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Environmental governance of a Belt and Road project in Montenegro – National agency and external influences

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ABSTRACT

China's Belt and Road Initiative (BRI) is an ambitious effort to increase trans-continental connectivity and cooperation mainly through infrastructure investments and trade. On the one hand, this globally unparalleled initiative is expected to foster economic growth, but on the other hand, it can have substantial environmental implications. The BRI creates new challenges and opportunities for environmental governance as new actor constellations emerge in BRI host countries to plan and construct large infrastructure projects. Although China has outlined its vision of building a "green Belt and Road", it remains unknown how it unfolds on the ground.

As an example of a BRI project with clear environmental implications, we present a case study of the Bar-Boljare highway in Montenegro. Based on expert interviews, we elucidate the complex web of actors and contractual arrangements involved, and demonstrate how internal and external actors exert influence on domestic environmental governance in this EU candidate country in the Western Balkans. We find that Montenegro has substantial agency over the environmental governance of this BRI project, but shows little concern over the environmental impacts of the project. Environmental issues could have been prevented during the spatial planning phase, but important governance instruments such as the Environmental Impact Assessment (EIA) were of limited effectiveness due to its fast and late completion, lack of assessment of alternative routes, and the limited enforcement of the provisions therein. International institutions like the EU or UNESCO have drawn on their normative power in environmental governance to demand greater environmental safeguards from Montenegrin authorities. This case is illustrative of a larger set of BRI projects which run the risk of falling short on sustainability due to a lack of environmentally sound and transparent planning and implementation.

1. Introduction

In 2013, China launched the Belt and Road Initiative (BRI, also referred to as "One Belt One Road Initiative" or "New Silk Road"), which is an infrastructure-led development plan aimed at increased regional and trans-continental economic and political cooperation (Flint and Zhu, 2019). The BRI has become an umbrella term for a number of different Chinese overseas activities, yet, its current main focus lies on the development of road, rail, energy, industrial, maritime and multi-modal transport infrastructure worldwide (Casarini, 2016; Holzer, 2020). Apart from advancing its geopolitical influence and economic objectives, China aims to develop its soft power through tourism and cultural and scientific exchanges across BRI countries (Flint and Zhu, 2019). Initially, the first BRI projects were launched across the Eurasian continent, but today, more than 130 countries across the entire world have signed cooperation agreements with China to jointly build the BRI, including many countries in Africa, South America and Europe (Belt and Road Portal, 2019).

The BRI is gaining momentum in the Western Balkans. Political and economic relations between China and Central and Eastern European Countries (CEEC) have been deepening in recent years, not least since the establishment of the 16 + 1 framework[1] in 2012, which grew into

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[1] In 2012, China established the 16 + 1 platform with 16 central and eastern European countries (CEECs), including 11 EU Member States and five Western Balkan countries to expand cooperation in the fields of investments, transport, finance, science, education, and culture

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the 17 + 1 framework with Greece joining in 2019 (Holzer, 2020). In addition to the regular political exchanges of the 17 + 1 grouping, China is expanding its economic ties with CEEC by financing and constructing large infrastructure projects, which improve better access of Chinese manufacturers to European markets (Bieber and Tzifakis, 2019; Casarini, 2016). Prominent examples include the port of Piraeus in Greece, the Kostolac power plant in Serbia and the Kičevo-Ohrid highway in North Macedonia (Tsimonis et al., 2020).

The Balkans has been a zone of power rivalry among global and regional actors, including Russia, China, the United States (US), the European Union (EU), Turkey and the United Arab Emirates (Bieber and Tzifakis, 2019). Even though the Western Balkan countries are largely Europe-oriented and aspire to join the EU, the EU's 'enlargement fatigue' and diminishing US involvement have created a space for non-Western players like China to step in (Chrzová, 2019). The Bar-Boljare Highway (BBH) in Montenegro is a prime example of China's growing presence in the region. The small Balkan country, which has an area of about 13,000 square kilometers and a population of about 622,000 people, is one of the few European countries without a highway. The middle section of the BBH is currently being built by a Chinese company and financed through a loan from the Export-Import Bank of China (Fig. 1). Both domestic and international actors have criticized not only the high public debts this project caused (Grgić, 2017; IMF, 2018; Marović, 2019), but also its negative environmental effects (European Commission, 2019b; MANS, 2019c; UNESCO, 2019).

In recent years, China has outlined its vision of building a "green Belt and Road" (Coenen et al., 2021), in which context " critical and field-work-based research is essential to understand the multi-faceted politics of the green BRI" (Harlan, 2020, p. 17). The primary pathways through which BRI infrastructure affects the natural environment are land-use changes, impacts on landscape connectivity and greenhouse gases emissions (Teo et al., 2019). The expansion of transport networks poses the risk of habitat loss, the overexploitation of resources and the degradation of surrounding landscapes (Ascensão et al., 2018). For example, the BRI-related Kičevo-Ohrid Highway in North Macedonia cuts through the natural habitat of the Balkan lynx, a critically endangered species, whose population has been declining due to pressures from infrastructure projects (Tsimonis et al., 2020). Despite increasing investments in renewable energy infrastructure, the majority of BRI energy projects are in fossil fuels (Jackson et al., 2021), such as lignite coal power plants in the Balkans (Rogelja, 2020).

In this study, we address the question how the environmental implications of the Bar-Boljare Highway are governed. The main objectives of our study are to elucidate (1) the roles and responsibilities of different actors for addressing environmental implications during the planning and construction process, (2) the influence of foreign actors on the environmental governance of the BBH, and (3) the challenges and opportunities faced to safeguard the environment in current, but also future work on the highway.

The case study contributes to the existing literature in two respects. First, we contribute to an academic discussion which considers infrastructure development not merely in economic terms, but increasingly in relation to land use and environmental protection (Busscher et al., 2015; Oldekop et al., 2020). Infrastructure development is a proximate driver of landscape change in Europe (Plieninger et al., 2016), and it potentially influences the attainment of all Sustainable Development Goals (Thacker et al., 2019). Our study illustrates that infrastructure projects should not only be studied in the realm of environmental management alone, i.e., procedures and techniques to prevent, mitigate and monitor human impacts on the natural environment. Additionally, there is the need to also consider the environmental governance of such projects, i.e., interactions between societal actors aimed at preventing, mitigating and monitoring human impacts on the natural environment. Doing so will put a stronger focus on the interactions between public, private and civil society actors, and their interplay with international organizations.

Second, this study contributes to the emerging literature analyzing environmental issues and governance structures of BRI projects (e.g., Anthony, 2020; Hale et al., 2020; Jahns et al., 2020; Tritto, 2021; Tsimonis et al., 2020). Our findings can be compared and contrasted with other BRI cases to build a cumulative knowledge base on environmental governance of BRI projects in order to identify unifying characteristics of BRI projects worldwide. While existing studies have mostly focused on the role of Chinese actors and BRI host countries in negotiating and implementing BRI projects (e.g., Anthony, 2020; Calabrese and Cao, 2021; Tritto, 2021), we also take note of the influences exerted by international organizations like the United Nations Educational, Scientific and Cultural Organization (UNESCO) and EU, showing how European BRI countries are faced with the challenge to balance national priorities and international interests.

The remainder of this article is structured as follows. We first introduce our theoretical departures and relevant literature. After describing our methods and data sources, we present the results in three steps. First, we elucidate the historical development of the BBH and contextualize it in the realm of the BRI. Second, we outline the environmental effects. Third, we examine the domestic environmental governance structures of this project and analyze how foreign and international actors exert influence on Montenegro's environmental governance in the context of the BBH.

2. Conceptual departures

Our theoretical perspective is inspired by the telecoupling framework, which directs attention to how socio-economic decisions and activities in one place affect socio-ecological systems at a distance (Friis and Nielsen, 2019; Liu et al., 2013). Local environmental change is no longer conceived as resulting from local activities only, but as influenced by changing political, social or economic decisions elsewhere, which poses new challenges for environmental governance (Newig et al., 2020). The telecoupling framework lends itself to the analysis of newly emerging economic and political linkages under the BRI (Coenen et al., 2021; Yang et al., 2016). It explicitly recognizes the relevance of long-distance flows of materials, people, energy, finance and information that link the focal system, here Montenegro, and the telecoupled system of interest, here China, for investigating local environmental changes (centre of Fig. 2).

