



Energy justice and the legacy of conflict: Assessing the Kosovo C thermal power plant project

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ABSTRACT

The concept of energy justice has emerged as an important theoretical and methodological tool aiding to understand challenges in the extraction, production and consumption of energy, and its societal, economic, environmental and security implications. We apply energy justice as an analytical framework to analyse the political, societal and environmental impacts of energy policies in the context of post-conflict instability. Using the Kosovo C project as a case study, a planned lignite power plant and its associated infrastructure, we utilise the three tenets of energy justice (distributional, procedural, and justice as recognition) and Sovacool and Dworkin's (2015) eight aspects of just energy decision-making to depict the opportunities and challenges of the empirical application of energy justice in a post-conflict environment. The application of energy justice to the Kosovo case identifies the legal/regulatory and the temporal dimensions as crucial challenges to just energy policies in a context in which: (i) the lack of due process, good governance, and ongoing post-conflict tensions aggravate the societal, economic and environmental impacts of energy policies; (ii) accessibility and affordability of energy is prioritised over the promotion of sustainability; and (iii) intra- and intergenerational equity concerns take a backseat in the face of immediate state-building priorities.

1. Introduction

Since the emergence of energy justice in a policy context in 2013 (McCauley et al., 2013), its application has expanded across different aspects of contemporary energy use, including its production and consumption, as well as matters revolving around energy activism, security and climate change (Jenkins et al., 2016). Sovacool and Dworkin (2015) developed energy justice beyond a mere conceptual application. They promote it as an 'analytical' and 'decision-making' tool to improve our understanding of energy systems and subsequently inform decisions by producers and consumers. However, the application of the energy justice framework to specific case studies is yet to be expanded (Jenkins et al., 2016). In this respect, states that have only recently overcome (violent) conflict provide a particularly difficult context of political decision-making that is worth exploring more in-depth: while being fundamentally dependent on facilitating economic development to prevent a relapse into conflict, such countries commonly face widespread corruption, weak institutions, and have limited means to enable costly energy transitions (Stewart and Firtzgerald, 2001). However, as the UN Sustainable Development Goals underline,

access to sustainable energy is a precondition for equitable development, security and peace (United Nations, 2016).

In this paper, we therefore apply energy justice as an analytical framework to identify the opportunities and challenges of creating fair and just energy systems in fragile post-conflict environments. We thereby widen its analytical application and develop its theoretical and methodological toolkit by suggesting important focal points that scholars of energy justice need to incorporate to ensure rigorous research. We do so through an illustrative case study of the planned lignite power plant (and associated mining expansions) in Kosovo¹ that is backed by the World Bank through the provision of expertise in the planning and implementation phase as well as yet undisclosed financial support (The World Bank, 2015). This case allows us to apply the energy justice framework to a state struggling with the common challenges of developing its economy and energy sectors after years of conflict. Assessing the planning and implementation of the Kosovo C project also illuminates the difficulties of reconciling the normative goals of energy justice with empirical reality. Our enquiry therefore provides an analytical basis for future research on energy justice in post-conflict contexts.

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¹ Jointly referred to as the Kosovo C project.

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The analysis is guided by the three tenets of justice (distributional, procedural, and justice as recognition). The distributional tenet assesses the benefits and the burdens of energy systems on society, such as a community's improved access to electricity versus costs, displacement and pollution. The procedural tenet evaluates whether there has been a fair decision-making process that is inclusive and non-discriminatory. Justice as recognition illustrates who has been considered or neglected during the decision-making and implementation processes of energy policies. Such recognition can be achieved through participation at the planning stage of a new power plant, and through the acknowledgment of effects on society; for example, the impact of an energy transition on low-income members of society through rising energy costs and potential job losses in fossil fuel industries (Jenkins et al., 2016; McCauley et al., 2013). In addition, our analysis is guided by the eight aspects of just energy decision-making developed by Sovacool and Dworkin (2015) that are explored further in the Background section of this article.

In the following, we, first, situate the analysis within the wider literature on energy justice and provide the necessary background to the case of Kosovo C. Second, we provide a brief overview of the methodological assumptions and methods that guide the analysis. We, third, assess the due process and good governance of the Kosovo C project through the lenses of procedural and recognition tenets. Subsequently, we examine the societal, economic and environmental impacts of the project in light of the distributional tenet. We conclude that the legal/regulatory and the temporal dimensions are crucial challenges to a more just energy policy in the Kosovo case in which: (i) the lack of due process, good governance, and ongoing post-conflict tensions aggravate the societal, economic and environmental impacts of energy policies; (ii) accessibility and affordability of energy is prioritised over the promotion of sustainability; and (iii) intra- and intergenerational equity concerns take a backseat in the face of immediate state-building priorities.

