



**Standing Committee 43rd meeting**  
Strasbourg, 27 November - 1 December 2023

**Open File No. 2017/2**

**Alleged negative impacts to Lake Ohrid and Galichica National Park candidate  
Emerald sites due to infrastructure and urbanization developments  
North Macedonia**



*L. Kushevsku*



# On the Spot Appraisal (OSA) 25-27 April 2023



We are grateful for the organization of the OSA. We find that the OSA Report accurately depicts the worrying state of the sites; identifies and clearly elaborates on all major threats; and proposes necessary steps the country must undertake if these 2 sites of global importance are to be preserved.

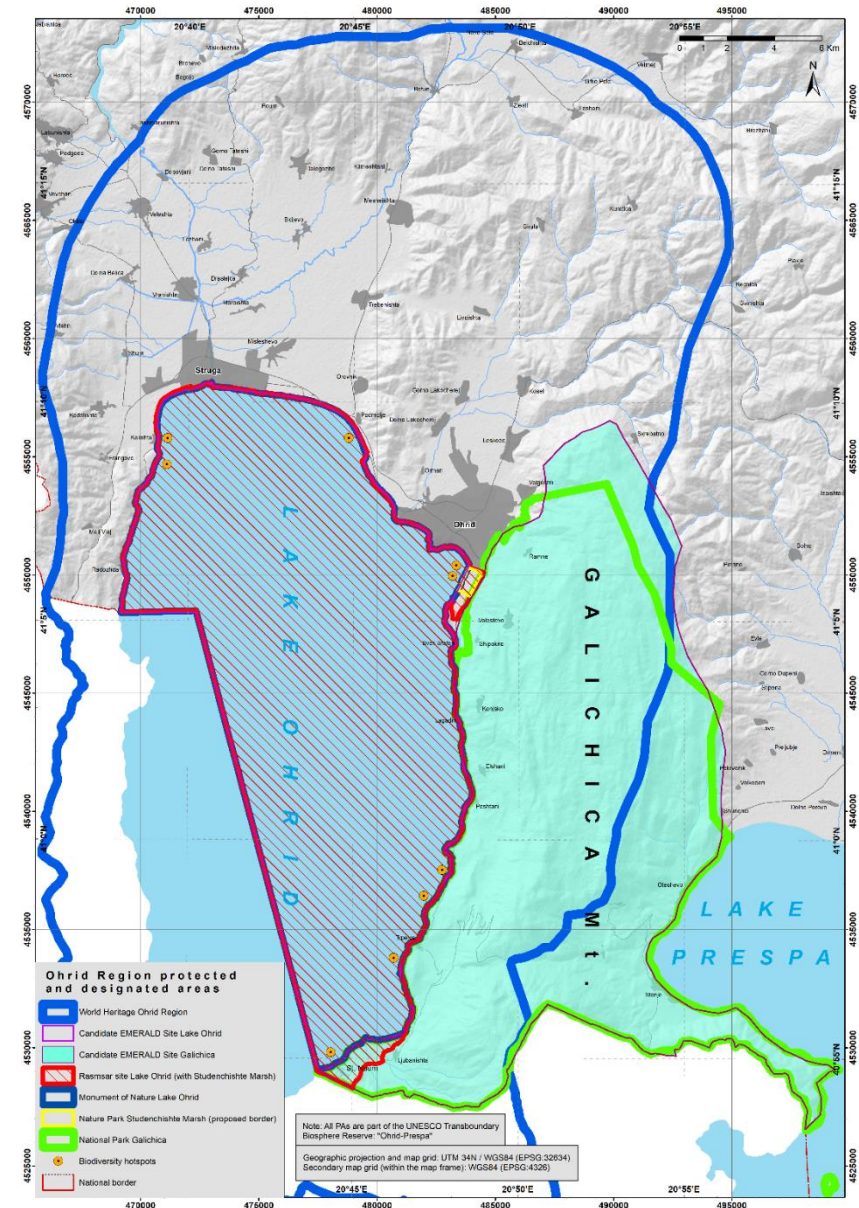




# Update – UNESCO Decision 2023 WH Ohrid Region

In September 2023 the WH Committee adopted a new Decision on WH Ohrid Region (45 COM 7B.104):

- the site wasn't inscribed on the List of World Heritage in Danger, even though this is still a possibility clearly noted in the Decision;
- new Reactive Monitoring Mission is requested as a matter of urgency;
- North Macedonia (and Albania) are strongly urged *“to implement immediate emergency measures to address existing threats and prevent emerging threats from negatively impacting the OUV of the property”*;
- similarly to the conclusions in the OSA Report, UNESCO notes that *“tangible outcomes are yet to be achieved and risk being undermined by ever-emerging threats and lack of a coherent vision shared by all actors to conserve the property’s OUV”*.



# Urgent need for adoption and implementation of the recommendations – Legislation and Management (1,2)

1. Establish the legal basis for the whole Ohrid Region World Heritage site to be declared as a protected area with locations such as the candidate Emerald Network Sites and biodiversity hotspots nested as special protected areas within this wider scope.
2. Establish a professional management body for the new World Heritage Site protected area, staffed with members of appropriate expertise and accorded in law with the power to make and execute management decisions.

**Strategic Recovery Plan for WH:** The management framework still consists of numerous laws and strategic documents that are not harmonized with each other, i.e., there is no integrated approach in the management of the property. The existing acts on the protection of the natural and cultural heritage contain protection regimes and measures that are not in accordance with the protection of the OUV of the site and enable activities that harm its cultural and natural values.

