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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

41st meeting
Strasbourg, 29 November – 3 December 2021

Complaint on stand-by: 2017/2

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

- REPORT BY THE COMPLAINANT -

*Document prepared by
Front 21/42*

- July 2021 -

31.07.2021, Skopje

To:
Secretariat
Bern Convention on the Conservation of European Wildlife and Natural Habitats

For the attention of the members of the Bureau of the Bern Convention on the Conservation of European Wildlife and Natural Habitats

Subject: Update on Complaint No. 2017/2: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald sites due to infrastructure developments (North Macedonia)

Dear members of the Bureau,

Since our last update, in March 2021, the Report of the Joint World Heritage Centre/ICOMOS/IUCN Reactive Monitoring mission to the World Heritage of Ohrid Region was published¹ and the experts' assessment that Ohrid Region fulfills the criteria to be inscribed on the List of World Heritage in Danger was confirmed.

This assessment was reflected in the Draft Decision 44COM 7B.77², but due to the Amendment submitted by the Delegation of Bosnia and Herzegovina, Ohrid Region was not inscribed as a World Heritage in Danger. The final text of the adopted Decision is not available at this time – the Delegation of Norway strongly opposed the proposed Amendment and a working group finalized the text which was then adopted without reading. However, it was clear that Ohrid Region wasn't inscribed on the List of WH in Danger.

Prior to the 44th Session, 34 organizations from North Macedonia and Albania, including the Faculty of Forest Sciences, Landscape Architecture and Environmental Engineering at the University in Skopje, signed a letter to the WH Committee, asking for Ohrid Region to be inscribed as a World Heritage in Danger.

However, just like in 2019, the World Heritage Committee decided to discard the expert assessment of the scientists, based on a field visit - this time a very alarming assessment that not only the threats identified by the RMM in 2017 were still present in 2020, but new ones were added to already vulnerable situation.

Recent developments:

- 1. New decision for a moratorium on urbanization, followed by new urban plans - 2017 RMM** asked for an urgent moratorium on any coastal and urban transformation, at least until all planning documents are adopted and effective control mechanisms are established. Following the adoption of 2019 Moratorium Decisions by municipalities of Ohrid, Struga and Debrca (which had so many exceptions that in reality didn't stop any urban plans and projects) the 2020 RMM Report warned: *The Mission observes that the municipal decisions of Ohrid, Struga and Debrca cannot be considered as an adequate response to the recommendations of the World Heritage Committee and of the RMM.* And recommended: *Reinstate as a matter of urgency the construction moratorium which is expected to expire in 2020 and revise the Ohrid, Struga and*

¹ <file:///C:/Users/Iskra/AppData/Local/Temp/North%20Maced.-Albania-Ohrid-RM%20mission%20WHC-ICOMOS-IUCN-31JAN20%20.pdf>

² <https://whc.unesco.org/archive/2021/whc21-44com-7B.Add-en.pdf>

Debrca municipal decisions on the construction moratorium to significantly reduce its exceptions, limiting authorized interventions to ordinary maintenance but excluding from the moratorium the installations of transmission lines up to 35kV and substations up to 10kV, fire protection installations, local water supply and upgrade of the existing sewerage treatment system.

Despite this recommendation, **on 15.03.2021 the Municipality of Ohrid adopted a new document** - *Decision on the realization of existing urban plans and adoption of new ones, as well as the procedures for legalization of illegal constructions*. This latest Decision states that all further urbanization within the municipality will be in compliance with the Management Plan for Ohrid Region; it also states that it's not valid for construction and reconstruction of infrastructure objects and public interest projects (both national and local). The list of public interest projects, which can be constructed/reconstructed without any restrictions is, again, very long and includes: railways, railway stations, airports, state roads and bridges; lake and rivers ports; technological industrial development zones established by the Government; stadiums and sport halls with a capacity of over 10.000 visitors; construction of objects for the needs of the defense, state organs, agencies and funds; various energy projects; municipal roads, squares, markets; etc.

Again, the Decision seemingly prevents further urbanization, while in reality it makes no difference – all planned projects can and do continue within the Municipality of Ohrid, unaffected by this Decision.

The impact of this Decision is evident in the procedure for adoption of one of the latest new urban plans - Gorica North, which started in April 2021. This plan envisages construction of motels, hostels, weekend houses, restaurants and bars, roads, etc. on around 17ha; it's in close vicinity of Studenchishte Marsh, just outside the protected zones, but exactly in an area for which the experts who worked on the Valorization Study for the marsh stress out that urgent revitalization is needed; prevention of urbanization in this area is pointed out in the RMM 2017 Report. However, according to the SEA Report for this new urban plan, it's in compliance with the Management Plan and its realization is acceptable and beneficial.

