerbated corruption in the sector (Southeast European Leadership For Development and Integrity 2016: 7).

The large profits associated with the energy sector have made it more prone to corruption by political elites and their allies. For instance, an investigation by Serbian outlet Center for Investigative Journalism showed that the largest share of subsidies for hydropower was flowing to companies connected to Nikola Petrović, who is a close friend of President Aleksandar Vučić. For instance, in 2017, almost 40% of state funds paid to owners of small hydropower plant companies were connected to Nikola Petrović, amounting to about €6.6 million, (Center for Investigative Journalism of Serbia 2018). Between 2013 and 2018, it is reported that Petrović's Eco Energo Group and related companies received €13 million in feed-in tariffs, which is approximately 15.8 % of the total amount paid to small hydropower plant producers (Gallop et al. 2019: 36).

It was also reported that another leading hydropower company Hidro-Tan, whose owner allegedly has ties to Petrović, at one point received two tenders for reconstruction worth around €5 million regardless of being the only bidder (Kostić, and Đorđević 2018). The Energy Community Secretariat in Serbia also reportedly acknowledged the inherent risk of corruption in the sector due to feed-in tariffs (Djordjevic et al. 2020).

Similarly in Montenegro, incentives for the construction of small hydropower plants reportedly benefitted people connected to President Milo Đukanović or to the ruling Democratic Party of

Socialists. For instance, most of the feed-in tariffs for small hydropower plants between 2014 and 2018, amounting to €9.7 million, went to a company whose owners had business ties with the president's brother (Gallop et al. 2019: 30).

Organised crime

The Western Balkans serve as Europe's prime hubs for organised crime (Bak 2019: 5; UNODC 2020; Kemp et al. 2021: 1). Various types of organised crime common in the region include trafficking of humans, drug trafficking, tobacco smuggling, arms trafficking and other various forms of illicit trade (Zvekić and Vidlička 2020b: 2).

Organised criminal networks often exist in a symbiotic relationship with corrupt elements at various levels of the state, and they have penetrated state institutions across the Western Balkans region (Global Initiative against Transnational Organised Crime 2015; Kemp et al. 2021: 49). Indeed, corruption and organised crime are mutually reinforcing in the region, resulting in systemic breakdown of the rule of law (UNODC 2020: 10-11).

A recent report by the Global Initiative against Transnational Organised Crime observed the general lack of research on corruption and organised crime in the region, despite the strong connection between the two sets of crimes (Zvekić, and Vidlička 2020b: 2). Likewise, unfortunately, there seems to be less focus on organised crime and corruption in the environment and climate sectors across the Western Balkans region and Turkey.

Nonetheless, some evidence shows that organised crime groups in the region have also extended their criminal activities into illegal logging, and usually use corruption as a means to penetrate the sector.

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In Kosovo, criminals engaged in illegal logging use corruption and violence against forest officials and law enforcement agencies to secure unfettered access to resources as well as smooth harvesting and transportation (Bouriaud et al. 2014: 429). Organised crime groups involved in illegal logging in Bosnia and Herzegovina are also known for their involvement in other criminal activities such as corruption, violence and money laundering (Hirschberger 2008: 5).

Similarly in Albania, the organised groups involved in illegal logging usually have ties with powerful figures in the country who allow them to operate and in return pay them part of the profits as well as pay bribes and kickbacks to public officials to ensure they operate with impunity (Alijak 2019).

Organised criminal networks also operate and profiteer from the illegal logging industry in North Macedonia (Stefanovski et al. 2021). The mode of operation is predominantly through use of threats, physical violence and corruption. It is reported that the groups usually cooperate with members of the forestry police and ministry of interior, and also have the backing of political parties. Criminals groups in Kumanovo usually operate with an internal “contact” which “covers up” their illegal logging activities (Stefanovski et al. 2021: 17).

There is little available information on organised crime in other areas of the environment and climate sectors. One example is in Serbia, where a convicted drug dealer for Darko Šarić’s gang was appointed – while in prison – as a representative of the company responsible for building the Virovci hydropower plant. The company had received the location and certain permits for the plant from a firm linked to another ex-gang leader, Ljubiša Buha Čume. It also had previous ties with high-level

officials in the Serbian government (Gallop et al. 2019: 37).

Areas in the sector most affected by corruption

Energy

Most available literature focus on corruption in the energy sector, which has attracted substantial capital investment and boomed in the past decade. Political and business elites have lined their pockets with public subsidies from small hydropower in the Western Balkans, resulting in widespread environmental damage and little benefit for electricity generation (Gallop et al 2019).