From a governance perspective, the question arises regarding the locus and origin of governance in telecoupled systems, and hence, regarding the agency of the involved political actors in the overall telecoupled system. Recent research has highlighted the important role of both China and host countries in governing BRI projects towards greater sustainability in order to realize China's vision of a "green BRI" (e.g., Coenen et al., 2021; Tritto, 2021). At the level of global representation, China's role in the BRI is central, but as the scale shifts towards the implementation of actual projects, the role of local states and local communities becomes far more prominent than the role of China (Anthony, 2020). Notably, BRI projects are often national development projects that have been envisioned by national elites prior to the BRI, who play a crucial role in facilitating entry for Chinese financiers and companies (Anthony, 2020; Rogelja, 2020). Host countries' governments can shape the outcomes of BRI projects and leverage the BRI to achieve their own objectives by, for example, diversifying development partners, or by establishing procedures of screening, appraisal, selection, and prioritization of infrastructure projects (Calabrese and Cao, 2021). Consequently, national agency ought not be underestimated, including when it comes to environmental governance. A good deal of responsibility for poor environmental outcomes of BRI projects in Southeast Europe and elsewhere has been attributed to host countries' governments (Anthony, 2020; Tritto, 2021; Tsimonis et al., 2020).

As part of the larger telecoupled system, Montenegro, like other BRI host countries, is also embedded in regional and international institutional structures, which may directly or indirectly influence national

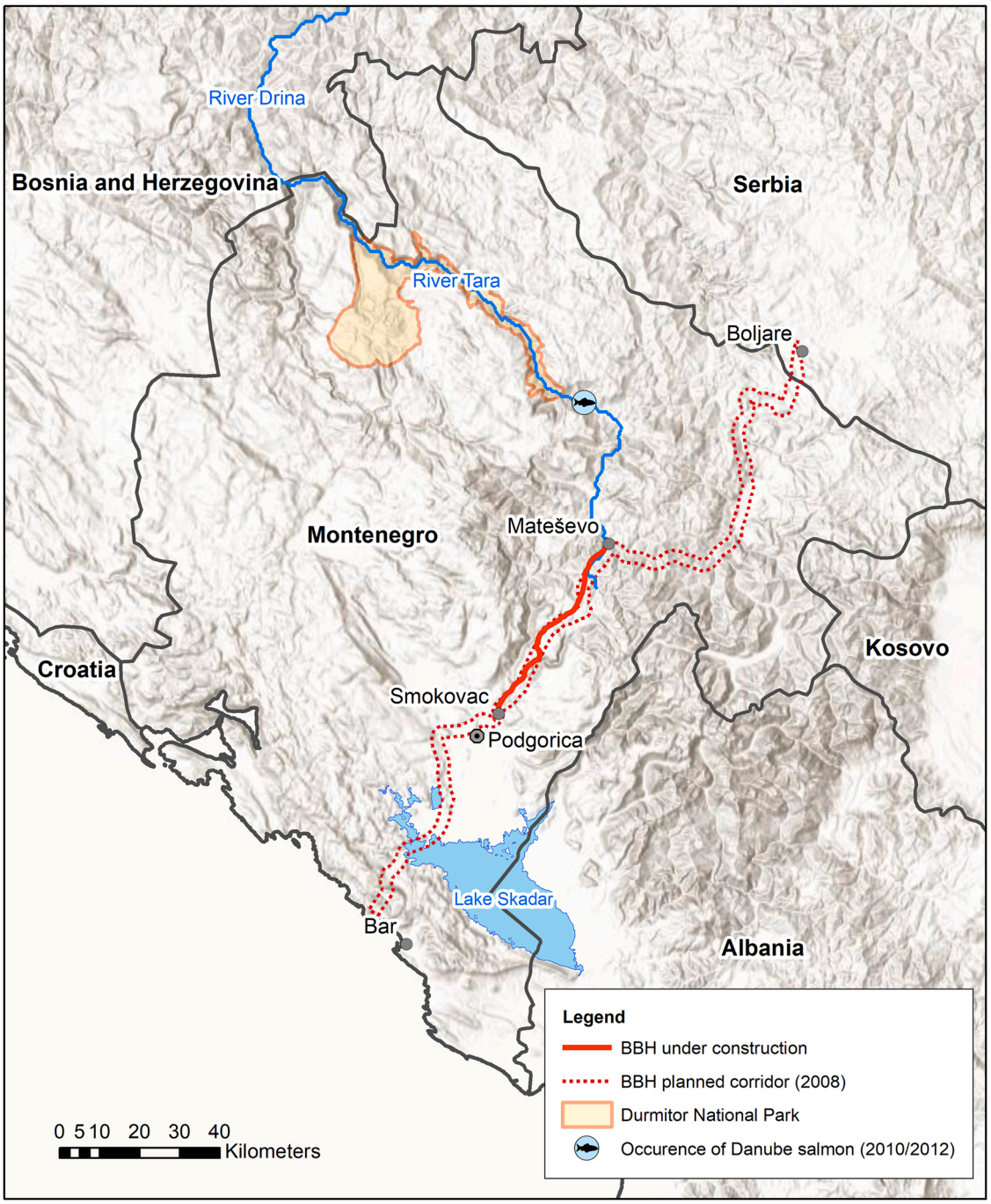

Fig. 1. Map of Montenegro and the planned Bar-Boljare highway.
Sources of map features: GBIF.org (2020), UNEP-WCMC (2020), Ministry of Economic Development, 2008a. Sources of service layer: Esri, U SGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geo datastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community. The precise localization of the S-M section was identified in Google Earth, using also ancillary documents and field visits.

decision-making. International organizations, which shape and maintain institutional structures, can mobilize their authority and exert influence on national authorities by, for example, disseminating information, framing issues, shaping procedures and law making, providing technical advice, and assisting countries to comply with international rules (Jinnah, 2014). State actors remain key players in environmental governance of national development projects, but they are neither unitary actors, nor do they operate in a void. The traditional telecoupling framework highlights the linkages and interdependencies between actors and processes in two or more distant places (Friis and Nielsen, 2019; Liu et al., 2013), but it does not capture the overlapping and interrelated layers of governance in which these actors are embedded, which we added to our theoretical framework in Fig. 2 in order to illustrate that Montenegro is facing various external influences.

Apart from being part of the BRI and interacting with Chinese actors, Montenegro faces two particularly important external influences. First, Montenegro is embedded in the international governance system of the United Nations (UN), which includes specialized agencies like the

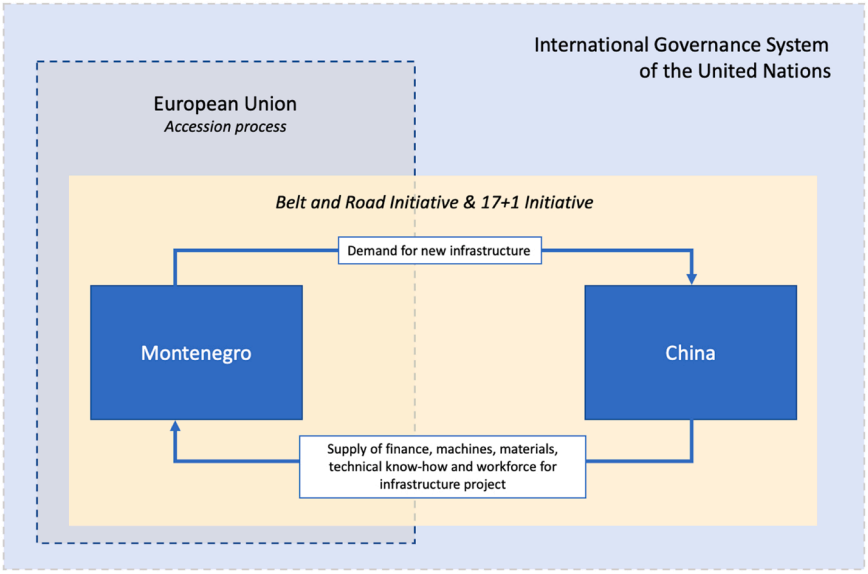

Fig. 2. Montenegro's BRI project as part of a telecoupled relationship with China, embedded in a larger institutional context involving international and EU (environmental) governance.