The SEA process was conducted by the investor instead of the municipality of Ohrid, which is a violation of the Law on environment, as well as an example of conflict of interest – we submitted an Initiative to the Anticorruption Commission regarding this issue.

The process of adoption of this latest urban plan continues despite our comments about flagrant violations of the Law on Managing Ohrid Region. We recently received a reply from the Municipality of Ohrid and public consultations report was also published – all our comments about legal breaches are completely ignored. We also sent several alarming letters about the violations of the law in this urban plan, to relevant authorities (the Managing Commission for Ohrid Region, Ministry of Environment, Ministry of Culture) – didn't receive any reply.

On 18.05.2021 the Municipality of Struga adopted a planning programme with a **new urban plan for weekend houses in the coastal village of Radozda**.

The procedure for the adoption of the plan for **urbanization of village of Konjsko** continued, MoE approved the SEA Report.

Local authorities publically claim great care for the preservation of the site and point out that they are not able to face all challenges and therefor need more support and help from the central Government; however, when we point out the legal breaches in their procedures and potential negative impact of the plans and project they initiate – they simply ignore them. The central Government and the Managing Commission are also publically very dedicated and put the

blame for the urbanization on the local authorities, but when we inform them about new damaging plans and point out the articles in the law which oblige them to prevent such plans – they remain silent.

Urbanization continues even after the grave warning of the 2020 RMM that *“ongoing and planned modifications and developments are exacerbating this already vulnerable situation towards a point of no-return”*. We are afraid that the point of no return will be reached very soon with the new encouragement from the repeated WH Committee Decision in 2021 not to inscribe Ohrid Region on the List of World Heritage in Danger.

2. **Designation of Studenchtishte Marsh and Lake Ohrid as Ramsar Site** - In May 2021 Studenchtishte Marsh and Lake Ohrid were designated as the third and largest Ramsar Site in North Macedonia. The Law on proclamation of Studenchtishte Marsh as a Park of Nature was published for public consultations recently, in July 2021. This is a positive step towards better conservation of this vital part of Lake Ohrid eco system and valuable habitat on its own, however the Draft Law doesn't propose a buffer zone (so all planned urban plans and projects in the close vicinity of the marsh can continue, such as Gorica North, Touristic Complex Gorica, and new hotels near Biljanini Springs). The Valorization Study also doesn't propose a buffer zone and the explanation for the proposed zoning is that it follows the existing General Urban Plan for Ohrid – a plan that has expired and both the Management Plan and RMM 2020 Report and recommendations stress out the need for its revision in order to ensure proper protection and conservation. The Draft Law also proposes the Municipality of Ohrid to be the Managing Body of the new protected area, in other words the local authorities will be in a position to protect the marsh from urban plans which they themselves propose and adopt; the Managing Plan for the marsh will be adopted by the Municipality as well, according to the Draft Law. Right before the start of the 44th Session of the World Heritage Committee, the Minister of Environment proclaimed a temporary protection for the marsh – this is envisioned in the Management Plan, but not only for the marsh, the temporary protection should include Lake Ohrid as well. We see this decision as a positive step, but at the same time we are aware that it doesn't include any obstacles for the Gorica North urban plan, the Touristic Complex Gorica and the new hotels near Biljanini Springs.
3. **Valorization Study for Lake Ohrid** - Second version of the Draft Study, with comments included, was shared with stakeholders in July 2021. We recognize some improvements, primarily in the enlargement of the zone of strict protection and inclusion of a list with key species. However, this is a very general observation based on the brief analysis we could conduct in a short period of time.
4. **National Park Galichica** - The new Management Plan for NP Galichica is not adopted yet, but the process is moving towards finalization – we received replies to our comments, according to which most of our comments and suggestions are accepted. However, we have yet to see if and how they'll be incorporated in the final version. In our previous update we stated the problem with the Raft Floating Restaurant in the strictly protected area of St. Naum springs, enabled by the Contract between NP Galichica and a private company. One of our comments to the SEA for the Management Plan for NP Galichica was a request for an assessment of the environmental impact of this facility – according to the reply we received, the SEA Report now confirms negative impact (coastal transformation, pollution due to lack of wastewater treatment, endangering of the natural eco system and significant species, large number of visitors with negative impact on the spawning of some fish species, as well as on several bird species, solid waste pollution, etc.). On 16.07.2021 we submitted to NP Galichica a Request for annulment of the Contract, (which expired on July 21st 2021) but

haven't received a reply. It's important to mention that this exact location is the only habitat of Marsh Angelica (*Angelica palustris*) – listed on the national Red List as Critically Endangered. The Draft Study for Valorization of Lake Ohrid (version 2.0.) states: *The only population of this species in the country occurs in a single locality, and its Area of Occupancy (AOO) and Extent of Occurrence (EOO) are very small. Constructions of infrastructure (restaurant, a bridge that connects the island and mainland, footpaths, etc.) are threats for decreasing the area and quality of habitat. Only 170 mature individuals exist, but not enough data from the past is available to assess a continuing decline.*

There was a recent article in the media that the waste from the restaurants and toilets in St. Naum springs area is disposed in the nearby bushes, in close vicinity of the lake, accompanied by pictures.