Procurement corruption is most prevalent in the energy sector across the Western Balkans and Turkey. According to a report by the Southeast European Leadership for Development and Integrity (2016: 7), the major factors contributing to heightened procurement corruption risks in the energy sector in the region include the following:

- considerable economic interests, strong political lobbies and substantial national and international financial resources involved in the energy sector
- lack of genuine competition and strong monopolisation of individual segments in the energy sector construction, maintenance and engineering firms
- lack of transparency, public awareness and independent expert assessment as well as restricted access to information on national security grounds. For instance, in Albania and Serbia, energy SOEs do not publish sufficient information about the tenders issued (Southeast European

Leadership for Development and Integrity (2016: 7-8).

- share of non-competitive public procurement contracts in the energy sector is systematically higher than the share of competitive contracts for the rest of the economy. In some cases, such as in the Serbian intergovernmental agreements, energy contracts could even be exempted from the whole public procurement process (Southeast European Leadership for Development and Integrity (2016: 8).
- the technical complexity of the energy sector

Evidence confirms that the procurement stage is highly prone to corruption in the energy sector. For instance, in 2011, the former Albanian prime minister Ilir Meta was accused by the then minister of economy Dritan Prifti for asking him to award a tender for a hydropower concession to certain business in return for €700,000 and a 7% share in the plant (Prelec 2014: 22).

It was also reported that the Albanian government awarded three contracts to build waste-to-energy incinerators in the municipalities of Elbasan in 2014, Fier in 2016 and Tirana in 2017 through public-private partnership investment schemes, worth around €178 million. In all three cases, the companies were the sole bidders, and key individuals from these companies were connected to government officials and politicians. This suggested a corruption scheme where business stakeholders submitted proposals and the Albanian government awarded the contracts without upholding any proper competitive standards (Vurmo et al. 2021: 12).

A study on Bosnia and Herzegovina revealed that an unnamed informant, who was a member of a

cantonal assembly, brokered a corruption deal in 2016 where the then cantonal prime minister received a bribe of €150,000 from a foreign company in return for granting it three hydropower concessions. In addition, corruption in the country's hydropower sector considered "normal" among the study's respondents (Dogmus and Nielsen 2020: 4).

In Kosovo, some family businessmen also allegedly funded Prime Minister Thaçi's election campaign and that, in return, they were awarded lucrative contracts at the Kosovo Energy Corporation (Prelec 2014: 30).

In Turkey's energy sector, public procurement and public-private partnership projects "serve as two major mechanisms for rent creation and distribution" (Gürakar et al. 2016: 33). For instance, procurement data between 2004 and 2011, five energy sector SOEs with 1,295 procurements accounting for 6% (approximately Turkish Lira 20 billion) of the total value of all procurements were selected. It was found that two-thirds of this 6% share was allocated to politically connected firms whose owners/shareholders were members of the ruling party or were close relatives or immediate family members of ruling party officials (Gürakar et al. 2016: 33).

Another area of concern is the environment assessment stage where communities have raised concerns that hydropower projects are being approved without proper environmental assessment and consultation with affected communities.

For instance, in Bosnia and Herzegovina, a community along the Bjelava River protested against the construction of hydroelectric power plants that had no assessment or consultation regarding the potential impact of the project on local people's lives or the ecosystem (Augustinović 2020).

Similarly, in North Macedonia, villagers from Shar mountain, environmentalist groups and nature enthusiasts protested against the construction of a hydropower plant in Leshnica citing that there was no consultation with affected communities (Todorović 2020a). In 2019, Serbs and Albanians also protested for months against the construction of five mini hydropower plants in the Sirinička Župa region, claiming that the projects disrupted their livelihoods and threatened ecosystems and biodiversity (Jovanović 2019).

There are allegations that corruption plays a part in approval on these projects without due consideration to environmental damage. For instance, earlier this year, the residents of Zall Gjoçaj in Albania filed an official complaint in the Special Anti-Corruption Structure against the minister of environment and ministry officials, accusing them of abuse of office in issuing permits for hydropower projects in a protected area. The residents alleged that the officials and involved corporations abused their powers, forged documents, polluted water and soil in protected areas, destroyed an irrigation network, water supply, property and desecrated graves (Curri 2021).

According to Gallop et al. (2019: 5), the “perceived corruption and nepotism in the renewables incentives system” has endangered public acceptance of the whole transition to an energy efficient, renewables-based energy system in the Western Balkans.

Forestry

Corruption in forestry is another environmental concern in the region. According to Avdibegovic and Malovrh (2014), corruption facilitates illegal logging across the Western Balkans, including log thefts, misuse of facilities and equipment,

privileged or connected customers, nepotism and improper public procurement procedures.

In Bosnia and Herzegovina, corruption is regarded as one of the driving forces of illegal logging (UN Environment Programme World Conservation Monitoring Centre 2020: 3). Some of the corruption issues in Republika Srpska reported in a 2010 audit of forestry in Bosnia and Herzegovina included harvesting without an appropriate licence, and police corruption facilitating forestry crimes (Regional Environment Center 2010).