UNESCO. Second, as an EU candidate country, Montenegro is subject to multiple influences on the part of the European Union, which have broadly been described as Europeanization and diffusion of ideas, normative standards, policies and institutions (Börzel and Risse, 2012). In concrete terms, Montenegro is aligning its domestic legislation with EU legislation and has a strong incentive to demonstrate its capacity to follow EU standards (Schimmelfennig and Sedelmeier, 2008). Given the EU's normative and regulatory influence in the region, we follow the call by Tsimonis et al. (2020) to consider both national-level actors and EU frameworks when studying the challenges posed by Chinese capital for environmental sustainability in Southeast Europe.

The various external actors can draw on different sources of authority to exert influence. The EU and UNESCO have first and foremost moral authority in this context, as they can "draw from shared normative belief systems to advocate for or defend particular activities or ideas" (Jinnah, 2014, p. 49). In addition, the UNESCO possesses expert-based authority, as it can mobilize technical knowledge in order to, for example, evaluate ecological impacts and make concrete recommendations how to address those impacts (Jinnah, 2014). This contrasts with the role of Chinese actors who have limited authority, but potentially more direct influence on the operational management of the project. Existing empirical studies found that Chinese contractors take a passive role regarding the environmental requirements in BRI projects in the Western Balkans. According to Jahns et al. (2020), Chinese contractors declared to meet the standards required by the host countries' legislation and regulation, but neither took a pro-active approach towards going beyond the minimum requirements, nor made any explicit references to the "green BRI". Typically, Chinese investments do not come with the usual strings attached like with EU financial assistance (Bieber and Tzifakis, 2019), and BRI projects are often characterized by a lack of transparency during the negotiation and subsequent implementation process, which shields financiers, firms and local authorities from civil society scrutiny (Gonzalez-Vicente, 2019; Jahns et al., 2020; Tsimonis et al., 2020).

3. Methods and materials

We selected the Bar-Boljare highway for an in-depth case study for several reasons. First, the first section of this highway (42,5 of a planned total of 170 km) has already been under construction since 2015, which allows us to study a BRI project at an advanced stage (Fig. 1). Second, compared to many other BRI projects, documentation on the highway is available (e.g., an official website[2] with relevant documents including the Environmental Impact Assessment). Third, several environmental problems have been reported, including the disposal of construction wastes at the river Tara and alterations of the river course (European Commission, 2019b; MANS, 2019c; UNESCO, 2019). Fourth, other sections of the highway are currently planned, which makes it highly relevant to learn some lessons from the construction of the first section.

This paper draws on fieldwork comprising 18 semi-structured expert interviews (Table 1). Thirteen interviews were held in person in Montenegro in February 2020, while five interviews were conducted via phone. All interviews were conducted in English by the first author, except for three interviews which were translated by a local researcher from the Euraxess Service Centre of the University of Montenegro. The interviews lasted between 40 and 90 min. The interview questions were developed based on our theoretical framework and available literature (e.g., Environmental Protection Agency, 2015; Grgić, 2017; IMF, 2018), following the approach by Arthur and Nazroo (2003) on how to design fieldwork strategies and prepare topic guides. The questions revolved around the interviewee's role with regards to the highway project, the perception of the project's environmental impacts, existing procedures to address potential environmental effects, the interaction with other stakeholders, and lessons learnt from this project for the future development of the BBH. Detailed conversation protocols were written for all interviews and coded according to themes that were defined before the fieldwork (i.e., governance institutions, governance processes, governance challenges, influence of domestic actors, influence of external actors, environmental outcomes) using the MAXQDA software. During the coding process, sub-codes were added that emerged from the analysis (e.g., planning and design, river Tara, UNESCO mission). Moreover, a representative from the Ministry of Sustainable Development and Tourism (henceforth Ministry of Sustainable Development), and a representative from the Ministry of Transport and Maritime Affairs (henceforth Ministry of Transport) provided written responses to our

[2] The website http://barboljare.me/en/ was accessed between November 2019 and April 2021. The weblink is no longer valid. The original page can be accessed through an Internet archive

Table 1
Expert interviews.

Affiliation	Acronyms used in text	Number of Interviews
Governmental authorities	GOV	3
Operational project management units[a]	OPMU	2
International organizations	IO	3
International consultants/experts	EXP	2
Local researchers	RES	4
Local nongovernmental organizations	NGO	4

[a] See Fig. 5.

questions. Additionally, document analysis, online research and three site visits[3] enabled us to triangulate and corroborate the information gathered during the interviews. The different sources of knowledge were combined and cross-checked through a triangulation research strategy to increase the reliability and credibility of the findings. The first part of our results (i.e., tracing the historical development of the BBH) largely relies on literature because interviewees sometimes contradicted each other regarding some key events. For example, interviewees disagreed about the timing of the Strategic Environmental Assessment (SEA) (interviews GOV3 and RES3), which we subsequently cross-checked with available literature in order to provide reproducible and accurate information. The second and third part of our results (i.e., environmental impacts and governance) are derived from our interview data and supplementary literature. Due to the political sensitivity, several interviewees seemingly felt uncomfortable with talking about environmental issues. The government has designated some key project documents about, for example, finance and control of the implementation works, as state secret (MANS, 2018). The Chinese contractor declined our request to answer our questions. Due to the sensitivity of the topic, we ensure full anonymity of all interviewees.

4. Results

4.1. The development of the Bar-Boljare highway in the context of the Belt and Road Initiative

The construction of a highway between the Adriatic Sea and the Serbian border has been a long-standing vision of the Montenegrin government, as outlined in the 2008 Spatial Plan of Montenegro by 2020 and the 2008 Detailed Spatial Plan for the Bar-Boljare highway (Ministry of Economic Development, 2008a; 2008b). State officials often refer to it as the "project of the century" (Dnevne novine, 2016). The BBH, approximately 170 km long, would link the port of Bar on the Adriatic coast to Serbia, through the Montenegrin capital Podgorica (Fig. 1).

The government of Montenegro decided to build the BBH section by section, starting with the middle section from Smokovac to Mateševo (hereafter referred to as S-M section). The S-M section is about 42.5 km long. It includes 21 bridges and 16 tunnels (Ministry of Transport, personal communication, June 1, 2020), which together cover about 58% of the route (Dnevne novine, 2016). Additionally, supporting infrastructure, including about 40 km of access roads, five main camps with offices and accommodation for the Chinese staff, laboratories, crushers, workshops, cement plants and warehouses, have been constructed (Dnevne novine, 2016). The S-M section poses the highest technical and financial requirements among all sections, given the mountainous terrain and high altitude difference. At a cost of nearly one billion Euro, the S-M section is the most expensive section of the BBH, as the remaining 136 km of the highway together will likely cost somewhat more than the S-M section (IMF, 2018). The construction officially started in May 2015 and was planned to be completed in 2019. Yet, the opening of the S-M section has been postponed several times due to the global COVID-19 pandemic and other reasons (Table 2).

The S-M section is financed by a Chinese bank and constructed by a state-owned Chinese company. After Western financial institutions deemed the project as unfeasible and two construction companies failed to deliver the required completion guarantees (Grgić, 2017), the government of Montenegro secured Chinese support for the project (Table 2). It signed a contract worth €809 million with the Chinese construction company China Road and Bridge Corporation (CRBC), a subsidiary of the China Communications Construction Company (CCCC), for designing and building this S-M section. The Chinese Exim Bank (CHEXIM) provided a 20-year loan, with a 2% interest rate, a six-year grace period and a 20-year repayment period, for 85% of the total value of the contract (Government of Montenegro, 2014c). The remaining 15% of the costs are financed by the Montenegrin government. In Article 8.1 of the loan agreement,[4] the government of Montenegro waives its sovereign rights on its property, apart for military and diplomatic assets, in case of loan default, and Article 8.5 stipulates arbitration in Beijing. Under the Law on the Highway, the project is exempt from taxes and custom fees, while at least 30 per cent of the work should be assigned to local companies (Government of Montenegro, 2014a). At peak times, more than 2.000 Chinese workers were employed on the construction site (interview OPMU1). A public controversy erupted in 2017 when the government announced its plans to build an additional 1.5 km long interchange near Podgorica (Smokovac interchange), as well as the water supply and electricity network on the highway. Critics argued that these works have been forgotten in the construction contract with CRBC, whereas governmental authorities refuted these claims, arguing that the Montenegrin government will cover these costs as part of "subsequent and unforeseeable works" (Ministry of Transport and Maritime Affairs, 2018, para. 11).