**The ineffective management of the Natural and Cultural Heritage of the Ohrid Region is one the main threats affecting the OUV of the site.**

**Strategic Goal:** Effective system for protection and management of the Natural and Cultural Heritage of the Ohrid Region

**Activities in the Action Plan:** Adoption of a new Law on Managing the World Natural and Cultural Heritage of the Ohrid Region

**Indicators:** Strengthened composition of the Management Commission (as an expert body); Mandatory application of the opinions adopted by the Management Commission”



**Update (clear indicator of the current management):** on 14.11. 2023 Ministry of Defense signed a contract for reconstruction of the marina in Studenchtishte Canal (vital part for Studenchtishte Marsh and Lake Ohrid, in grave condition, under no specific protection); no EIA, WH Management Commission “wasn’t asked for an opinion”.



# Urgent need for the recommendations – Legislation and Management (1,2)

**RMM 2017: Integrated management of natural and cultural heritage through a joint coordinating body and joint management planning are urgently needed to ensure that the values of the property are conserved.** Given the vulnerabilities of the property related to the development and impacts of tourism, the management requirements for the property need strengthening and **new cooperation mechanisms and management practices must be put into place.**

**RMM 2020: It is therefore evident that the property is highly vulnerable due to significant management issues and poor implementation of the legal framework.**

However, as stated previously by the Advisory Bodies, a clear overview of key institutions responsible for different aspects of management and their relationship is still lacking. **No overarching body appears to be currently in place for the management of the natural values of the property,** with Galičica National Park covering only part of the property. **The need remains to clarify how management of natural values will be undertaken for the property as a whole and not only for Galičica National Park.**

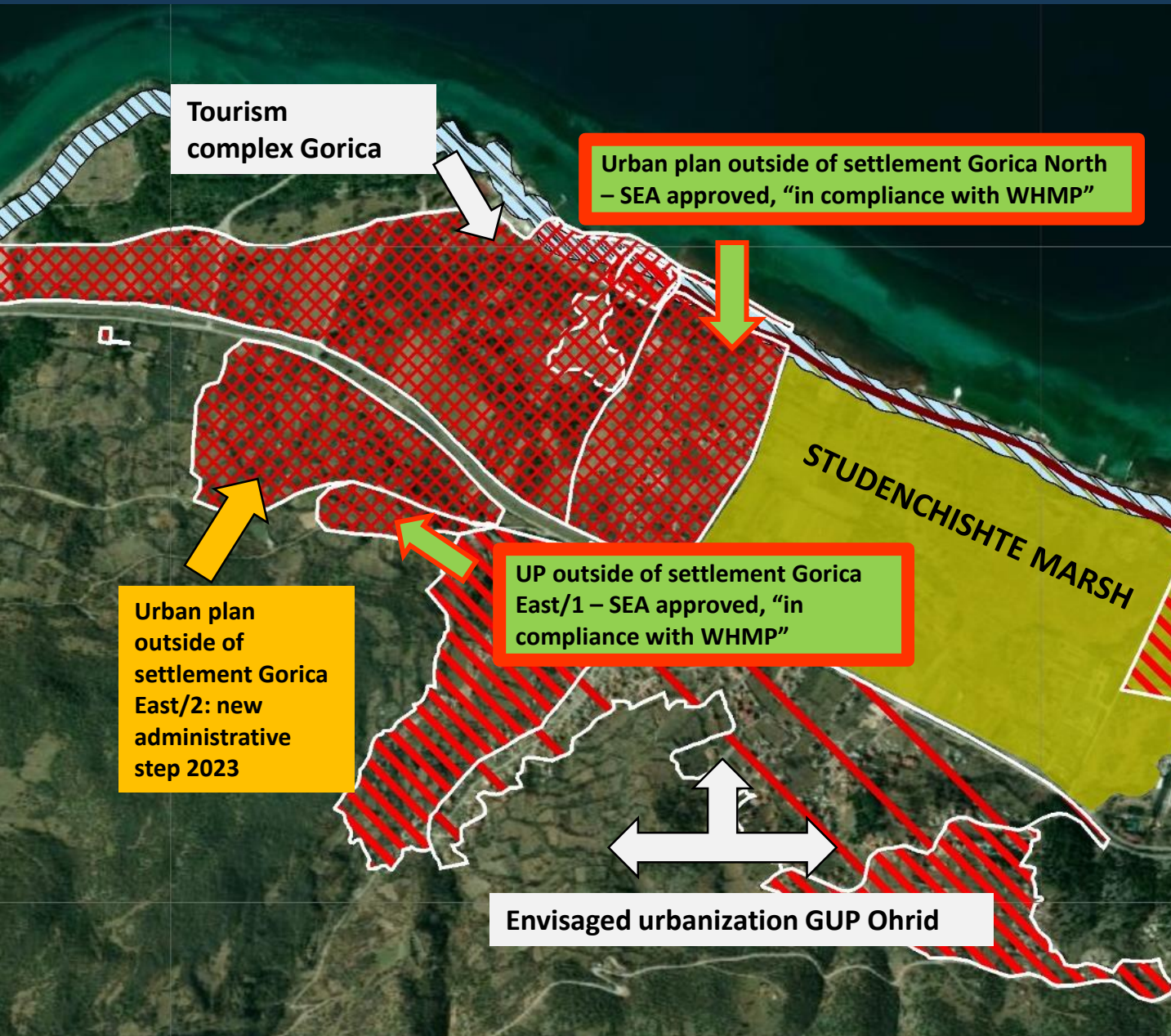
**Perfect timing for these 2 recommendations as the Law on Managing the WH is to be amended, working group already created; new Law on Nature protection in a process too.**



**Update:** Biodiversity hotspot Kalishta – already under heavy urbanization, under no specific protection. In 2023 Municipality of Struga took a new step towards additional urban plan for weekend houses in this area



# Urgent need for the recommendations – plans and urbanization (3,4)



3. Conduct an expert evaluation with a public consultation procedure of both the *Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029* and the *Strategic Recovery Plan for Ohrid Region natural/cultural values* ...