Previous reports confirm that illegal loggers in Albania usually offer bribes to forest rangers to turn a blind eye or take advantage of weak law enforcement (Nabolli 2009; Stahl 2010: 147). Despite a 2016 moratorium on deforestation, illegal logging continues aided and abetted by corrupt officials entrusted to enforce environmental laws (Taylor 2019). The government has also passed about 600 hectares from the forest registry to commercial companies that are engaged in mining and hydropower activities despite the ban (Taylor 2019).

In Kosovo, illegal logging comes in different forms such as unauthorised logging from public forests, logging in protected areas, false declaration of harvested volumes, illegal logging from private forests, as well as smuggling and illegal accounting practices (EULEX 2012).

A recent study in Macedonia showed that corruption facilitates illegal logging both at the local level where the primary use is firewood, as well as large-scale illegal logging by big companies and criminal groups (Stefanovski et al. 2021). With regards to the latter, a former employee of the forestry department revealed that all state actors have to be fully “on board” for illegal logging operations to go smoothly and they would receive

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their share from the criminal network. As a result, illegal logging at one point became so successful that even established criminal groups switched from traditional organised crimes such as drug trafficking to illegal logging and illegal distribution of wood (Stefanovski et al. 2021: 25).

Relevant law enforcement agencies are few and under resourced to effectively deal with illegal logging in the region. For instance, in Kosovo, few cases involving illegal logging are resolved, and criminals who are caught have a good chance of getting away with the crime due to a lack of resources in law enforcement (Andersen 2014: 7). Armed Albanian gangs have also taken advantage of weak law enforcement to steal timber from Serbs in the north, with almost no consequences (Kemp et al. 2013: 48).

Illegal logging leads to revenue loss for the government, drives deforestation, leads to loss of biodiversity and worsens climate change impacts. A report by Global Forest Watch showed that the tree cover loss in Albania between 2001 and 2017 “resulted in the release of almost three megatonnes of carbon dioxide” (Alijak 2019). In Serbia, it is estimated that an average of 17,000 hectares of forests are cut down illegally, and lead to loss of livelihoods for the local people (Milivojević and Pešić 2017).

An interactive map and tree cover change data by Global Forest Watch show that the region is losing its forestry at an increasing speed. Between 2001 and 2020, **Albania** lost 40.2 kilohectares (kha) of tree cover, equivalent to a 6.2% decrease in tree cover since 2000. Over the same period, **Bosnia and Herzegovia** lost 31.9kha (1.2% decrease), **Montenegro** 17.2kha (2.8%), **North Macedonia** 40.4kha (5.2%), **Kosovo** 14.5kha (3.9%), **Serbia** 57.8kha (2.1%), and **Turkey** 545kha (5.4%).

Waste

In 2011, Europol warned about the increased volumes of transnational illegal waste movement from southern to south-eastern Europe and the Western Balkans by criminal groups, which has become one of the fastest growing areas of organised crime (Europol 2011). A 2015 report by the UN Environmental Programme also indicated that the illegal shipment of hazardous waste to southeast Europe and the Balkans had increased (Rucevska et al. 2015).

Another report revealed that toxic waste, such as lead batteries, expired medicines and oil residues, was being illegally transported from Italy to Albania (Marzouk 2015). The illegal operation included Italian businessmen, some who were allegedly linked to organised crime, gambling operators and others with convictions for financial crimes as being involved in Albania’s waste market (Marzouk 2015). In 2020, authorities in the port city of Vlora seized a ferry with hazardous waste from Italy that was being smuggled into the Western Balkan country (Exit News 2020).

Illegal waste trade in the region is often facilitated through cooperation with established sectors such as import and export firms, metal recycling and financial services. Europol indicated that corruption also plays a role, for example, through the issuance of false certificates by laboratories (Europol 2011: 40). In addition, corruption of employees (port authorities, customs or the police) to create fictitious documentation or perform fictitious cargo control also greatly facilitates the work of criminals involved in illegal waste trafficking (Obradovic et al. 2014: 797).

A recent report by the Organised Crime and Corruption Reporting Project (OCCRP) exposed how hazardous oil from Europe was illegally

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trafficked and dumped in North Macedonia by a little-known company Evrotim, which made millions from the oil produced by Czech refiner Unipetrol and resold by Bosnian energy company HIFA Oil (Cvetkovska et al. 2021a). Evrotim was reportedly helped by a powerful Macedonian politician and businessman Koco Angjusev, who has relations with their top customer, Euronickel Industries. According to an unnamed senior customs official, the deal to import the hazardous oil included “powerful people” who are linked to organised crime groups and corrupt government officials (Cvetkovska et al. 2021a).