The Chinese government has not yet published any official list of all BRI projects, but the project has repeatedly been mentioned in the context of the BRI (see e.g., interview with CRBC project manager in Dnevne novine, 2016, pp. 3–5), and Montenegro has signed cooperation documents with China on jointly building the BRI (Belt and Road Portal, 2019). BRI projects are often initiated by the host countries' governments, just like the BBH for which spatial plans have been developed long before the official inception of the BRI in 2013 (Table 2). According to Rogelja (2020, p. 7), " The 'pull' coming from the region is complemented by a 'push' emanating from China". The Montenegrin government repeatedly emphasizes its national ownership of the project. The former Prime Minister Duško Marković underlined, "So we cannot speak of Chinese investment, but of our investment being implemented by a Chinese company" (as cited in Prager, 2019, para. 46).

Boosting economic development through large infrastructure is a shared priority of both China and Montenegro. China's primary interest has been assumed to be the improvement of the region's infrastructure, which lays at the intersection of the maritime and land-based BRI corridors, in order to facilitate the transport of Chinese manufactured products to Europe (Bieber and Tzifakis, 2019). In addition to geopolitical considerations, commercial interests may have been an equally important motivation for the Chinese company and bank as they could negotiate a favourable business deal, given the tax exemptions and

[3] The on-site visits included: (1) site visit with an NGO representative to a citizen living close to the construction site near Podgorica, (2) site visit with the Project Management Unit to the Southern part of the highway section, and (3) private site visit to the Northern construction site (i.e., on a public road which crosses the river Tara at the construction site).

[4] Article 8.1: "The Borrower hereby irrevocably waives any immunity on the grounds of sovereign or otherwise for itself or its property, except for those assets dedicated to military or diplomatic purpose, in connection with any arbitration proceeding pursuant to Article 8.5 […]" (Government of Montenegro, 2014c).

Table 2
Timeline of the development of the Bar-Boljare Highway.

Date	Event	Source
2006 & 2007	Development of the **Strategic Environmental Assessment** (SEA) on the Spatial Plan of Montenegro until 2020[a]	Markovic et al. (2009)
03/2008	**Spatial Plan of Montenegro** until 2020	Ministry of Economic Development (2008b)
10/2008	**Detailed Spatial Plan for the BBH**	Ministry of Economic Development (2008a)
2008	**Feasibility Study** for the BBH; designed by *Louis Berger SAS*[a]	Ministry of Transport and Maritime Affairs (2017a)
2009	**Feasibility Study** for the BBH, designed by *Scott Wilson* in collaboration with the International Finance Corporation (IFC)[a]	Ministry of Transport and Maritime Affairs (2017a)
2009/ 2010	The **government announces the construction of the BBH**. However, the first and second-placed companies in the tender (a Croatian company and a Greek-Israeli consortium) withdraw after failing to deliver the required completion guarantees.	Grgić (2017)
2012	**Feasibility Study** for the SEETO Road Route 4 Investment Plan, designed by a consortium led by *URS Infrastructure & Environment UK Limited*[a]	Government of Montenegro (2013; 2014b)
06/2011	**Intergovernmental agreement** between the Government of Montenegro and the Government of the People's Republic of China on Enhancing Cooperation in Infrastructure Construction	Government of Montenegro (2013)
02/2014	**Amendment to the intergovernmental agreement** between the Government of Montenegro and the Government of the People's Republic of China on Enhancing Cooperation in Infrastructure Construction (explicitly mentioning the BBH now)	Government of Montenegro (2014b)
02/2014	**Design and Build Contract** (based on the FIDIC Yellow Book) between the Government of Montenegro and CRBC	Government of Montenegro (2014c)
10/2014	**Preferential Loan Agreement** between the Ministry of Finance and the Exim Bank of China	Government of Montenegro (2014c)
12/2014	The Parliament passes the **Law on the BBH**	Government of Montenegro (2014a)
05/2015	Official **start of construction**	Dnevne novine (2016)
12/2015	Environmental Protection Agency (EPA)[b] issues consent for the **Environmental Impact Assessment** (EIA)	Environmental Protection Agency (2015)
06/2018	Environmental Protection Agency (EPA)[b] issues consent for the **Environmental Impact Assessment** of the Smokovac interchange (EIA)	CRBC (2017)
04/2019	Start of the construction of the **Smokovac interchange**	BEMAX (n.d.)
2021	According to media reports, Montenegro sues CRBC for the environmental damages caused to the river Tara (Note: there was a change of government in 2020)	RTCG (2021)
05/2022	Latest announced **opening date** of the S-M section (after several delays)	CdM (2022)
Ongoing	Preparation of a **new feasibility study** for the entire BBH, and the Preliminary Design and Environmental and Social Impact Assessments for two future sections of the BBH, financed through the EU's Western Balkans Investment Framework (WBIF)	WBIF (2019)

[a] Document is not publicly available.
[b] Now Nature and Environmental Protection Agency (NEPA).

sovereign guarantee. So far, China has mainly focused on pursuing economic interests and creating business connections with Montenegro, but cultural and academic exchanges are also increasingly promoted through, for example, the opening of the Confucius Institute in Podgorica, the celebration of Chinese New Year and Spring Festival in larger Montenegrin cities, and visa facilitations for Chinese tourists (Semanić, 2019).

From the perspective of the Montenegrin government, the highway contributes towards integrating the country into the Trans-European Transport Network (TEN-T) and promoting economic growth through, for example, the development of tourism in Northern parts of the country (Ministry of Transport and Maritime Affairs, 2017b). The government expects the highway to increase traffic safety, improve the integration of the southern, northern and central regions of Montenegro, support the competitiveness of the Montenegrin economy, attract foreign direct investments and transit traffic flows, and contribute to GDP growth. The integration of local experts and companies in the realization of the project is expected to lead to the transfer of knowledge, skills and technology (Ministry of Transport, personal communication, June 1, 2020).

4.2. Environmental effects of the Bar-Boljare Highway

The primary environmental effects of the highway construction are already visible today (Figs. 3 and 4). The highway crosses the river Tara in the northern part of the S-M section, which has raised environmental concerns among domestic and international actors (European Commission, 2019b; MANS, 2019c; UNESCO, 2019). The 78km long Tara river canyon is the deepest canyon in Europe (Pešić et al., 2020). Located downstream the construction site, it is protected as part of the UNESCO World Heritage Site Durmitor National Park. The Tara river basin is recognized as a World Biosphere Reserve and part of the UNESCO Man and Biosphere Programme.[5] The canyon is also protected under national legislation as it was declared a Nature Reserve and Nature Monument in 1977 (IUCN, 2020). In addition, the Parliament adopted the "Declaration on the protection of the river Tara" in 2004.

The highway construction led to changes in the river course from a braided river, stretching across the floodplain, to an artificially straightened river (Fig. 3). Since the bridge piers, pay toll stations and entry and exit ramps of the highway are located in the heart of the floodplain (Fig. 4), core biodiversity values and characteristic habitat features for floodplains will likely be lost (UNESCO, 2019). Water turbidity and sediment accumulation threaten the fauna at both the construction site and in downstream river sections. In this context, the joint UNESCO and IUCN Advisory mission recommends that Montenegro confirms the status of the endangered Danube salmon (UNESCO, 2019), which is part of the IUCN Red List of threatened species and protected by the Bern Convention that has been ratified by Montenegro. The occurrence of this species is one reason why the Durmitor National Park is inscribed on the list of UNESCO World Heritage Sites.[6] Yet, the actual impacts on the fish population remain unclear due

[5] The Man and Biosphere Programme (MAB) is an intergovernmental scientific programme that aims to establish a scientific basis for the sustainable use and conservation of natural resources and for enhancing the relationship between people and their environment. According to the official website (https://en.unesco.org/mab; accessed July 07, 2020), 701 biosphere reserves in 124 countries have been included in the World Network of Biosphere Reserves to date.

[6] To be included on the World Heritage List, sites must be of Outstanding Universal Value and meet at least one out of ten selection criteria. Durmitor National Park meets three criteria, including the criterion to contain the most important and significant natural habitats for in-situ conservation of biological diversity, including those containing threatened species of outstanding universal value from the point of view of science or conservation (see https://whc.unesco.org/en/list/100/, accessed July 07, 2020)

Fig. 3. River Tara before and after the highway construction started near Mateševo. Bottom left: materials disposed close to the river. Bottom right: modifications of the river course.

to lack of monitoring data. The project foresees that the floodplain terrain will be transformed into an artificially planted forest, which will further alter the ecological character of this river section (UNESCO, 2019).