4. In conjunction with the evaluation of the *Management Plan*...

a) complete up-to-date spatial and urban planning documents to ensure that all future constructions in Ohrid Region are aligned with Outstanding Universal Value, including those for which unmaterialised construction permits and other related permissions have already been issued; and

a) put in place an effective moratorium on all constructions, except for essential basic needs like wastewater infrastructure and emergency services, until Recommendations 3, 4a and 12 have been adequately completed.



# Urbanization, especially outside existing settlements

## UNESCO Decision 2023:

Notes with serious concern the assessment made in Chapter 4 of the Strategic Recovery Plan regarding the vulnerability of the property and the negative factors affecting it and urgently requests that:

- a) Amendments to Detailed Urban Plans and approval of Local Development Plans outside settlements be suspended until a Heritage Impact Assessment at the strategic level is carried out and demonstrates that the attributes underlying the property's Outstanding Universal Value (OUV) are not adversely affected by these plans,
- b) the General Urban Plans for Ohrid and Struga and the spatial planning instruments for non-built-up areas be elaborated as a matter of urgency and in full respect of the attributes underlying the OUV of the property;

**Update:** in 2023 there were new steps towards urbanization in at least 12 areas, including 3 villages within NP Galichica.



The approximate area of DUP for the village Velestovo (NPG) - urbanization with houses and accompanying infrastructure

**OSA Report Expert Recommendation:** Expert recommendations A case-by-case approach should be adopted to deal with the issues of building permits and control/removal of illegal constructions, and the Galichica National Park's efforts should be supported by both local and central government, including a ban on further urban expansion of existing villages within the NP.



## Urgent need for the recommendations – legislation, urbanization and construction (5)

5. Harmonise the legislation for urban planning and construction with nature protection laws to ensure that conservation of habitats and biodiversity are prioritised in protected areas and World Heritage sites, by placing stringent controls on definitions such as temporary buildings and urban equipment, by upgrading quality requirements for impact assessments in protected areas, and by eliminating potential weaknesses from overly extensive definitions of state importance that can allow construction of tourism development zones and hydropower facilities in the World Heritage site.

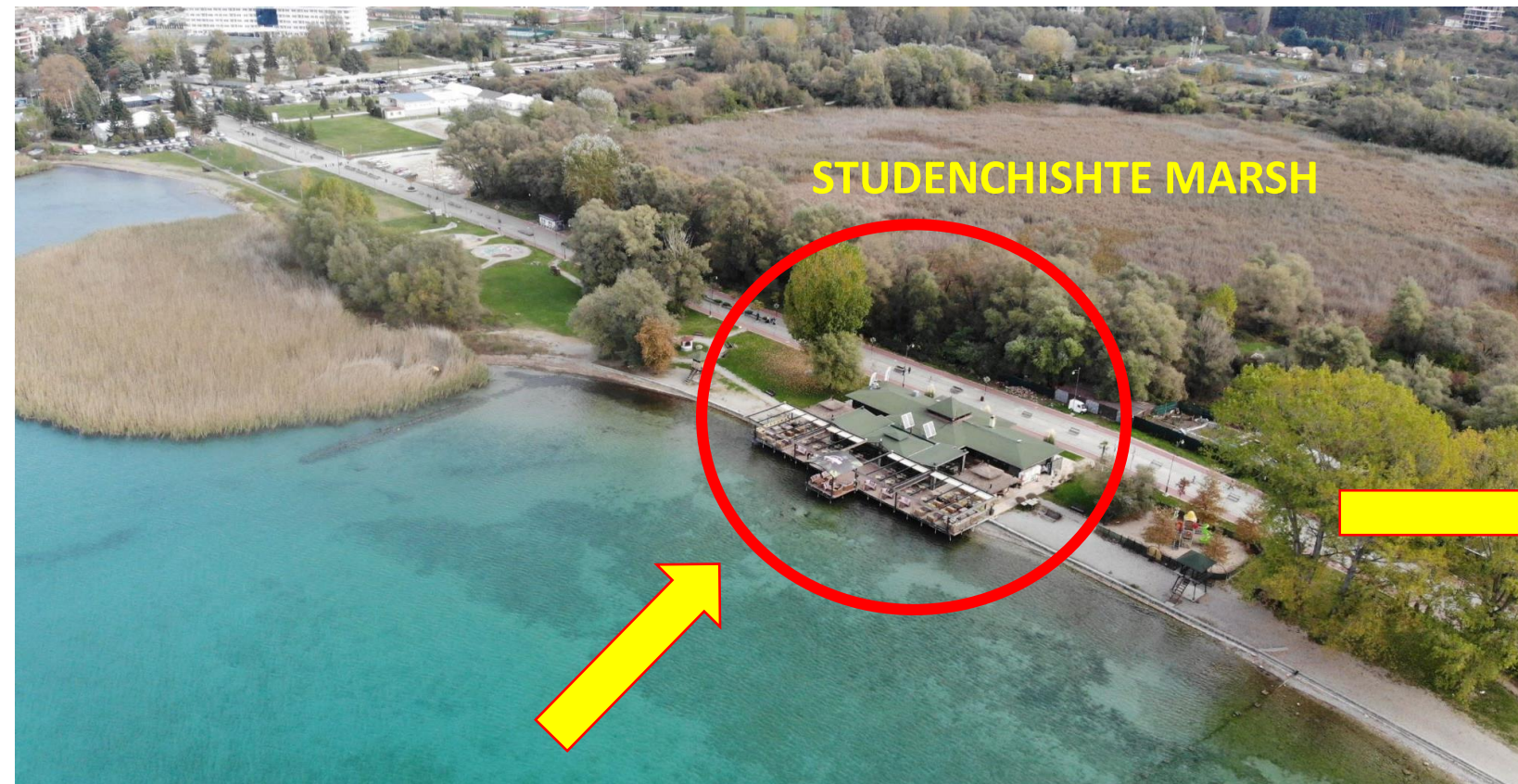


Huge complex of platform restaurants in vital St. Naum springs area – example of “urban equipment”

**UPDATE:** the Law on Construction is currently being amended; no public hearing (not considered “environmental legislation”?); again zero restrictions for “temporary constructions” and “urban equipment” in protected areas.