The dirty oil was used in schools, hospitals and government bodies across North Macedonia, and had a harmful impact on health and the environment (Cvetkovska et al. 2021a). After the media report, authorities in Skopje reportedly fined seven companies €55,510 euro (US\$67,570) each, and reported them to prosecutors as well as leaving four of them without licences (Cvetkovska 2021b).

Illegal dumping has become a major environmental challenge in Turkey. Recent investigations revealed that plastic from the UK and Germany is illegally dumped in Turkey (Greenpeace International 2021). The report showed that Turkey received almost 40% of the UK’s plastic waste export (209,642 tonnes) in 2020, about half of which was mixed with non-recyclable plastics – which is a threat to the environment due to increased land pollution. The report also found that European member states also exported 20 times more plastic waste to Turkey in 2020 compared with 2016, making Turkey the largest export country for plastic waste from the European Union (Greenpeace International 2021). In response to the investigation, Turkey recently banned the import of most plastics (Gumrukcu 2021).

While information on corruption and illegal waste activities in Turkey and the Western Balkans is scarce, available literature elsewhere suggests that such large-scale illegal disposal is usually associated with corruption (Cesi et al. 2019). Corruption may take place at several stages in the management, transboundary movement and disposal of hazardous waste. This includes corruption in licensing disposal facilities, corruption in export or import licensing, bribery at border controls, as well as bribery of law enforcement officials to ignore illegal waste activities (Terekhova 2012).

Wastewater management is also prone to corruption in the region. A report by Democratic Institute of Kosovo, the national chapter of Transparency International, revealed how wastewater has become a challenge as major river basins are heavily polluted due to discharges of industrial and domestic waste and public investment, which have had a devastating impact on the environment, such as the massive death of fish and livestock (Cousteau 2020). To mitigate the problem, the government has embarked on water treatment programmes. However, the report noted that environmental assessments were not properly conducted and there were various complaints during the tendering phase, indicating possible corruption in wastewater management (Cousteau 2020).

Extractive industry

The extractive industry is regarded as highly corrupt in some Western Balkans countries. In Albania, a recent expert survey by the U4 Anti-Corruption Resource Centre revealed that in 75 out of 100 interactions, private firms pay bribes to secure oil or mining permits (Uberti 2020: 11). A 2014 study showed that the oil and gas sector in Bosnia and

Herzegovina was perceived as the third most corrupt (21%) (Avdibegovic and Malovrh 2014).

A 2016 corruption risk assessment report in Kosovo's extractive industries sector, conducted by the United Nations Development Programme (2016: 33-34), made the following findings:

- There is a medium-high risk of corruption in the design of policy, institutional and legal framework of the extractive industry.
- There is a high risk of corruption in licensing and contract negotiations due to outdated geo-survey data as well as a lack of an open and useful license and contract registry.
- There is also a high risk of monitoring and regulatory compliance, associated with ineffective compliance monitoring, ineffective judicial process and low fines for illegal operations.
- There is a high risk of corruption in the collection of taxes and royalties, due to a lack of public disclosure of payments received through taxes, royalties and other revenues in a pro-active and useful manner.

A few known scandals in the extractive industry include the 2011 Kolubara mining scandal in Serbia where 16 current and former members of the state-owned energy provider Elektroprivreda Srbije management, including directors of the Kolubara lignite mining complex were arrested for embezzlement. The then Serbian energy minister strongly spoke against the Kolubara mine as being "mired in crime and corruption" (Bankwatch 2013: 4). In 2015, another director of the public company Resavica, which at that time was operating nine underground coal mines in Serbia, was also arrested on a charge of corruption (Perusic 2015).

A report by Kosova Democratic Institute (2018) showed the problem of corruption and state

capture in Kosovo's gravel extraction. According to the report, while the environmental degradation caused by gravel extraction is visible, the "institutional failure in preventing environmental degradation...indicates a degree of capture by a mixture of political and business interests". In addition, the quarrying companies are reportedly owned by someone with strong family or personal ties to political parties (Kosova Democratic Institute 2018:16).

Inspectors are also subjected to corruption and political influence in gravel extraction (Kosova Democratic Institute 2018: 17). For instance, a former chief law enforcement official was found guilty of corruption in 2013 after he received a bribe from a gravel extracting company (Gashi and Zenelaj 2013).

Climate (air pollution)

Corruption in the environment sector may result in increased air pollution, which worsens climate change. For instance, Cvetkovska et al (2021) reported that hazardous oil that was illegally imported into North Macedonia through corrupt deals and later used in public institutions such as schools and hospitals was responsible for increased air pollution in the country. Clouds of thick, black smoke pouring from chimneys were often witnessed in Skopje, including a video that was widely circulated showing dark smoke from one of the city's maternity hospitals (Cvetkovska et al. 2021).