Several illegal landfills pose another visible threat to the river Tara and its tributaries. In 2019, the nongovernmental organisation *Network for Affirmation of the NGO Sector* (MANS) reported that construction waste, mainly excavated rock and gravel from the tunnels and open route of the highway, has been disposed close to the rivers Tara and Drcka (MANS, 2019c). Although the Environmental Impact Assessment (EIA) prohibits the disposal of surplus material from the excavation into the river, river banks or agricultural lands (Environmental Protection Agency, 2015, p. 356), civil society organizations and local residents complained about the occurrence of this practice (Žđero, 2019). MANS (2019c) argues that CRBC, instead of opening two planned landfills at a significantly greater distance from the construction site, disposed the construction waste on the river banks.

Even though dust and vibrations are only temporary disturbances for wildlife and people living close to the construction site, local inhabitants complain about these negative impacts and the lack of information (interview NGO2). Additionally, the highway construction could have several environmental knock-on effects associated with increasing development pressures and resource extraction in the long-term. Already today, tourism development, uncontrolled urban development, poaching and logging pose threats to the natural environment, in particular the Durmitor National Park (IUCN, 2020). The highway could have negative impacts on flora and fauna as it may lead to habitat degradation or fragmentation, and interrupt natural corridors used for animal migration (Environmental Protection Agency, 2015). Once a highway is open for traffic, noise, light and air pollution, the spread of alien species, wildfires, and vehicle-related road killing of wildlife pose additional potential threats to biodiversity (Koemle et al., 2018; Laurance et al., 2014). Several of these impacts could have been alleviated if an alternative route had been selected, as discussed in the next section.

Fig. 4. Construction site at the river Tara. Photo taken by the first author on road R-13 near Mateševo on February 22, 2020.

4.3. *Environmental governance of the Bar-Boljare Highway*

Large infrastructure projects are never without environmental effects. Yet, the extent of the environmental disturbances largely depends on the political decisions how to reconcile the trade-offs between environmental and economic losses and gains, and the effectiveness of institutional structures and environmental governance instruments. Below, we first outline the domestic environmental governance structures and procedures, and subsequently examine the influence of international actors on the environmental governance of this project.

4.3.1. *Domestic environmental governance structures*

Multiple different public and private actors are involved in the development of the S-M section (Fig. 5), having different levels of

importance for environmental governance in the different phases of the project development.

During the first phase – the initiation, conceptualization, and planning of the project – highly important decisions with regards to environmental protection were taken. In 2002, the Montenegrin government started developing a new national spatial plan, which is the country's most important strategic planning document (Ministry of Economic Development, 2008a). After the publication of the draft of the national spatial plan in 2006, the first pilot Strategic Environmental Assessment (SEA)[7] in Montenegro was developed as part of a regional Strategic Environmental Assessment training and capacity building programme. The national spatial plan shortly refers to plans to construct a motorway from Belgrade to Bar, but due to lack of time, it was not possible to conduct an in-depth assessment of alternatives during the Strategic Environmental Assessment process (Markovic et al., 2009). There exists no Strategic Environmental Assessment specifically for the BBH. Shortly after the publication of the national spatial plan in 2008, the Detailed Spatial Plan for the BBH was released, which specifies the highway corridor (Ministry of Economic Development, 2008a; Fig. 1). In 2014, the Montenegrin government authorized the Chinese company CRBC to develop the main design for the S-M section on the basis of the preliminary design. After the State Review Panel for Technical Documents, consisting of national experts, reviewed and approved the main design, the Ministry of Sustainable Development started issuing building permits for the construction (interview GOV3). Although several route variants have reportedly been discussed in the project design process, the exact route and its variants have never been made public (interviews NGO1 and NGO4).

In addition to the Strategic Environmental Assessment, the EIA can be an important instrument in the planning process to potentially avoid, minimize and compensate environmental impacts, especially if it is integrated early in the project development. However, in this case, the EIA was prepared too late for having a real impact. An EIA expert remarked, "The issue is that the EIA came out after they started construction. This is what we call 'putting the tick mark in the right regulatory box'" (interview EXP1). The construction of the highway officially started in May 2015, seven months before the Environmental Protection Agency (EPA) issued its consent for the EIA (Environmental Protection Agency, 2015) (Table 2). CRBC commissioned local experts to develop the EIA, and submitted it to the EPA, which formed a commission composed of a multidisciplinary group of experts to review the EIA (interview GOV3). However, the EIA was developed at the same time as the final main design and did not assess alternative routes, thus having presumably no influence on the main design. The experts responsible for the EIA were hired by the project designer, CRBC, which presents a conflict of interest (interview IO3). The development of the EIA involved only "several realized field days", and the available literature on flora and fauna was limited and partly very old, including some studies dating back to 1875, 1919 and 1942 (interview NGO2; see also Environmental Protection Agency, 2015, p. 217).

The joint advisory mission of the World Heritage Centre and IUCN concluded that a less impactful route could have been identified with regards to the section at the river Tara (UNESCO, 2019). Several interviewees shared this opinion by indicating that environmental impacts could have been avoided if the route was planned differently (interviews NGO2 and IO2). Since the highway does not only intersect the river Tara at one point, but passes through its riverbed (Fig. 4), it is difficult to minimize the ecological impacts. An NGO representative highlighted, "All these action plans trying to minimize – what can you minimize if you made the big mistake in the first step?", referring to the project planning and design (interview NGO2).

During the construction phase, the Sector for Environmental Inspection, which is part of the Administration for Inspection Affairs, is responsible for the enforcement of environmental legislation (Kujundzic, 2012). Between May 2015 and June 2019, the Environmental Inspection conducted 68 inspections on the construction of the highway and issued five fines, totaling about 20.000€ (MANS, 2019b). According to an interviewee (GOV2), the Environmental Inspection faces the challenge of being generally understaffed, lacks the capacity to perform regular inspections, and faces administrative burdens. For example, the existence of various EIAs for different parts and sections of the project complicates the situation (interview NGO2). In contrast to the Environmental Inspection, which mostly undertakes periodic and ad-hoc inspections, the French-Italian consortium Ingerop-Geodata is tasked by the Ministry of Transport with the day-to-day supervision of the project, including the environmental protection (interview OPMU2). They hold regular meetings with the contractor CRBC, develop monitoring plans and check the implementation of the measures prescribed in the EIA. In the event of noncompliance, Ingerop-Geodata issues a notice of non-conformity to CRBC, which functions as a temporary fine that is revoked if the problem is solved (interview OPMU2). Yet, the ability of Ingerop-Geodata to act as an independent supervisor is limited because the consortium is appointed and hired by the project's client (i.e., Ministry of Transport on behalf of the Government of Montenegro; also referred to as *Employer*) and thus, acts as the client's agent when carrying out his duties or exercising authority (interview IO1; see also Ndekugri et al., 2007).

Domestic civil society organizations started to become active in environmental governance only in October 2018, when they discovered the negative environmental effects of the construction activities on the river Tara (interviews NGO1 and NGO3). Even though the EPA organized two public hearings on the EIA in 2015, just one representative of an environmental NGO participated (interview GOV3). Only when the environmental effects became physically visible, the NGO MANS started raising awareness about these issues among the general public by publishing reports, drone footages and pictures. MANS also organized a conference with domestic and foreign experts and filed criminal complaints on behalf of six NGOs against several individuals for the environmental pollution along the river Tara and the construction of an illegal landfill on the bank of the river Drcka (interview NGO1; see also MANS, 2019c). Several NGOs sent an open letter to the European Commission, voicing their concerns regarding the environmental effects and lack of transparency on the project, and asking the Commission to raise these issues with the government of Montenegro (MANS, 2019a). In sum, civil society pressure to safeguard the environment were largely absent when important decisions on environmental matters were taken during the spatial planning and EIA process, but strongly emerged only when the negative environmental effects became visible.

4.3.2. *External influences on environmental governance*

The BBH is a national development project, which involves external actors (Fig. 6), who are either directly engaged (e.g., Chinese actors), or act as observers and guardians of environmental governance (e.g., EU and UNESCO).