2. Background: energy justice, post-conflict states and the Kosovo C project

Energy justice has become “a novel conceptual tool [...] that better integrates usually distinct distributive and procedural justice concerns” (Sovacool and Dworkin, 2015, p. 1). This theoretical approach does not predict outcomes, but rather reframes existing issues and challenges by combining and explaining them in light of inter- and intragenerational justice. Energy justice has been applied to provide new perspectives on issues of energy consumption, efficiency, energy transitions and subsidies, the energy trilemma, as well as climate change and sustainability (Eames and Hunt, 2013; Fuller and McCauley, 2016; Hall, 2013; Heffron et al., 2015; Heffron and McCauley, 2016; Sovacool and Dworkin, 2014).

Energy justice therefore serves as an important analytical tool to improve our understanding of the role of values in energy systems. It allows analysts to assess contemporary environmental challenges and issues of economics and engineering as part of the same comprehensive philosophical framework of justice (Sovacool and Dworkin, 2015). Jenkins et al.'s (2014) promotion of a whole systems approach that seeks to apply energy justice onto the entire lifecycle of energy sources has further increased the value of the concept as a decision-making tool for planners, businesses, and consumers (Jenkins et al., 2014; Sovacool and Dworkin, 2015). Combining distinct sectoral issues under a common justice framework, a whole systems approach is arguably best suited to assess economic, environmental, technological and societal considerations in contemporary energy systems. It thereby enables the comprehensive analysis of individual energy projects and policies, specific energy technologies and entire energy strategies (*ibid.*).

Although the potential of energy justice as an analytical and decision-making tool is established in the literature, its application has so far been largely theoretical and conceptual. Developing energy

Table 1

Eight aspects of just energy decision-making and the three justice tenets.

	Eight Aspects	Tenet
i	Availability	Distributional
ii	Affordability	
iii	Due Process	Procedural and Recognition
iv	Good Governance	
v	Sustainability	Distributional
vi	Intergenerational Equity	
vii	Intragenerational Equity	
viii	Responsibility	

justice as a decision-making tool, Sovacool and Dworkin (2015) outlined eight aspects that decisions in the energy sector should promote: (i) availability, (ii) affordability, (iii) due process, (iv) good governance, (v) sustainability, (vi) intergenerational equity, (vii) intragenerational equity, and (viii) responsibility. Aimed to inform decision-making, we apply these aspects retrospectively to assess the Kosovo C project in terms of energy justice. Categorising them within the three tenets of justice, we can consider (iii) and (iv) to be part of the procedural and justice as recognition tenets, while the remaining, except for (viii), relate to matters of distribution (see Table 1). Responsibility (viii) takes a particular role as it refers to the moral obligation of governments to minimize negative effects of their decisions on society, economy, and the environment (*ibid.*).

The challenge of just energy decision-making is particularly pronounced in countries that have experienced economic and political crises or conflict. These states are often in a politically and economically vulnerable situation impeding recovery and development, which can even lead to a return to violent conflict (Collier et al., 2003, p. 19). In the case of Kosovo, conflict developed on several levels (economic, political, ethnic, religious) concurrently, resulting in a complex interplay of forces.² Economically, the country had been Yugoslavia's poorest province, with the Milosevic regime's policies and international sanctions deepening the country's socioeconomic underdevelopment in the 1990s (Del Castillo, 2008). Simultaneously, specific groups advanced their own interests by exploiting ethnic- and religious-based grievances. (Di Lellio, 2009; Judah, 2008; Malcolm, 1998; O'Neill, 2002; Schmitt, 2008). The construction of fear and the manipulation of ethnic sentiments by elites and interest groups represented a crucial driving force of the conflict (Dahlman and Williams, 2010, p. 408; Oberschall, 2000, p. 989). The declaration of independence in 2008 therefore did not end the conflict, it merely transformed it (*ibid.*). This volatile situation is exacerbated today by widespread corruption, which undermines benefits for the economy and thereby society as a whole. As Berald et al. (2001) and Collier et al. (2003) stress, nascent political institutions arguably lack capacities, public legitimacy and transparency.

Today, Kosovo remains one of Europe's poorest regions with a GDP per capita of only US\$ 3561 (2015) and almost 30% of the population living below the national poverty line (The World Bank, 2016). Kosovo remains dependent on electricity imports, accounting for approximately 10% of domestic consumption (Ministria e Energjisë dhe Minierave Faqe, 2009). At the same time, Kosovo boasts the fifth

² As severe grievances remain highly contested, making more detailed claims about underlying conflict dynamics would divert from the purpose of our research. See Malcolm (1998), Judah (2008) and Schmitt (2008) for detailed analyses.

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