In Serbia, the government sold the state-owned copper mine in Bor to the Chinese company Zijin amidst allegations of favouritism towards Chinese investments in the tender process and lack of transparency regarding the mining agreement (Novakovic and Štiplija 2020, Danas 2018). It is alleged that the terms of the undisclosed agreement

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likely excluded adequate regulatory oversight, leading to uncontrolled environmental damage to local communities (Marusic 2021: 9). In particular, enhanced copper production at the mine is regarded as the main cause of unprecedented air pollution in Bor, thereby accelerating climate devastation (Novakovic and Štíplija 2020: 31; European Western Balkans 2021).

According to the World Bank (2021), air pollution is a leading environmental risk factor contributing to the largest combined share of death and disability in the Western Balkans as people in the region are exposed to some of the most polluted air in the world. In addition, the European Environment Agency (2017) has reported that Western Balkan countries are considered highly prone to climate change effects. As a result, there have been enhanced efforts to mitigate climate change, including improving energy efficiency as well as reducing air pollution and greenhouse gas emissions across the region (World Bank 2021).

However, corruption has led to delays in green transition and thereby affecting the climate sector. There are allegations that some political elites and their associates as well as some donors in the construction and energy industries have prevented meaningful regulatory and environmental reforms from being implemented due to their own private interests in dirty fuels (Mujanovic 2019).

Delays have been linked to increased Chinese investments in projects that are not environmentally friendly such as coal mining (Kalaba 2018; Ely 2019; Shehadi 2021). These projects are allegedly characterised by opaque public procurement and bidding structures based on clientelism and patronage networks, with environmental considerations usually secondary at best (Shehadi 2021).

For instance, in Bosnia and Herzegovina, the government controversially embarked on a huge expansion of a coal-power plant in Tuzla through a Chinese finance deal despite reports showing that the Tuzla plant was a leading source of air pollution in the area (Bank Watch 2017).

Citizens in Serbia have protested against increased air pollution from Chinese-funded mining projects. For instance, in 2020, hundreds of people took to the street to protest against increased pollution by Chinese copper mining company Zijin (Emerging Europe 2021). There was another protest last year at Železara steel mill in Smederevo as citizens demanded the government to take action to reduce air pollution, which they say has worsened since China's Hesteel purchased the mill in 2016. A Slovak member of European Parliament reportedly pointed out that lack of transparency and sustainability as well as failure to consider environmental and climate damages such as air pollution were some of the governance challenges associated with these projects (Emerging Europe 2021).

Measures to mitigate corruption in the sector

There are various anti-corruption instruments ratified by Western Balkan countries and Turkey that are applicable across all sectors, including the environment and climate sectors. These instruments provide measures which mitigate corruption such as open contracting, transparency and accountability in decision-making (which may include on environmental impact assessment), as well as improving law enforcement in corruption cases across all sectors:

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- United Nations Convention against Corruption, which all countries in the region are signatories to except for Kosovo.¹
- The Council of Europe Criminal Law Convention of Corruption, which has been ratified or acceded to by Albania, Bosnia and Herzegovina, Serbia, Montenegro, Turkey have all ratified or acceded to.² Only North Macedonia and Kosovo are yet to become states parties to the convention.
- As for the Council of Europe Civil Convention of Corruption, only Kosovo is yet to become a party to the convention.
- The United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), which contains measures mainly aimed at increasing the accountability of and transparency in decision-making and to strengthen public support for decisions on the environment and increase transparency and accountability. Albania, Bosnia and Herzegovina, Montenegro and North Macedonia have all acceded to the Convention.

There are also other international standards specifically regulating the environment and climate sectors in the region that contain some measures to increase transparency and accountability. For instance, the Extractive Industries Transparency Initiative (EITI), which is the global standard for the good governance of oil, gas and mineral

resources. The EITI Principles outline the importance of transparency by governments and companies in the extractive industries as well as the need to enhance public financial management and accountability (EITI 2019: 6). Albania is the only country in the Western Balkans to officially join the EITI.

Western Balkans countries are not yet covered by the Reduced Emissions from Deforestation and Forest Degradation initiative (REDD or REDD+). However, all countries, except Kosovo, have acceded to ratify the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

National measures

To mitigate corruption in the sectors, the countries tend to rely on general anti-corruption instruments. However, some environmental laws have also incorporated measures to increase public consultation and transparency in the sector.

Other than these legal measures, there is little information on other measures to mitigate corruption in the environment and climate sectors in most countries. Nevertheless, this Helpdesk answer includes latest environmental performance reviews from United Nations Economic Commission for Europe (UNECE), which provide information on the performance of countries in environmental matters including on access to information and public participation in environmental matters.