The main Chinese actors are CHEXIM and CRBC. Even though CHEXIM's environmental policy foresees that an EIA is implemented and verified by the host country's EPA or federal government prior to the project approval (Friends of the Earth US, 2016), the loan agreement between CHEXIM and the government of Montenegro was signed before the EPA of Montenegro approved the EIA for the highway section (Table 2). Additionally, the loan agreement does not contain any environmental provisions (Government of Montenegro, 2014c). It appears that CHEXIM has very limited influence on environmental safeguards of the highway project.

In contrast, CRBC has greater leverage on the environmental

[7] SEAs are typically conducted for policies, plans or programmes at early stages in the planning process, prior to the development of individual projects. SEAs usually have regional or sectoral scope. In contrast, Environmental Impact Assessments (EIAs) are typically conducted for particular development projects, aimed at assessing and preventing environmental (and social) harm.

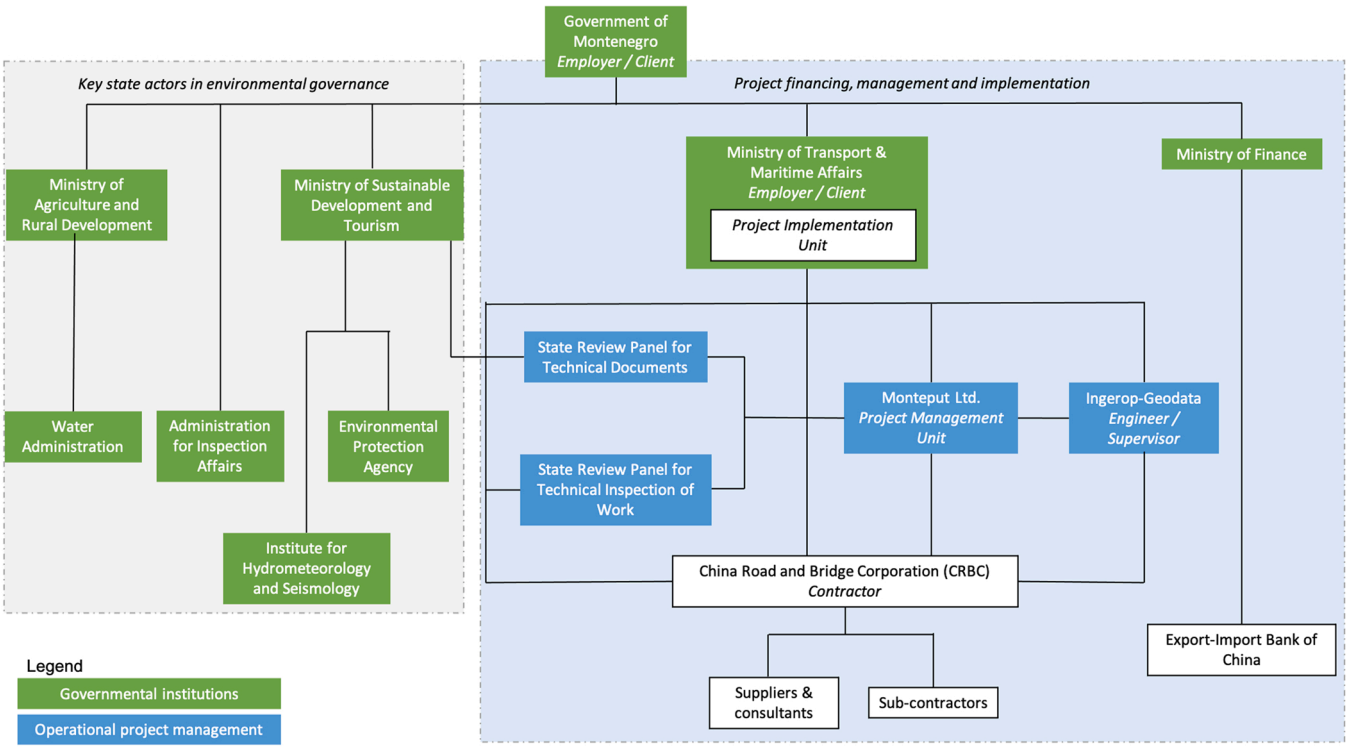

Fig. 5. Key stakeholders involved in the development of the Bar-Boljare highway section from Smokovac to Mateševo. The figure has been reviewed and approved by a representative of the Ministry of Transport. A description of the stakeholders' roles and relations can be found in the Supplementary materials.

outcomes of this BRI project. Sub-clause 4.18 of the Design and Build Contract places an obligation on the contractor to protect the environment by stating that "the Contractor shall take all reasonable steps to protect the environment [both on and off the site] and to limit damage and nuisance to all land, flora and fauna, animal life, people and property […] restore any damage to the environment adjacent to the Site caused by his activities […], fully comply with the regulation on environmental protection" (Government of Montenegro, 2014c). This contract is based on the FIDIC[8] Yellow Book, a standard form of contract used in construction projects worldwide. Yet, FIDIC contracts have been criticized for their limited commitment to environmental sustainability because they only regulate the main phase of the construction project but not the phase in which the EIA process takes place, do not deal with post-EIA monitoring, do not cover the long-term ecological impacts of the project, and externalize the responsibility for regulating the environmental implications of the construction to the host country through compliance provisions (Perez, 2002). An interviewee from an international organization (IO3) explained:

> "It's the responsibility of the national authorities then what standards they write into the contracts because (…) I would rate Chinese capacities in road building as pretty high, pretty good, so the contractors are capable to do what you ask them to do. But of course, it's also a question of costs and time, and in the end, they will do what is written in the contract. And then it's also the obligation of the national authorities to monitor that the conditions in the contracts are respected."

The Chinese company is well regarded for its efficiency, can-do attitude and technical expertise in the construction business, but cultural differences in the project management approaches pose challenges to the smooth implementation of this large project in a European context (interviews OPMU1 and OPMU2). The Balkans has become a training ground for Chinese companies where they can learn and gain experience with applying European standards without the hurdle of competitive public tenders (Rogelja, 2020). Since the BBH is the first highway constructed by a Chinese construction enterprise in Europe (CRBC, n.d.), the company had to learn how to build according to European standards, in particular safety and environmental standards, and implement the project according to Montenegrin law. For example, an employee of the Chinese company noted, "The difference of safety management between China and foreign countries put me through hell. After a period of exploration, we finally formulated the practical safety management system" (CCCC, 2019, p. 56). In order to seek advice on Montenegrin and European practices and standards, CRBC hired a Danish consultancy for reviewing some technical aspects of the design, and a Montenegrin consultancy specialized in environmental issues. These complex contractual arrangements involving both domestic and foreign companies hamper effective chains of accountability. During an interview, representatives of an operational project management unit (see Fig. 5) reported of an instance where they requested CRBC to remove some solid waste. The issue was caused by CRBC's sub-contractor and appeared difficult to solve because CRBC had to grapple with the effective supervision of local sub-contractors (interview OPMU2).

While Western financiers would likely be concerned about the often-criticized Montenegrin government's lack of transparency on financial and environmental aspects of the project (interview EXP1), China has had a long-standing foreign policy principle to not interfere in domestic affairs of partner countries. Even though the Chinese actors are not actively promoting any opacity in decision-making procedures, observers suggest that " China consolidates the traditional ways of doing business behind closed doors and undermines governance reforms" (Makocki and Nechev, 2017, p. 2). According to Rogelja (2020), this project – like other BRI projects in the region – was strongly facilitated by the host country's elites, who tried to attain their political goals by mobilizing Chinese support.

[8] The International Federation of Consulting Engineers (FIDIC) is an international standards organization for engineering and construction, best known for the FIDIC family of contract templates.

