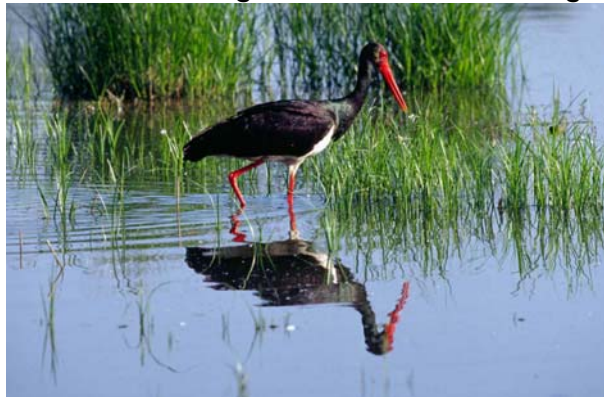




# FACTSHEET

## Gravel extraction and river regulation violates EU law

The river engineering works of Croatian Water Management Authorities on the Drava River between Varaždin and the Slovenian border conflicts with Croatia's environmental legislation and Croatia's efforts in meeting EU environmental obligations, which is a condition for its further integration into the European Union – and ultimately for EU accession.



- Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Helsinki, 1992)

### Conflict with EU environmental law

Croatia formally applied for membership in the European Union on February 21, 2003. In the "National Programme for the Integration of the Republic of Croatia into the EU", Croatia has committed itself to adopt the legal and constitutional framework of the EU, *the aquis communautaire*, including the environment. The water management works contravene the EU Habitats Directive (92/43/EEC), the Birds Directive (79/409/EEC) and the Water Framework Directive (2000/60/EC) and thus contradict Croatia's ambitious program for EU approximation.

### Environmental Impact Assessment

The gravel extraction and river regulation works are in contradiction to the conclusions of the Croatian Environmental Impact Study (EIS) which was conducted for the new flood protection dikes between Varaždin – Svibovec – Družbinec: "In addition it has been proved that extraction of gravel is not acceptable at the whole Drava section" (SPP d.o.o., Hrvatske Vode Zagreb, Sept. 2001, summary, page 92). Thus the works are in direct violation with Croatia's environmental law. Furthermore, though the impacts of the project affect Slovenian territory, Croatia hasn't conducted an Environmental Impact Assessment in a transboundary context according to the Espoo convention (1991). This is clearly at odds with Croatia's international obligations.

Under the Habitats Directive, EU member states are obliged to protect Europe's most valuable and threatened habitats incl. species populations as Natura 2000 sites. The Drava stretch being affected is qualified as a Natura 2000 site, as it includes 10 habitat types covered by that Directive, including two identified as priority habitat types (Alluvial forests and semi-natural dry grasslands) which are endangered in Europe. The area is also important for more than 50 bird species which are protected under the Birds Directive.

The project also contravenes Croatia's Biodiversity Strategy (Official Gazette No. 81/99), which has adopted the protection of the Drava and Mura rivers as a high priority in Croatia, and the Physical Plans of the counties of Varaždin and Medimurje, whose territories are being affected.

The river morphology of the stretch being affected achieves "good ecological status" as defined by the Water Framework Directive, under which member states are expected to prevent the deterioration of surface waters. The water management works transform the natural Drava course into a modified river which is clearly at odds with the Directive's requirements.

### Conflict with international obligations

The works violate international conventions to which Croatia has committed itself to protect and restore the unique river ecosystem:

- Convention on the Conservation of European Wildlife and Habitats (Bern, 1979)
- Convention on Cooperation for the Protection and Sustainable Use of the Danube River (Sofia, 1994)
- Convention on the Conservation of Wetlands of International Importance (Ramsar, 1971)
- Convention on Biological Diversity (Rio, 1992)
- Convention on the Conservation of Migratory Species of Wild Animals (Bonn, 1979)

There is a clear contradiction between Croatia's commitment to EU law approximation on the one hand and the destruction on the Drava on the other. Obviously Croatia is not successfully identifying an appropriate strategy for the development of the river, by using EU law as an appropriate nature conservation and water management framework, nor complying with the *EU aquis*.

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