¹ See UNCAC ratification status here: <https://www.unodc.org/unodc/en/corruption/ratification-status.html>

² See https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/173/signatures?p_auth=6yg4DHSj

Albania

Albania has various anti-corruption instruments which can be used to address corruption in the environment and climate sector. These include the criminal code which criminalises various acts of corruption as well as various criminal acts against the environment. Other important laws include the Law on the Right to Information of 2014, the Law on Public Procurement of 2007 and the Law on The Prevention of Conflicts of Interest in the Exercise of Public Functions of 2005. In addition, there is the Law on the Declaration and Audit of Assets, Financial Obligations of Elected Persons and Certain Public Officials of 2003, as well as a law on whistleblowing of 2016.

There are environmental laws that promote transparency and accountability. These include the Law on Environmental Protection 2011, which upholds the principles of public participation and transparency in environmental decision-making (article 4). The Law on the Promotion of the Use of Energy from Renewable Energy Sources also establishes an obligation for information transparency, including transparency in contracting as well as in the transmission and distribution of electricity from renewable sources (articles 2, 9 and 12).

According to the latest environmental performance review on Albania, there has generally been an increase in the number of requests for environmental information since 2011 and there is a fair access to information mechanism in place. There has also been increased participation in public consultations for significant issues, but more complex topics such as chemicals usually attract less attention (UNECE 2018a: 60-61).

The report also notes that the country has some level of preparation in green public procurement,

particularly in compliance with procedures and prevention of corruption. However, it noted that there is room for improvement on the efficiency, review and monitoring procedures of procurement practices (UNECE 2018a: 40).

Bosnia and Herzegovina

The criminal code of Bosnia and Herzegovina covers both corruption and environmental crimes. It has also enacted the Law on Freedom of Access to Information of 2000 and the Law on Conflict of Interest in Government Institutions, Law on Public Procurement and Law on Protection of Whistleblowers.

Some environmental laws contain measures aimed at increasing transparency. For instance, the Law on the Use of Renewable Energy Sources and Efficient Cogeneration provides for transparent proceedings by the renewable energy source and end customer operator in awarding the status of the privileged/potential privileged producer through online publication of information on the status of the proceedings (article 24). The Law on Environmental Protection of the Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District include obligations to encourage public awareness and participation as well as to facilitate access to relevant environmental information (UNECE 2018b: 75).

The latest environmental performance review points to the lack of an operational database with environmental information at the state level, meaning there is only limited information available on the state of the environment and associated databases (UNECE 2018b: 74). Even the State of the Environment Report produced in 2012 provided limited information due to a significant lack of relevant information and data on biological

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diversity, climate change and land resources and other environmental issues (UNECE 2018b: 74).

The participation of civil society organisations in environmental policy formulation and development is still low. Nonetheless, some organisations have contributed to enforcing the law on access to public information and to monitoring its application and collecting relevant data through the submission of information requests (UNECE 2018b: 74).

The report also noted that even though Bosnia and Herzegovina has acceded to CITES, there is a lack of legislation and implementation mechanisms for the protection of wildlife and prevention of illegal logging. Such a lack of regulation contributes to challenges such as corruption and degradation of the environment (UNECE 2018b: 198).

Kosovo

The criminal code of Kosovo criminalises all major forms of corruption. Other relevant laws include the Law on Declaration of Assets for Senior Public Officials and Gifts for All Public Officials, the Law on Conflict of Interest, the Law on Access to Official Documents, the Law on Public Procurement, the Law on the Protection of Informants and the Witness Protection Law.

Various environmental protection measures in Kosovo include the Law on Nature Protection, which ensures the principle of public participation – that is, the public have the right to information regarding nature state, right to be informed on time for nature damages, undertake measures for eliminating caused damages, and also the right and opportunity to participate on decision-making for nature.

North Macedonia

The criminal code criminalises various acts of corruption as well as criminal acts against the environment and nature. Other anti-corruption measures include the Law on Free Access to Public Information Law on Prevention of Corruption and Conflict of Interest of 2019, the Law on Public Procurement of 2017 and the Law on the Protection of Whistle-blowers of 2015.

Environmental measures include the Law on Environment of 2005, which provides for the right to request validated environmental information and data from public authorities, legal entities and natural persons in the environment sector without having to prove their interest.

The latest environmental performance review showed general public access to environmental information. However, the lack of an integrated national system that contains all available data or a portal to environmental data is a challenge (UNECE 2019: 103-104).

Civil society also lack awareness of the availability of environmental information and procedures to access such information. Although the government has made efforts to improve communication with the public on environmental matters, information in most cases is given in a format that is too technical or “expert” for public consumption and without clear linkages to human health and safety (UNECE 2019: 104). This limits the public’s comprehension of information received and how to react to it in a timely manner.