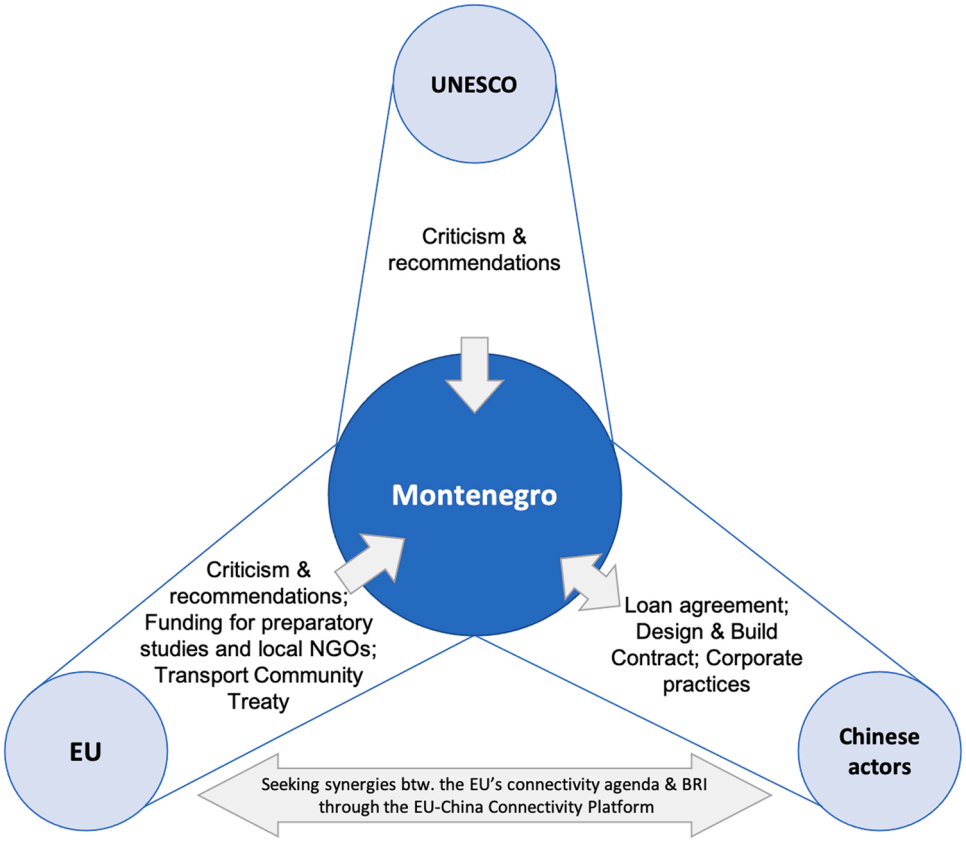

Fig. 6. External influences on domestic environmental governance of the BBH project in Montenegro.

The EU is an important and influential actor in the region, which remains highly skeptical and apprehensive about China's presence in the CEEC. Johannes Hahn, former European Commissioner for European Neighbourhood Policy and Enlargement Negotiations, warned that China could turn countries in the Western Balkans into Trojan horses as they will likely become EU members in the future, citing the example of the highway project in Montenegro (Heath, 2018). European Commission President von der Leyen noted in her State of the Union Address, "The Western Balkans are part of Europe - and not just a stopover on the Silk Road. We will soon present an economic recovery package for the Western Balkans focusing on a number of regional investment initiatives" (European Commission, 2020a). Following growing concerns about the increasing influence of China in CEEC and the Western Balkans, the EU stepped up its engagement in the region, and reinforced its support for sustainable infrastructure development through a plethora of policies and initiatives. Most of these initiatives are not framed explicitly as a response to the BRI or China's growing presence in the region, but concern policy areas perceived to be both channels and expression of China's influence in the CEEC, such as infrastructure and investments (Pavlićević, 2019). For example, the European Commission has set aside up to €1 billion in grants for transport and energy projects until 2020 through its 2015 Connectivity Agenda for the Western Balkans (European Commission, 2019a). Additionally, the "Berlin Process", which is an EU-endorsed intergovernmental cooperation initiative between six Western Balkan countries and several EU members that started in 2014, serves as a framework through which the EU supplements the accession process of the Western Balkans and increases investments in the regional infrastructure (Pavlićević, 2019).

In 2017, the EU established the Transport Community, an international organization comprising the EU and six Western Balkan countries, which legally requires the Western Balkan countries to adhere to EU legislation during the development of their transport networks (EU, 2017). One interviewee explained, "The Transport Community Treaty requires the country in a legally binding way to – at least for future projects – respect EU environment standards. And that can be enforced up to the level of the Court of Justice [of the European Union]" (interview IO3). In sum, China's involvement in the Western Balkans raised concerns in Brussels and triggered a series of multilateral initiatives that reaffirm the EU's regional influence and commitment to upholding and establishing European standards in the Western Balkans. In parallel to creating these various channels intended to influence regional transport development, the EU also started to directly engage with China's BRI. Rather than pursuing a zero-sum strategy, the EU seeks to enhance synergies between China's BRI and the EU's approach to connectivity – most notably through the 2015 EU-China Connectivity Platform (European Commission, 2020b).

The EU's reaction to the environmental governance of the BBH reflects the aforementioned EU's highly critical stance towards Chinese-led development projects in the Western Balkans, and commitment to maintain and deepen its close ties with the CEEC. The EU reaffirms its role as an influential regional player by not only drawing on its normative power to demand greater environmental safeguards from the Montenegrin government, but also by using its material sources of influence as it provides financial support for sound planning of future sections of the BBH. The European Parliament (2018) stressed in its report on Montenegro the need for timely and accurate publicly available information on the impact of the construction on the river Tara, and demanded the cessation of all activities of waste dumping and riverbed alterations. Half a year later, the European Commission (2019b) urged the country to strictly assess and prevent possible negative environmental impacts of construction activities of the BBH on the Lake Skadar National Park and the river Tara, which are both potential Natura 2000 sites. Although representatives of governmental authorities repeatedly emphasized during the interviews that the project is implemented

according to the EU's rules and regulations, the EU has criticized, for example, that the EIA is not compliant with EU standards (interview IO3; see also European Commission, 2016).

The EU provides three grants, totaling €6.8 million, through the Western Balkans Investment Framework (WBIF) for the preparations of the preliminary design and Environmental and Social Impact Assessments of two future sections of the highway, as well as a feasibility study with a cost-benefit analysis for the entire highway (WBIF, 2019). As the technical preparations of the BBH receive significant EU funding, the European Commission (2019b, p. 81) argues that Montenegro must ensure that future infrastructure investments are implemented in full compliance with applicable EU standards on public procurement, State aid and environmental impact assessment. The Commission reasons that "a comprehensive cost benefit analysis for the entire highway will set recommended standards and means of financing for the remaining sections", noting that Montenegro signed a memorandum of understanding with a Chinese contractor to build further sections of the BBH on a public-private partnership basis in March 2018 (European Commission, 2019b, p.81).

In addition, the EU exerts some indirect influence on environmental governance by funding a project of several local NGOs aimed at providing more publicly available information on the planning and implementation of the country's largest development projects in infrastructure, energy and tourism. Initially, the project was intended to mainly investigate the financial aspects of the BBH, but an NGO representative explained that they included environmental aspects in their analysis when they discovered what this interviewee referred to as a "wall of silence" on behalf of governmental authorities with regards to environmental matters, and the visibly destructive environmental effects on the river Tara in 2018 (interview NGO1).

In brief, the EU cannot exert any direct influence on the construction operations because the project is neither financed by the EU, which would allow the EU to make their investment conditional on certain economic, social and environmental requirements, nor can the EU sanction the candidate country for violating EU's regulations and policies as is it is not an EU member (yet). Nevertheless, by making unequivocally clear that future infrastructure development projects should be implemented in line with EU legislation, and by financing the preparatory phases of future sections of the BBH, including an Environmental and Social Impact Assessment, the EU aims to gain some leverage in shaping the overall trajectory of future sections of the highway.

Another important push for better environmental protection is coming from the UNESCO. When a joint advisory mission team of the UNESCO World Heritage Centre and the International Union for Conservation of Nature (IUCN) visited Montenegro in November 2018 after being invited by Montenegro to discuss a potential boundary modification of the Durmitor National Park and the overall state of conservation of the UNESCO World Heritage site, the visit coincided with the public controversy concerning the construction activities at the river Tara. Consequently, the mission included the highway issue into its analysis of the overall state of conservation of the site, for which it conducted field visits and meetings with governmental authorities and civil society organizations. The results were summarized in a mission report with recommendations to Montenegro (interview IO2; see also UNESCO, 2019). Montenegro has no formal obligation to implement the recommendations of the advisory mission, unless they are endorsed and specifically requested by the World Heritage Committee, which is the case here. Indeed, the World Heritage Commitee (2019) expressed its concerns about potential downstream impacts of the construction of the motorway and requested Montenegro to carefully assess any impacts on the Outstanding Universal Value of the property, including on the endangered Danube salmon. Reacting to this, the Ministry of Sustainable Development started a biological monitoring programme of the river Tara on a monthly basis at three sites from 2019 (interview GOV3 and RES1; see also National Commission of Montenegro for UNESCO, 2020).

