

Open-Case File on the Planned Hydropower Plants on the Territory of the Mavrovo National Park

Presentation of the Delegation of the
Government of Republic of Macedonia

1-4 December, 2015 - Strasbourg

What will the presentation cover?

- Government Observations on the on-the-spot Appraisal Report
- Legislative framework
- Mavrovo National Park in Context of the National Network of Protected Areas
- Balkan Lynx
- Restoration, Mitigation and Offset Measures
- Proposed Solutions

Key Government Observations on On-the-spot Appraisal Report

- Government's file TPVS54 (24 pages) furnished large number of comments on the Experts reports (TPVS36 and TPVS41).
- **Key documents** have been either **marginally considered** or **completely neglected**:
 - Mavrovo Protected Area Revalorization Study (2011)
 - Mavrovo Protected Area Management Plan - Final Draft (2011)
 - ESIA on Boskov Most Hydro Power Project (2012)
 - Annual Report on Pre-construction Biodiversity Survey for Boskov Most Project (2013)
 - Annual Report on Pre-construction Environmental Monitoring for Boskov Most Project (2013)
 - Aquatic Biodiversity Assessment Study for the Mala Reka River Watershed (2015)
 - Biodiversity Mitigation Strategy (Compilation of Mitigation Measures) for Boskov Most Project 2015
 - Landscape Management Plan for Boskov Most project area (2015)
 - Resettlement Action Plan for Boskov Most project area (2015)
- Raises doubts on the necessary grasp of the issues across the board.

Mavrovo National Park - Background

- Protection of the Mavrovo NP first gazetted in 1949 with an area of 11,750 ha, enlarged in 1952 to **73,088 ha**.
- 86 mountain peaks higher than 2,000 m, six of which are higher than 2,500 m.
- 37 settlements total population of around 9,000.
- The whole territory of the NP is included in the watershed of the Radika River.
- 49.17% covered by mountain ecosystems, 45.82% by forest ecosystems and 2.35% by aquatic ecosystems.
- 76 designated cultural monuments including settlements, archaeological sites, monasteries, churches, bridges and houses.

Legislative Framework – Environment and Nature Protection

- **Environment**
 - The National law on Environment has transposed to a great extent the relevant EU Directives
- **Nature Protection**
 - National legislation for nature protection of Republic of Macedonia fully incorporates the obligations under the Bern Convention
 - Republic of Macedonia as an EU candidate country is in process of harmonization with EU Directives (Birds and Habitats)
- **IUCN framework is not** a legislative requirement. It prescribes the conservation status of species and provide criteria for classification of category of protected areas. Nevertheless the Macedonian Law on Protection of Nature to a great extent incorporates the IUCN recommendations.

IUCN Framework

- IUCN criteria for conservation status and classification of protected area categories are not obligatory for the member states of the Council of Europe.
- Individual countries tailor the IUCN criteria to a various degree depending on their specific circumstances.
- As part of the revalorization study and the management plan, the conservation status of floral and faunal species in the Mavrovo NP was evaluated in accordance with the IUCN criteria and their distribution range/endemism.
- The IUCN's "75% Rule", **is not** incorporated in the national legislation of Republic of Macedonia.

Legislative Framework - EU Water Framework Directive

- EU Water Framework Directive 2000/60/EC is around 90% transposed into the national legislation of Republic of Macedonia.
- Secondary legislation not yet adopted, monitoring currently not performed in a systematic manner. Consistency with the EU requirements after commencement of the EU accession negotiation process.
- Relevant provisions of the EU Water Framework Directive are taken into consideration through the E(S)IA process on a project base level. This is the case with the hydropower projects in Mavrovo.

Mavrovo National Park in Context of the National Network of Protected Areas

- The entire territory of the **Mavrovo NP** is a **candidate Emerald site** under the code MK0000007 since 2011 in accordance with criteria of the resolutions 4 and 6 of the Bern Convention.
- Resolutions 157 and 162 have been taken into account in the **preparation** of the **Revalorization Study** and **Draft Management Plan** for the Mavrovo NP.
- In accordance with the Birds and Habitats Directives designation of **future Natura 2000** sites **does not** by default include the entire territory of an Emerald site, and usually the zone of sustainable use is excluded.
- The extensive 2-year field investigations for evaluation of natural values for the Mavrovo NP, conducted in accordance with the criteria of the Birds and Habitats Directive, showed that the zone of sustainable use **does not possess** relevant values to be included in the future Natura 2000 site.

Balkan Lynx

- According to the national legislation of Republic of Macedonia the Balkan Lynx is classified as **strictly protected species** which corresponds to the Bern Convention Appendix 2.
- Appendix 2 is **the highest level** of legal protection.
- Currently the Bern Convention classifies the European Lynx, including the Balkan Lynx, only as **protected species** listed in Appendix 3 - which contains species that are in need of protection, but may be hunted or otherwise exploited.
- The Draft Management Plan for the Mavrovo NP dedicates special attention to protection of large mammals, including the Balkan Lynx, according to the finding of the Revalorization Study.
- **Significant funds** have been committed by the hydropower plants developer for **long term monitoring programs** for large mammals, with special focus on Balkan Lynx, Brown Bear and Balkan Chamois.

Mitigation, Restoration and Offset Measures for Mavrovo National Park

- **Several million EURO committed for mitigation, restoration and offsetting measures** arising from development of HPPs within the Mavrovo NP.
- **Restoration measures:**
 - Restoration of Peat Bogs
 - Restoration of the Norway Spruce Forest Stands
- **Mitigation measures:**
 - Long-term Monitoring Programme for large mammals with special focus on the Balkan Lynx
- **Offset measures:**
 - Fish hatchery for stream trout
 - Monitoring stations at Adjina Reka River, Kobilino Pole etc.

Solutions

- The Government of Republic of Macedonia is seeking a solution that will deliver positive outcomes to all parties involved.
- Take into consideration the Macedonian Government amendments to the Draft Recommendation,
or
- Facilitate additional on-the-spot appraisal mission as soon as possible in order to assist the Standing Committee improve the understanding of the open-case file and produce appropriate Draft Recommendation.

THANK YOU FOR YOUR ATTENTION