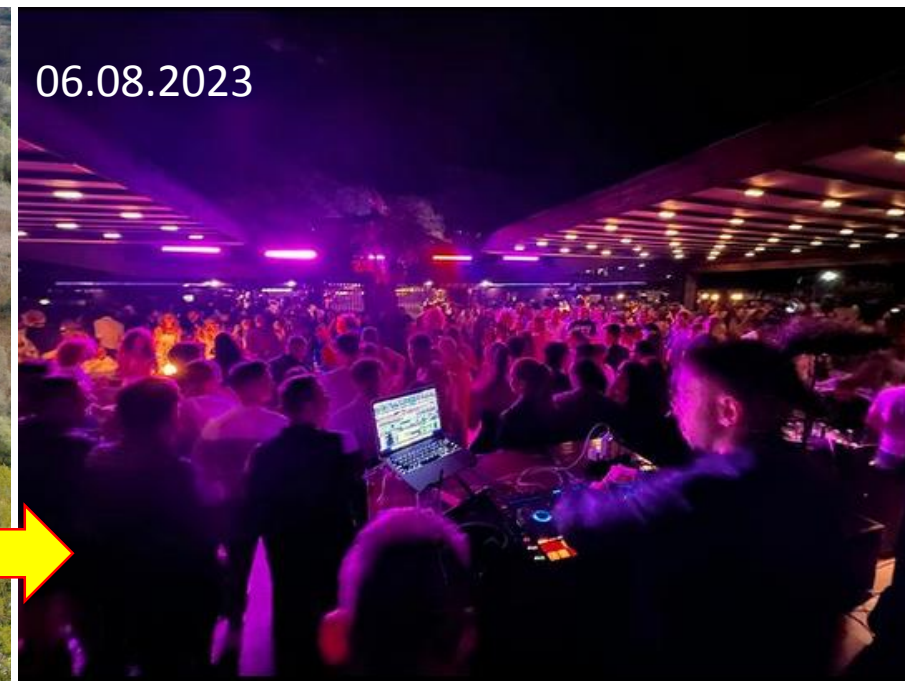


## Urgent need for the recommendations – legislation, urbanization and construction (5)



**Another example of “urban equipment” – beach bars.**

**OSA Report:** The mission was able to observe a number of other irregularities; although the **Municipality of Ohrid is to be commended for the temporary closure of the cafés on the shore in front of the SM.**



Cuba Libre beach bar in front of SM - one of **11 newly re-opened bars on the shore**. In May 2023 Ohrid Municipality published a call for urban equipment “covered and open bars” on 14 locations on the shore (period 2023-2026) and organized public auction for concessions.



# Urgent need for the recommendations – illegal constructions(6)



Struga coast with many illegal constructions in the lake and on the shore – in the initial agenda, but no time for OSA team visit

## UNESCO Decision 2023:

Also requests the States Parties to continue addressing the issue of illegal buildings and structures and to ensure that those already removed are not reinstated and that new illegal structures do not occur;

**6:** Establish a zero-tolerance policy for any new illegal constructions by streamlining the process for their removal in law, increasing the penalties for transgression of urban planning rules in World Heritage Sites, and reinvigorating the staffing, procedures and professional standards of relevant inspectorates.

## Update:

In 2023 Municipalities of Ohrid and Struga legalized 136 illegal constructions - 22 are within NPG, 10 in close vicinity of Lake Ohrid, 1 in Gorica North area (next to Studenchishte Marsh). *Source: Official Journals of the Municipalities of Ohrid and Struga*

New illegal constructions emerged on the coast and within Studenchishte Marsh.

**Not so fun fact:** less than a month after the WHC session, on October 4<sup>th</sup> 2023, in a single day the Municipality of Ohrid legalized 32 illegal constructions (5 in NPG, 3 in a close vicinity of the shore, 1 in Gorica North area).



# New Illegal constructions – examples

## Studenchishte Marsh, under Temporary Protection

April 2023 – we detected and reported these illegal buildings to the State Environmental Inspectorate (one of them is on public land).



November 2023 – 2 buildings completed, foundation for 2 (or 3?) new constructions laid down (?)