However, the monitoring is conducted on the benthic fauna (i.e., bottom fauna of the river), not on the ichthyofauna (i.e., fish of a specific region), and thus, does not directly assess the status of the Danube salmon. The monthly monitoring reports are not made publicly available. First monitoring results have shown that the density of the macroinvertebrate fauna (e.g., worms, snails and insects without a backbone) was much lower close to the construction site as a consequence of the negative ecological impacts associated with the highway construction (Pešić et al., 2020). As a last resort, the World Heritage Committee could threaten to put the site on the list of World Heritage sites in danger, or completely remove the site from the World Heritage list, which would be detrimental to Montenegro's international reputation and tourism development. Yet, there are currently no signs that this event may occur (interview IO2). It remains to be seen whether the monitoring results will have any significant impact on the construction activities, as they are already at an advanced stage, and whether the ecological impacts of the highway construction are indeed mostly temporary and reversible, as repeatedly emphasized by governmental authorities. What becomes clear, however, is that international organizations can exercise influence on BRI host countries' environmental governance, with the biological monitoring programme being a concrete result of this external influence. Our findings support the argument by Tsimonis et al., (2020, p. 191) that "the role of regional organisations and regimes is crucial in strengthening the host governments' often anaemic commitment to sustainability". The BBH exemplifies that the BRI fosters a growing internationalization of national infrastructure project, which are judged against stringent international environmental governance standards by international organizations that closely follow the growing Chinese involvement in development projects worldwide.

5. Conclusion

This case study highlights that the host countries' political willingness and institutional capacities are key for safeguarding the environment in BRI projects. The Chinese government has launched several initiatives and guidelines aimed at building a "green BRI", but apart from the recently published report on social responsibility within the BRI by CCCC (2019) – which demonstrates rising awareness of the social and environmental impacts of BRI projects among corporate actors – we find few signs that the "green BRI" has already had a clear impact on the practices on the ground (noting, however, that we could not interview the Chinese contractor). We neither observe a "race to the bottom", whereby host governments weaken environmental regulations to attract investments, nor an active push towards stronger environmental governance on behalf of the Montenegrin government or Chinese actors in this BRI project. Yet, local NGOs, the EU and UNESCO strongly encourage more stringent environmental governance in Montenegro.

Particularly during the spatial planning phase of linear infrastructure routes, important decisions are taken that determine the overall trajectory of the environmental sustainability. Even though many studies on the BRI highlight the importance of governance instruments like the Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) to anticipate, prevent and mitigate potential negative environmental effects of plans and projects (e.g., Aungh et al., 2020; Harlan, 2020; Ng et al., 2020; Turschwell et al., 2020; Wang et al., 2020), this case illustrates that the mere existence of EIAs or SEAs does not suffice for effective environmental protection. The EIA was conducted too late to have a real impact on the design of the highway, a comprehensive assessment of the highway's effects on flora and fauna was lacking, and limited institutional capacities inhibit effective monitoring and enforcement of the provisions outlined in the EIA.

Montenegro made seemingly large concessions when negotiating the project deal, given that it waived its sovereign property rights in case of loan default and granted high tax exemptions for both contractors and sub-contractors, thus appearing to be in a weak negotiation position vis-à-vis the Chinese side. Nevertheless, Montenegro has substantial agency

over the environmental governance of the project because the Design and Build Contracts stipulates that the construction activities need to be compliant with Montenegro's legislation, which would allow Montenegrin authorities to set the standards that the Chinese company should achieve and to hold the company accountable for their actions. Yet, the high time pressure to prevent anything that could slow down the construction and delay the opening of the highway may limit the scope and willingness for actions of the authorities. Due to the lack of transparency and public involvement in the planning phase, civil society actors started scrutinizing the construction process and its effects only after environmental damage has already been caused.

The future will show whether the Montenegrin government will integrate environmental considerations more carefully and seriously into the planning and management of the next sections of the highway, in particular with regards to the Lake Skadar National Park. The 2008 Spatial Plan of the BBH foresees that the highway corridor runs across this transboundary lake (Fig. 1), which is a wetland of international importance under the Ramsar Convention, a candidate Emerald site under the Bern Convention, and one of the most important habitats for birds in the Mediterranean, listed as an Important Bird and Biodiversity Area in danger by BirdLife International. Since the main challenge for the Montenegrin government is to find the financial means for completing this highway – considering the high debts it has already caused – there is a high risk that economic interests override environmental considerations.

The EU and UNESCO exert influence on the environmental governance of this project and future infrastructure projects. By drawing on their normative power both actors are strongly advocating for stronger environmental protection with regards to development of the BBH. In response to the UNESCO's recommendations and requests, the Ministry of Sustainable Development started a biological monitoring programme on the river Tara in 2019. However, it remains to be seen whether the monitoring results can and will have any tangible effects on public decision-making to either remediate current or prevent future environmental damages. In addition, the EU finances the preparation of a feasibility study and Environmental and Social Impact Assessment for future highway sections, thereby indirectly influencing planning and decision-making on the next sections of the BBH. The EU has consolidated and extended its influence over regional infrastructure planning through the newly established Berlin Process and Transport Community, under which it indirectly defines the conditions for potential future project with Chinese or other foreign actors' involvement.

We do not claim that our findings can be generalized across the wide range of BRI projects, instead, our case should be perceived as a typical case of a BRI projects that runs the risk of falling short on sustainability due to a lack of environmentally sound and transparent planning and implementation. Our findings confirm earlier observations reported for other BRI projects, while also adding additional nuances by explicitly considering international and European influences in this BRI project. Studies about BRI projects in Greece, Serbia and Kenya have also reported about the use of deficient or delayed SEAs or EIAs that proceeded without adequate or meaningful public consultation (Anthony, 2020; Tsimonis et al., 2020). Like in the case of Montenegro, civil society groups played a key role in raising awareness about the detrimental environmental effects of BRI projects in Indonesia and Kenya (Hale et al., 2020), and the UNESCO raised concerns about the environmental impacts of the Kičevo-Ohrid highway in Macedonia (Tsimonis et al., 2020). In Indonesia, the government's positive attitude towards using coal, the loose requirements and lax enforcement of technological standards, the lack of monitoring, and a tendering process that favored mostly speed and costs of construction undermined the BRI's sustainability (Tritto, 2021). These findings highlight that BRI countries are not passive recipients of BRI projects, but important agents who can foster the sustainability of BRI projects through transparent negotiations and tendering, the implementation of thorough a priori feasibility studies and impact assessments, and effective monitoring and enforcement of contractual obligations.

To date, there are no signs that China is proactively greening its infrastructure projects in the Western Balkans (Jahns et al., 2020), yet this may partly be explained with the fact that many existing BRI projects were launched before the "green BRI" has been promoted from 2017. In the future, stronger policy signals for environmental protection may come from China. The so-called China-CEEC Environmental Cooperation Mechanism, which has been initiated under the 17 + 1 initiative in 2017, and for which an office is currently established in Montenegro's capital could become a potentially relevant institution for environmental cooperation (personal communication with representative of governmental authority, February 28, 2020). Besides corporate commitments and political cooperation on environmental matters, the influential role of financiers should not be underestimated. According to Narain et al. (2020), CHEXIM could have substantial leverage on the overall environmental performance of the BRI because it is among the top contributors of the BRI. Lastly, since the BRI encompasses a variety of different projects in various sectors, other projects may be used to showcase the development of a "green BRI". For example, the recent inauguration of a wind park in southern Montenegro, which has been constructed by a Chinese-Maltese consortium and branded as a BRI project (Xinhua, 2019), illustrates that China's "green BRI" materializes on the ground. Additionally, a Chinese-Montenegrin consortium will implement an ecological reconstruction of the coal-fired power plant in Pljevlja (Jahns et al., 2020). However, investments in linear infrastructure and conventional energy sources remain an important part of the BRI, requiring academic and societal attention on how to govern its social and environmental implications in a proactive, effective and transparent way that is in line with international best practices.

Declarations of interest

None.

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Appendix A. Supporting information

Supplementary data associated with this article can be found in the online version at doi:10.1016/j.landusepol.2022.106136.

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