5. **Small HPPs on the largest tributary river Koselska and massive fish die off** - Recent investigative article in the media revealed serious negative impact of the existing small hydropower plant on River Koselska – largest tributary to Lake Ohrid and also one of the greatest pollution sources for the lake. According to the story (and pictures) the small HPP almost dries out the river and greatly affects the lives of local community, which is afraid to voice their concerns following threats and even “a friendly advice” to keep quiet, from the state inspector they invited. A second small HPP is being constructed on this river and the construction causes significant pollution to already affected river – the Ohrid Police Journal from July 11th notifies that “*due to construction activities, i.e. digging in the close vicinity of the river bed for the construction of HPP “Izvor”, around 1 ton of fish died off*”.

6. **Infrastructure projects – Corridor VIII railway and highway A2** - In relation to UNESCO's requests for alternative routes for the European Corridor VIII railway, including those that do not pass in close vicinity of the lakeshore, and in particular avoiding one of the last well-preserved stretches of the lakeshore on the Albanian-Macedonian border: On April 9th 2021 the Deputy Prime Minister for Economy and Investments gave a formal statement, published on the Government of North Macedonia official website, confirming that the project for Kicevo-Lin part of the Railway Corridor 8 is finalized, with a projected budget of around 500 million Euro, and discussions for ensuring this amount from the IFIs have already started. We submitted a Request for information, asking for a copy of the finalized project, to: the Cabinet of Deputy Prime Minister Bitiqi, the Prime Minister Cabinet, the General Secretariat of the Government, the Ministry of Transport and the PE Railways of the Republic of North Macedonia. We received a reply from the PE Railways, without the requested copy of the project, stating that possible alternative routes for Corridor 8 Railway have been examined (without any documents supporting this claim); comprehensive explanation of the history of the existing project/route and various implications if the route is changed, as well as an information that, due to the altitude point of the terrain in Lin (Albania) the existing route is the only feasible one – we received exactly the same text from this institution in January 2018. Prior to the 44th Session of WH Committee, the Prime Minister gave a public statement that the railway route has been changed. We submitted a Request for information, asking for the project of the changed route. Instead of a document supporting this statement, we received a reply from the General Secretariat that PE Railways has already replied to our question. This reply (elaborated in the previous paragraph) doesn't provide any proof that there is a new route, it also doesn't provide any supporting document for the claim that alternative routes have been analyzed. During the 44th Session, the Minister of Culture and President of the National Commission for UNESCO stated that: “*The Struga - Lin railway plans have been stopped till the proper analyses*

are conducted, and an alternative connection point is agreed upon with Albania and in consultation with the center and the advisory bodies.”

All statements of our officials have discrepancies and based on the information we received from the General Secretariat of the Government of North Macedonia; the replies from the PE Railways of the Republic of North Macedonia received in 2018 and 2021; the lack of replies (and requested copy of the project) from all other institutions, including the Cabinet of Deputy Prime Minister; and the public statement of Deputy Prime Minister Bitiqi published on the official website of the Government – our conclusion is that **a comprehensive comparative study of alternative routes for the European Corridor VIII railway has n’t been initiated, the plan to continue with the initial project has n’t changed, the project has been completed and discussions for IFI’s financing are on-going.**

In relation to UNESCO’s request for an upgrade the existing road between Struga and the Albanian border, rather than tracing a new highway, in view of the fragility of the environment in that part of the property, and to the closeness of the lake...; and assessment of the cumulative impacts of the railway and highway A2 on the Outstanding Universal Value of the property, and justification of the choice of not pairing them, or not changing their alignments in order to bring them closer in the northern part of the property: On 31.03.2021 North Macedonia signed a Memorandum of Understanding for realization of the highway project within the Corridor VIII, with Bechtel & ENKA (a consortium of US civil engineering group and a company from Turkey). The Memorandum doesn’t mention UNESCO’s recommendations, nor anything about the world heritage site. In July 2021 the Assembly adopted a special Law for establishing a public interest and strategic partner (Bechtel & ENKA) for the realization of the infrastructure project Corridor 8 – the law was submitted by the Government. **The law practically ensures that Bechtel & ENKA will construct all parts of the Corridor 8 highway without a public tender; it states that other laws or parts of other laws will not be applied to this project (without specification which laws or their parts will be irrelevant for the highway); it obliges all institutions to issue permits and other documents as a matter of urgency; it has no specific requirements for the world heritage, UNESCO recommendation, environmental impact, etc. – it doesn’t even mention any of these elements.** Despite the legal obligations, the law was adopted without any prior public information and participation. There was a significant public reaction against this unconstitutional law, including a very strong opposition from the Anticorruption Commission. Never the less the Assembly adopted it. The Anticorruption Commission submitted an Initiative to the Constitutional Court in late July 2021.