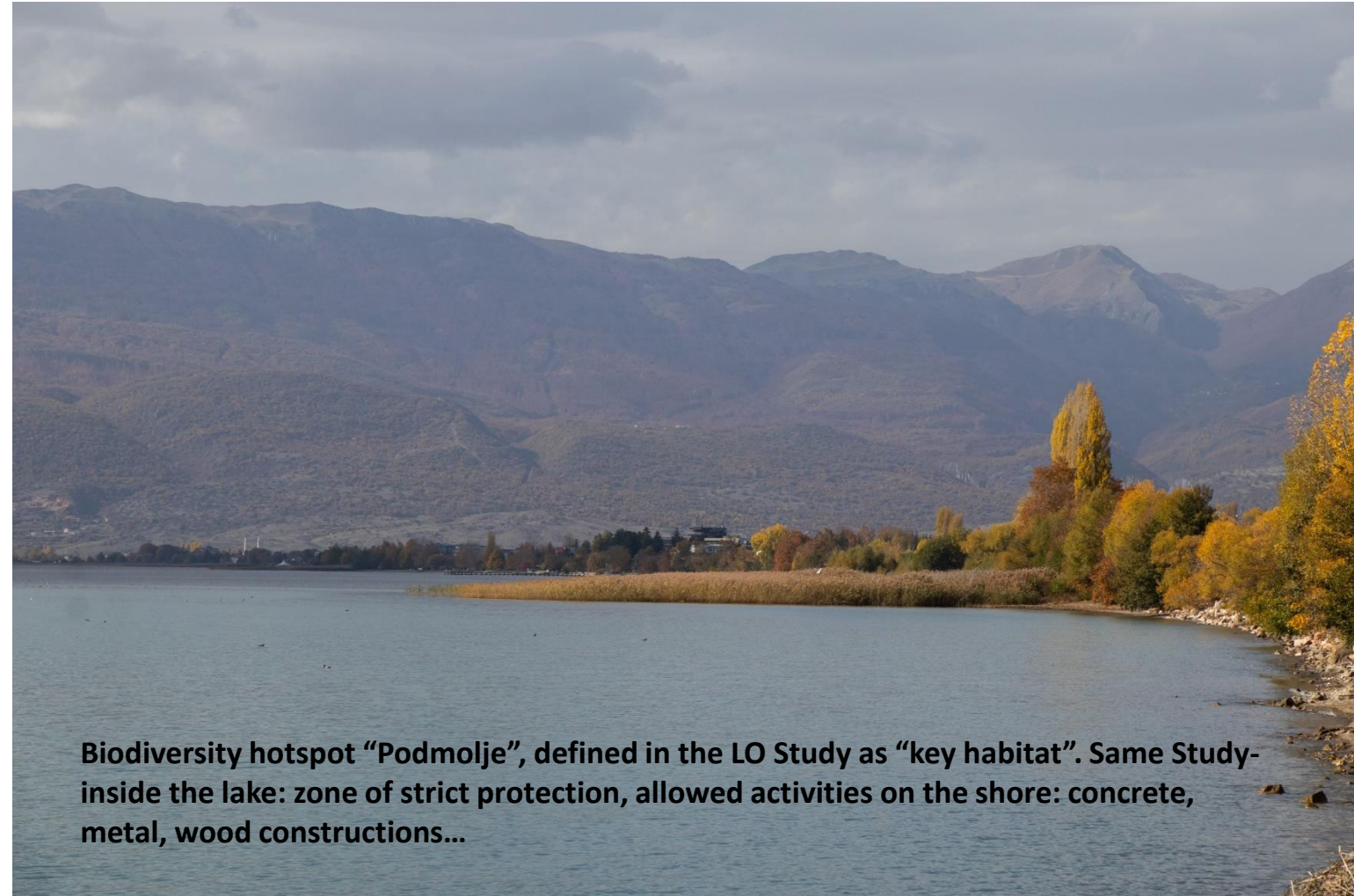




# Urgent need for the recommendations – new laws Lake Ohrid, Studenchishte Marsh (7,8,13)

7. Revise the proposed zoning concept as well as permitted and prohibited activities in the *Valorisation Study for Lake Ohrid* prior to the adoption of the *Law for re-proclamation of Lake Ohrid as a Monument of Nature*, as well as the *Draft Management Plan for Lake Ohrid*, to effectively address the actual threats, ensure protection and connection with Studenchishte Marsh and comply with international (IUCN) standards for protected areas.

**WH Management Plan:** 50m belt of the First Protection Zone (LO shore) is established for the purpose of prevention of further degradation, but the borders of this zone of highest protection will be revised and possibly extended in some areas, in accordance with the proposed zoning in Lake Ohrid Valorization Study and the Law on proclamation of Studenchishte Marsh as a protected area. **Lake Ohrid Valorization Study/Draft Law/ Draft Management Plan:** zero analysis of the needs for the extension of the protected shore, simply copies the already established 50m.belt, naming it a buffer zone; allowed activities: concrete, metal, wood construction, etc. – contrary to WHMP and Law on Water Protection of the shore practically left to the Urban Plan for Lake Ohrid Shore.



**Biodiversity hotspot “Podmolje”, defined in the LO Study as “key habitat”. Same Study- inside the lake: zone of strict protection, allowed activities on the shore: concrete, metal, wood constructions...**



Revision of SM and LO draft laws (7,8,13)

Proposed law is without a buffer zone around SM; Draft LO Law 50m shore - buffer zone (concrete, metal and wood constructions allowed) = no obstacles for planned urbanization



GORICA NORTH

STUDENCHISHTE MARSH

**Around 40 constructions in Gorica North area already, over 60% illegal. The rest have been legalized since 2011, the latest one in October 2023. All will be legal (instead of removed) + additional hotels, motels, bars, shops, restaurants, infrastructure, etc. if proposed law is adopted.**

8. Revise the proposed zoning and list of permitted and prohibited activities in the *Valorisation Study for Studenchishte Marsh* prior to the adoption of the *Law on Proclamation of Studenchishte Marsh as a Nature Park* and preparation of the *management plan* for the Marsh, to allow for the inclusion of a buffer zone covering the Gorica North area where new construction is not to be permitted, as well as to ensure connection with Lake Ohrid and compliance with international (IUCN) standards for protected areas.



Proposed laws exclude the connection between SM and the lake (Studenchishte canal, Biljanini springs, Mazija coast, etc.); Part of the Ramsar site is out of both protected areas



BILJANINI SPRINGS –  
OUT OF PAs

STUDENCHISHTE  
CANAL – OUT OF PAs

NOT IN PA (buffer in LO)

NOT IN PA (buffer in LO)

STUDENCHISHTE MARSH

MAZIJA



## Revision of SM and LO draft laws (7,8,13)

Proposed SM law allows traditional extensive agriculture and other activities (to be defined in the Management Plan) in 91.15% of the marsh territory



13. Ensure that provisions allowing for construction and agriculture in the Studenchishte Marsh are removed from the final version of the *Law on Proclamation of Studenchishte Marsh as a Nature Park*, spatial/urban planning documents, and management plans, with narrow exceptions for traditional mowing and small livestock populations for habitat maintenance and restoration purposes.

