



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

Government of Republic of Macedonia

36<sup>th</sup> Standing Committee of Bern Convention

15-18 November, 2016, Strasbourg

# What will the presentation cover?

- ❖ Open case file chronological overview
- ❖ Update on Government activities since 2015 SC meeting
- ❖ Government position in relation to the Open Case File
- ❖ Further steps



# Open case file chronological overview

- Complaint submitted - March 2013;
- A period of exchange of information with the Macedonian focal point at the Bern Convention did not result in satisfactory conclusion of the complaint;
- The Bureau decided to **open a case file and in 2015** requested an on-the-spot appraisal;
- **On-the-spot appraisal mission conducted in June 2015, Report issued in October 2015;**
- **Macedonia provided a detailed technical commentary** on the Report prior to the 2015, 35th SC meeting, **highlighting a number of issues;**
- These **deficiencies** raised **doubts** about the suitability of the ToR for the appraisal and the necessary grasp of the relevant issues on the part of the on-the-spot appraisal team. **In our view this led to unrealistic conclusions and resulted in inappropriate recommendations by the Bureau in 2015, at the 35th Standing Committee;**
- **At the 35th SC meeting, 2015, Macedonia proposed an additional on-the-spot appraisal mission to eliminate deficiencies of the Report.** Not accepted by the SC;
- Mini drafting group comprising Macedonia, Luxemburg, Switzerland, Bulgaria and Albania **agreed on a set of recommendations** to be proposed to the SC, which were **subsequently accepted.**

# Update on activities since 2015 SC meeting

- ▶ Government of the Republic of Macedonia **was informed** about the outcomes of the 35<sup>th</sup> SC meeting and **adopted** the recommendations;
- ▶ Open-case file Recommendations **followed**;
- ▶ All foreseen Government projects within the territory of NP Mavrovo **suspended immediately** after the 35th SC, 2015, meeting in accordance with the Recommendation;
- ▶ **Commitment from the Government** for following the recommendation through Reporting to the Bureau:
  - February 2016
  - July 2016
  - October 2016



# Update on activities since 2015 SC meeting

- ▶ Activities in relation to Law for Re-proclamation of NP Mavrovo, which is a **pre-requisite for undertaking a SEA** for the management plan of MNP
  - Due to the extensive public consultation on the draft Law for re-proclamation of MNP (2013-2015) the regulatory process has been drawn out
  - **Closing out this process as soon as possible is imperative**
  - **Expected finalization of the process after the elections in December 2016**
- ▶ National Program for Monitoring and Recovery of the Balkan Lynx
  - Concept developed
  - Initial contacts made with some potential donors
  - **Macedonia yet to secure the state funding (co-financing) to firm up scope and schedule for the program**
  - **Relevant Government institutions must be closely involved in development and sharing of biodiversity/conservation scientific knowledge.**

# **Government Position on the Open Case File – what is the complaint about?**

**As a Reminder** - the Complaint claims the hydropower developments in MNP will cause:

- **Direct destruction of forests,**
- **Severe disturbance of water sources, and**
- **Fragmentation of wildlife habitats** – MNP being home of numerous strictly protected species listed in Appendix I and II of the Bern Convention.

The complaint emphasized that some of these species, namely the *Lynx lynx balcanicus*, might be critically endangered if the projects are implemented.

**It is imperative to address these concerns as soon as possible to inform future thinking in relation to the open-case file.**

# **Government Position on the Open Case File - key points from Government assessment (1)**

- ▶ **July 2016 Report** to the Bureau provided our detailed analysis, comments and position of the complaint.
- ▶ In summary:
- Information being provided to the Bureau often contains inaccurate and misleading information. **This has to be rectified in future.**
- Why impacts from hydro projects are exaggerated:
  - Boskov Most and Lukovo Pole, as well as other projects are located entirely within the area for sustainable use of the Mavrovo National Park-MNP. Avoid impact on priority habitat types or important plant and animal species. (July 2016 Report, sec. 8, 9);
  - Total forest affected by Boskov Most and Lukovo Pole projects **before compensation is 0.05% of total MNP area** (July 2016 Report, sec. 8, 9). Other project have even smaller footprint;
  - **Project design approach for avoidance of habitat fragmentation;**
  - Inclusion of **mitigation measures for large mammals over the life cycle of the projects;**
  - Impact on aquatic habitats and species - **significant scientific work completed. Best international practices employed on flow releases;**

# Government Position on the Open Case File - key points from Government assessment (2)

- ▶ Key internationally recognized threats to the Lynx and other large mammals:
  - illegal hunting
  - fragmentation of habitats
  - food deficiency
- ▶ Lynx population relatively steady over several decades (app. 20 individuals);
- ▶ In MNP key Lynx threats according to recent studies are: **small Lynx population base, illegal hunting and depletion of the prey population;**
- ▶ Focus for improvement of Lynx and large mammals status should be pursued through stepping up efforts for addressing the key threat;
- ▶ MNP has competent and very experienced staff, successful management of the park over the long term proven in the re-valorization study (2011). Capacity to deal with many issues, assistance from third parties on equal partner basis always welcome;
- ▶ **Further discussions in relation to impact of hydropower projects on biodiversity, including Lynx and other large mammals must be based on sound arguments supported with scientific evidence and verified data.**

# **Further steps**

- ▶ **The Standing Committee to observe the position of the Government of Macedonia with regards to the open case file;**
- ▶ **SEA for the Management Plan for MNP to be carried out. Law for Re-proclamation needs to be adopted first;**
- ▶ **The Complainant to provide sound arguments supported with scientific evidence and verified data in context of the MNP on how the hydropower developments will cause irreversible (unmitigatable) impacts on:**
  - direct destruction of forests,
  - fragmentation of wildlife habitats, and
  - severe disturbance of water sources
  - Endangerment of the Lynx lynx balcanicus and other large mammals



**THANK YOU FOR YOUR ATTENTION**

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