Public participation in environmental issues is reported as being fairly good in the country. However, the public is not active on water pollution issues, mainly due to a lack of awareness of its impact on human health and on animals, crops and

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vegetation. There is also a challenge when engaging rural communities due to a lack of awareness of environmental issues, such as recognition that their villages are located on the territory of protected areas, or that they need to become active in mitigating or adapting to climate change and in water and waste management (UNECE 2019: 105).

Serbia

The criminal code of the Republic of Serbia criminalises corruption and sets out criminal offences against the environment. Other measures include the Law on Prevention of Corruption of 2020, the Law on Free Access to Information of Public Importance, the Law on Public Procurement, the Law on Prevention of Conflict of Interest in Discharge of Public Office, and the Law on the Protection of Whistleblowers.

Article 74 of the constitution of Republic of Serbia provides for the right of citizens to live in a healthy environment while being continuously informed about its state in a timely and comprehensive manner. Other measures include the Law on Environmental Protection, which provides for the right to public information and participation in environmental matters, as well as the right to a healthy environment before the competent authority or the court. Likewise, the Law on Nature Protection provides for access to information on environmental matters and for public participation in decision-making.

According to the environmental performance review, access to environmental information and data is assured at a satisfactory level. In addition, a user friendly register – Ecoregister – was established, which provides the public with easy access to available environmental information and data (UNECE 2015: 95).

Turkey

The Turkish criminal code provides for various criminal acts against corruption and against the environment. Other relevant laws include the Law on Public Procurement, Law on Declaration of Assets and Combating Corruption and Bribery and the Law related to the Establishment of the Council of Ethics for Public Services and Amendments to Some Laws.

Article 56 of the 1982 constitution provides every person with the right to live in a healthy and balanced environment. In addition, article 30 of the environmental law provides for anyone who has been harmed by or has become aware of any action that pollutes the environment has the right to apply to the administrative or judicial authorities for preventive measures, including ceasing the responsible activities.

According to the OECD environmental performance review, there is online access to some information on the environment. However, access to information held by public institutions is restricted due to “economic interests” and fees (OECD 2019: 7).

Organisations working on environmental issues and corruption in the sector

There are many non-governmental organisations (NGOs) working on environmental issues in the region. This paper provides a sample of these organisations based on secondary desk research. The overview is not conclusive nor exclusive, and many other organisations could have been left out.

Regional

The Centre for Promotion of Sustainable Development is a civil society organisation promoting and facilitating the implementation of the sustainable development concept in Serbia and other Balkan countries through awareness campaigns, advocacy, information dissemination, as well as education of relevant stakeholders and events organisation. One of its projects, the [Balkan Green Energy News](#), is a leading online platform covering environment and climate issues, including corruption, in Balkan countries.

Connecting Natural Values and People (CNVP) Foundation is a Dutch-registered civil society actor active in Albania, Kosovo, North Macedonia, Montenegro, Serbia and Bosnia-Herzegovina. Its work focuses on natural resource management, forestry and renewable energy and rural development, with the aim to lessen the environmental risks and ecological scarcities, as well as to achieve sustainable development without degradation of the environment: <http://www.cnvp-eu.org/eng/index.php>.

CNVP is currently involved in the implementation of a Norwegian-funded project [Regional Action for Combating Forest Crime and Corruption](#). The aim of the project is to achieve good governance in the forestry sector and counter forest crime and corruption in North Macedonia, Bosnia and Herzegovina, Serbia and Montenegro. The project has five expected results, which are:

- establish a regional network and exchange of knowledge
- improve access to information and establish control mechanisms
- develop monitoring mechanisms
- strengthen capacity of stakeholders to counter forest crime and corruption

- develop national plans to counter forest crime and corruption

Other organisations working in the region include the [CEE Bankwatch Network](#), which is one of the largest networks of environmental NGOs in central and eastern Europe responsible for investigating the impacts of public finance and work with affected communities in protection of their rights and livelihoods. In 2019, it collaborated with other NGOs such as World Wide Fund for Nature (WWF) to produce a report on [corruption in Western Balkans hydropower projects](#).

National

Albania

The Protection and Preservation of Natural Environment in Albania (PPNEA) is a non-governmental environmental organisation with various ongoing projects aimed at the protection of flora and fauna, as well as wetlands in the country. More details can be found here: <https://ppnea.org/initiatives/>

The Institute for Environmental Policy (IEP) is another non-governmental, non-profit environmental organisation dedicated to increasing environmental sustainability in Albania through policies, projects, programmes, awareness raising, development and dissemination. It has ongoing projects on climate change, green living, environment policy, biodiversity, water management, renewable energy, and youth and the environment: <https://iep-al.org/projects/>.