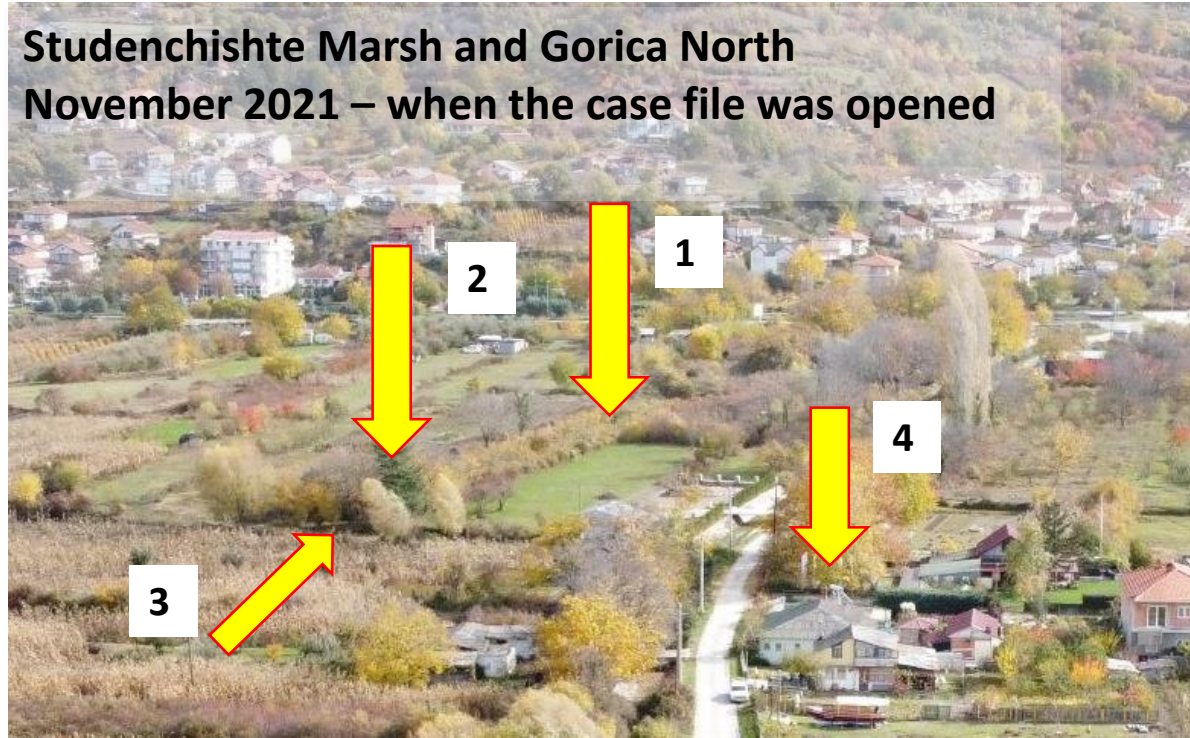




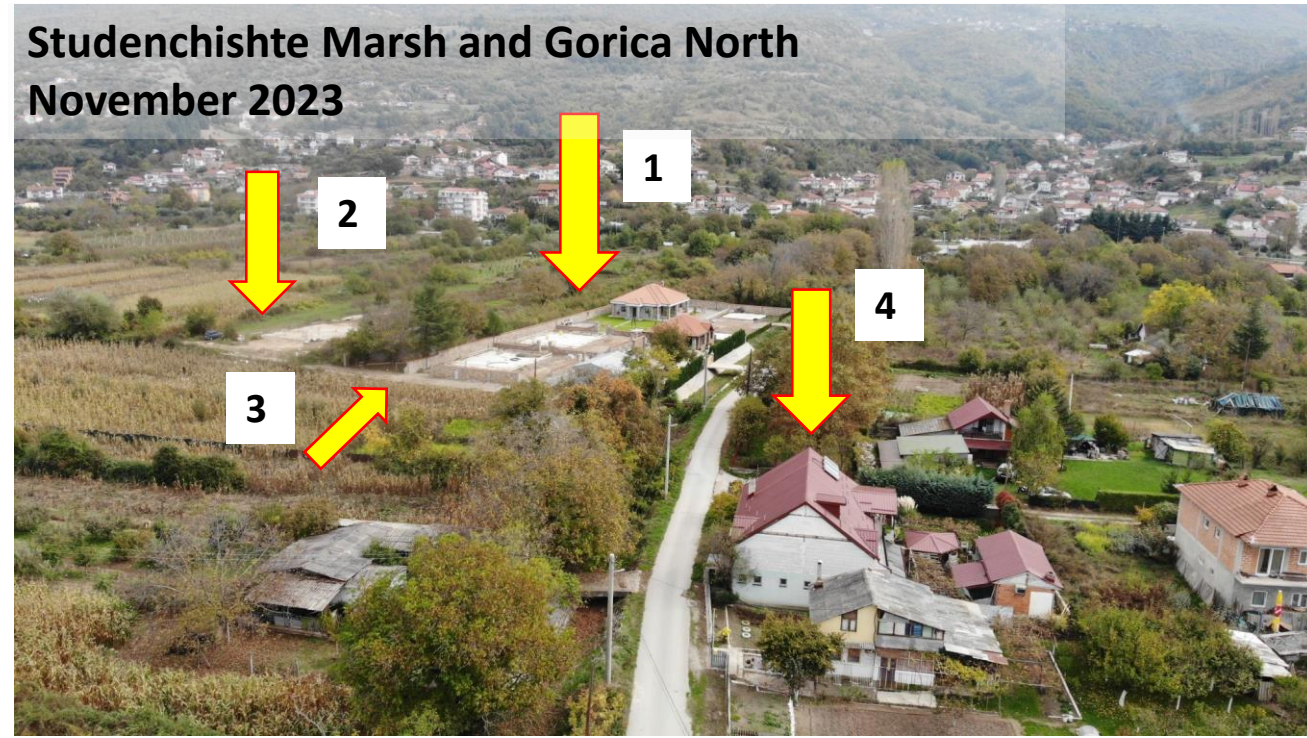
# Zoning and allowed activities

Proposed law excludes the immediate surrounding of SM; activities on 66.11% of SM to be defined in cooperation with land owners

**Studenchishte Marsh and Gorica North  
November 2021 – when the case file was opened**



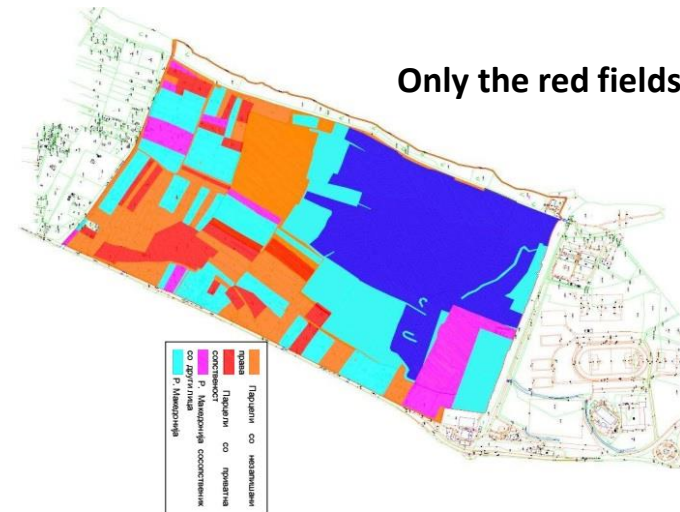
**Studenchishte Marsh and Gorica North  
November 2023**



**Zone of strict protection: 8.85%**  
(the only zone to be managed for primary protection goals)

**Zone of active management: 25,04%**  
(ecotourism, extensive traditional agriculture, other activities from MP)

**Zone for sustainable use: 66.11%**  
(all of the above + activities with owners)



Only the red fields are private properties



# Urgent need for the recommendations – new laws Lake Ohrid, Studenchishte Marsh (7,8,13)

**UNESCO Decision 2023:** Urges the State Party of North Macedonia to finalise the proclamation of Studenčišča Marsh as a nature park and Lake Ohrid as a Monument of Nature, **and to ensure that management measures conserve the key ecological processes and features which contribute to the property's OUV;**

OUR FIRM POSITION IS THAT **IF THE LAWS ON PROCLAMATION OF STUDENCHISHTE MARSH AS A NATURE PARK AND LAKE OHRID AS A MONUMENT OF NATURE ARE ADOPTED IN THEIR CURRENT VERSIONS,** NOT ONLY THEY WON'T ENSURE MEASURES FOR CONSERVATION OF THE KEY ECOLOGICAL PROCESSES AND FEATURES, BUT **THEY WILL LAY A LEGAL FOUNDATION FOR FURTHER AND IRREVERSIBLE DESTRUCTION** OF THE ECOLOGICAL PROCESSES AND NATURAL VALUES OF THE 2 SITES.

**WE FIND THE ADOPTION (AND URGENT IMPLEMENTATION) OF ALL RELATED BC RECOMMENDATIONS TO BE CRUCIAL FOR PRESERVATION AND CONSERVATION OF THE KEY ECOLOGICAL PROCESSES AND FEATURES OF THE CANDIDATE EMERALD SITE LAKE OHRID, WHICH IS ESSENTIAL FOR THE WH OUV.**

## **WH Strategic Recovery Plan activities:**

1. Adoption of an Act Declaring Studenchishte Marsh as a Protected Area and its harmonization with the recommendations of the missions of the ratified international conventions.

Harmonized protection regime with the recommendations of the conducted missions of the international **conventions (if the missions are carried out before its adoption, the recommendations will be incorporated before the adoption).**

2. Re-proclamation of Lake Ohrid as a protected area under category III –Monument of Nature in accordance with the Law on Nature Protection.

Indicators:

-Incorporation of the recommendations of the missions of the international conventions in order to establish a protection belt that will ensure the physical connection and continuity of the protection regimes of the two protected areas (Lake Ohrid and Studenchishte Marsh), **(if the missions are carried out before its re-proclamation, the recommendations will be incorporated before the re-proclamation).**



# Urgent need for adoption and implementation of the recommendations St. Naum springs area (12,14)

12. Urgently upgrade and expand the system for the collection, treatment and maintenance of wastewater in the whole of the Lake Ohrid watershed with a priority for action at the vicinity of biodiversity hotspots such as Saint Naum Springs.

14. Relocate and reimagine current and planned visitor facilities and restaurants at Saint Naum Springs, in particular facilities at the proximity of the Strict Protection Zone (especially the Ostrovo restaurant) and put in place improved mechanisms to control visitor volumes and flow, including appropriate paid entry.



Zone of strict protection: over 800 people/daily; “urban equipment” – Ostrovo restaurant with 6 platforms, over 500 guests, Ohrid Trout on the menu; no wastewater treatment. “Cuba Libre” another restaurant, same concept (smaller) + bar on the beach. No permits, inspection with no outcome. Escherichia coli found in the springs water.



# The urgent need for adoption and implementation of the recommendations - wastewater (12)



*Studenchishte Canal*



*Near-by hotspot Mazija. Picture from Ohrid SOS*



*Picture from Ohrid SOS*



*Local citizen's plea on social media*

*07.11.2023:  
"Share. Sewage flows into the lake"*

## Update

- **Several new incidents of sewage water spill into the lake;**
- **SEA for water treatment facility in v. Trpejca.** According to the director of the PE "Collectors' System", Ohrid, the project needs serious revision because it proposes the sewage to be on the beach, which might result with polluted water being discharged on the beach and in Lake Ohrid waters.