Bosnia and Herzegovina

The Centres For Civic Initiatives, an NGO which encourages and promotes active participation among citizens in democratic processes in the

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country, [has a project \(2020-2021\)](#), co-funded by USAID, to contribute to the reduction of corruption and illegal logging in the Sarajevo Canton and Zenica-Doboj Canton. Three specific objectives of the project include improving the capacity of institutions to individually or jointly improve their practical application with the aim of reducing illegal logging. Secondly, establishing online mechanisms for reporting illegal logging in the area of Sarajevo and Zenica-Doboj cantons. Lastly, encouraging and promoting citizen activism in these areas to report corruption in forestry.

The Center for Environment advocates for changes in society by influencing relevant policies and public awareness of the environment in Bosnia and Herzegovina. It is responsible for implementing projects on biodiversity and protected areas, as well as energy and climate change <https://czzs.org/>.

Kosovo

The Democratic Institute of Kosovo is the national chapter of Transparency International. It has been involved in advancing environmental protection in the country. For instance, it conducted recent studies on the impact of the quarrying industry/public contracts in the devastation of forests, available at <https://kdi-kosova.org/publikimet/pyje-per-asfalt/>.

It also conducted a research on the pollution of rivers from discharge of industrial and domestic waste and public investment, available at <https://kdi-kosova.org/publikimet/lumenjte-e-zite-kosoves/>, as well as the impact of hydropower plants on the environment: <https://kdi-kosova.org/publikimet/uje-pak-e-nevoja-shume-ndikimi-i-investimeve-kapitale-ne-mjedis/>.

North Macedonia

The Centre for Climate Change is a non-profit, NGO whose mission is to protect the environment and implement activities countering climate change and improving the environment in North Macedonia. Its website shows that it has worked with different stakeholders such as informal networks, school children, local government and other civil society organisations on environmental issues <https://ckp.org.mk/en/>.

Eko-svest is a non-profit, NGO whose interests cover waste management, sustainable transport, the promotion of transparency in the work of international financial institutions (IFIs) in North Macedonia, protection of the environment and cultural heritage, promotion of sustainable energy sources, and genetically modified organisms (GMOs) <https://ekosvest.com.mk/>.

Serbia

The Center for Investigative Journalism of Serbia is a non-profit NGO involved in quality investigative reports on environmental issues in the country: <https://www.cins.rs/en/topics/ecology/>.

Renewables and Environmental Regulatory Institute is an NGO whose main aim is to promote and improve the right to a healthy and preserved environment, sustainable management of natural and renewable energy resources in Serbia. The organisation commits to improve access to justice in environmental protection matters, promote the right to good governance, application of international and European environmental standards, and compliance with human and civil right: <https://www.reri.org.rs/en/home/>.

The organisation has a project aimed at addressing corruption in the environmental sector. The

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objective of the project is to resolve the problem of endangering the environment and public goods emanating from the abuse of public authority and irregularities in the issuance and approval of projects and activities that may have a negative impact on the environment, human health, occupation or endangerment of public goods <https://www.reri.org.rs/en/projects/local-communities-are-faster-and-stronger-in-the-fight-against-corruption/>.

Another project aims to increase transparency and accountability in the implementation of environmental policy in Belgrade: <https://www.reri.org.rs/en/projects/your-belgrade---your-right/>.

The Center for Ecology and Sustainable Development (CEKOR) is an independent NGO working on environmental issues such as energy, waste, biodiversity and climate change <http://www.cekor.org/index/index/lg/sr>.

Podrinjski Anti-korupcijski Tim (PAKT) is another non-governmental organisation focused on anti-corruption work, including protection of ecological human rights: <https://www.pakt.org.rs/sr/>.

Turkey

The Resource, Environment and Climate Association (REC) is an NGO actively working on thematic areas such as :waste management; biodiversity; climate change and clean energy; environmental educational tools; environmental financing; environmental management; law development, enforcement and compliance; local governance; participatory governance and water management <https://rec.org.tr/en/>.

The Turkish Foundation for Combating Soil Erosion, for Reforestation and the Protection of

Natural Habitats (TEMA Foundation) aims to create effective and conscious public opinion on environmental problems, specifically soil erosion, deforestation, desertification, climate change and biodiversity loss <https://www.tema.org.tr/anasayfa>

The Foundation for the Protection and Promotion of the Environment and Cultural Heritage (ÇEKÜL) is a non-governmental organisation which aims to foster and build a nationwide awareness and networks for the preservation of the urban and rural, built and natural environment <https://www.cekulvakfi.org.tr/>.

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The U4 anti-corruption helpdesk is a free research service exclusively for staff from U4 partner agencies. This service is a collaboration between U4 and Transparency International (TI) in Berlin, Germany. Researchers at TI run the helpdesk.

The U4 Anti-Corruption Resource Centre shares research and evidence to help international development actors get sustainable results. The centre is part of Chr. Michelsen Institute (CMI) in Bergen, Norway – a research institute on global development and human rights.

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