# Update – Corridor 8

**Construction of Corridor 8 A2 highway started on September 12<sup>th</sup> 2023**, with the Gostivar – Bukojachani section (not in WH). The **urgent measure from the Strategic Restoration Plan** (to amend the so called “Bechtel and Enka Law” and erase the article which allows construction of the highways without EIA and/or any other legally binding procedures) – **wasn’t implemented**. The effects of this law are evident right away: **works on this section started without EIA** and, according to the experts, the route which was chosen will have a **severe negative impact on the Gjonovica Cave (The Beauty), Monument of Nature since 1968, identified as a potential Natura 2000 site.**



**Corridor 8 railway area (original and so far the only route) – OSA team didn't visit the site due to delays from Macedonian authorities**



**“The Beauty” Cave is under severe threats from construction of a highway without EIA**

*picture taken from internet site “Studenti,mk”*



# OSA – surprising moment and update (small HPP)

27.03.2023



**NO RIVER**

27.04.2023 - OSA



**ABUNDANT RIVER**

08.05.2023

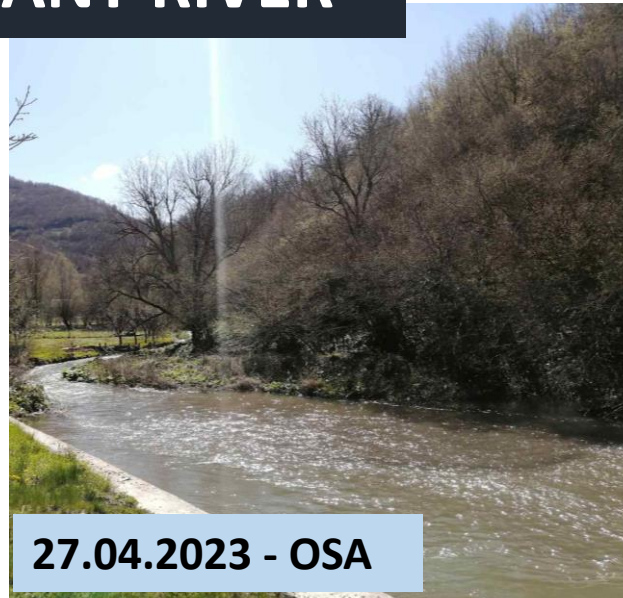


**NO RIVER**

27.03.2023



27.04.2023 - OSA



08.05.2023





# Small HPPs – update November 2023



**Same HPP  
November 2023  
– no water**

ИМЕ (ФИ ИМЯ)	ЕМБГ	СЪБИТИЕ ПОДПИС
Артурски Радостин	0130951410000	
Анелия Радевица	1300561410000	
Варел Радевица	1000561410000	
Варел Радевица	1000561410000	
Владислав Радевица	0700561410000	
Лиди Радевица	1110561410000	
Евгени Радевица	1200561410000	
Дуля Радевица	1300561410000	
Владислав Радевица	1300561410000	
Варел Радевица	1200561410000	
Радевица Радевица	1300561410000	
Радевица Габи	0710561410000	
Радевица Радостин	0910561410000	
Радевица Раде	0600561410000	
Радевица Радевица	0800561410000	

Име потпишано на ова петичко (не потпишано без целената цел) и забележи во име за поддршка за спорове на судбеното решение и учествување на Соборните избори.

5-02-2020

Local community strongly against both HPPs and under significant pressure to agree with the projects



**Second HPP on the same river, still not operational**



# Update – Urban plan for constructions of state significance for Lake Ohrid shore

On October 5<sup>th</sup> 2023 we had a meeting with the team working on the Feasibility study for this urban plan.

## Our main concerns so far:

- **MoE breached the legal provisions for public information** by not publishing the Decision for conditions for spatial planning and the Elaborate (issued in November 2022). By not publishing these documents MoE deprived the public from the information, but also from its right to submit a complaint;
- In this document we discovered that **previously issued Decisions (for spatial planning conditions) for A3 highway, tourism development zones Ljubanishta 1 and 2, and many, many more – are still valid**. For all these projects the government informed UNESCO that they've been cancelled;
- The urban plan for the shore is in a process of development while: the **main spatial plan for the country expired in 2020** and some relevant actions implied by this plan haven't been implemented, like establishing special protection zones around Biljanini Springs, the village of Radozda, etc.; it is **developed prior to the spatial plan for the World Heritage**; the work on the new Law on Managing the WH is about to start and after its adoption a very **important bylaw for the allowed activities in each zone** is envisaged; etc. If the WH Management Plan was implemented all these and many other relevant documents would have been adopted by now;
- If the Law on Proclamation of Lake Ohrid as a Monument of Nature is adopted as it is, or the urban plan is adopted prior to the revised Lake Ohrid Law (and/or Law on Proclamation of Studenchishte Marsh as a Nature Park) – then **the protection of this vital part for Lake Ohrid will be left to an urban plan whose goal is spatial planning for tourism development.**



## **WE ASK THE STANDING COMMITTEE:**

- **To adopt the OSA Report with expert's recommendations;**
- **To adopt all 15 draft recommendations, as they are proposed;**
- **To call the Government of North Macedonia to urgently halt the project for reconstruction of the marina in Studenchishte Canal, ensure that proper EIA is conducted prior to any works on the ground and obtain WH Management Commission opinion;**
- **We also ask for an additional recommendation for the Government of North Macedonia to halt the adoption of the urban plan for Lake Ohrid Shore until proper legal protection of the shore is established through the amended Law on Proclamation of Lake Ohrid as a Monument of Nature, the amended Law on Proclamation of Studenchishte Marsh as a Park of Nature, amended Law on Managing the World Heritage, revised World Heritage Management Plan and revised Strategic Restoration Plan (in line with the Bern Convention recommendations and UNESCO Decision).**