7. **Legalization of illegal constructions** - One of the 2 laws for legalization of illegal constructions (elaborated in the update from 03.2021), proposed by the Government, was adopted by the Assembly, but following a massive negative reaction from the public (including legal experts and practitioners, the Anticorruption Commission, many NGOs, etc.) the President didn’t sign the law. A new version of this law was recently (late July 2021) published for public consultations. This version, just like the previous one, seemingly prevents legalization of illegal constructions within the World Heritage, with negative impact on the OUVs. However, the condition is, again, a confirmed negative impact in the Studies for impact assessment on the environment and cultural heritage, which are not conducted. The new version of the law stipulates an obligation for an opinion about the impact on the OUVs, if the impact assessment is not available. This opinion should be provided from the authorities who conduct the EIA – which, according to the Law on Environment, is the investor. Even if the opinions are to be provided from the relevant ministries (of culture and environment), the practice has proved that it’s not a difficult task – MoE gave positive opinions about many projects with obvious legal

breaches, like the Elaborate for the Floating Restaurant in the St. Naum zone of strict protection in the National Park Galichica, and many others.

The new version of the law further prolongs the time frame for illegal constructions eligible for legalization – from buildings constructed by October 2019 to January 2021.

The law for prolongation of the old law for legalization of illegal constructions (which doesn't have any specific articles for WH Ohrid Region) is still in Assembly procedure – if it gets adopted, all started procedures can continue until 2026, and those constructed in the period March 2011- January 2021 can be legalized with the 2nd law.

In June 2021 the State Audit Office published 2 Reports on the Municipalities' of Struga and Ohrid activities related to the illegal constructions – many legal breaches and irregularities were found.

Starting in June 2021, before the 44th Session of the WH Committee, there have been actions for removal of some of the platforms and temporary constructions from the coast in the municipalities of Ohrid and Struga. The authorities, including the Prime Minister, presented these actions as “decisive dealing with the illegal constructions within the world heritage” and proof of the rule of law in the country. The Minister of Culture also presented these actions to the WH Committee Session as some of the major efforts undertaken for implementation of the Committee decisions: *The lakeshore is being cleared of illegally built structures along the full length of the coast a process which continues and which will be expanded thorough the property.* Removal of several platforms and temporary constructions from the beaches has been the only activity related to the significant problem of illegal buildings since 2019 (no hotels, residential buildings, weekend houses, etc.); also in previous years we've witnessed re-assembling of the removed constructions, right after the WH Committee Session. Considering the favorable legal framework for the illegal constructions, proposed by the Government – we see these actions and interpretations as an indicator of continuation of the misleading reporting and lack of honest intention to deal with this problem.

In June 2021 the media reported new illegal houses in the coastal village of Ljubanishta and we discovered new weekend houses right on the lake shore, after the village of Trpejca.

Respectfully,
Doroti Pachkova
President, Front 21/42



- March 2021 -

22.03.2021, Skopje

To:
Secretariat
Bern Convention on the Conservation of European Wildlife and Natural Habitats

For the attention of the members of the Bureau of the Bern Convention on the Conservation of European Wildlife and Natural Habitats

Subject: Update on Complaint No. 2017/2: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald sites due to infrastructure developments (North Macedonia)

Dear members of the Bureau,

Since our last update, in August 2019, two joint World Heritage Centre/ICOMOS/IUCN missions to the World Heritage Site Ohrid Region took place (within which the candidate Emerald sites - National park "Galichica" and the Monument of Nature Lake Ohrid are located). In December 2019 there was an Advisory Mission and in the period 27-31 January 2020 there was a Reactive Monitoring Mission to the property.

Due to the COVID 19 Pandemic, the 44th session of the UNESCO World Heritage Committee was postponed until June-July 2021, which gave the authorities of North Macedonia an additional year to implement the recommendations from the Reactive Monitoring Mission in 2017 and a chance to avoid the inscription of Ohrid Region on the List of World Heritage in Danger.

Unfortunately, this time was not used for an improvement of the state of the protected area, on the contrary – the majority of the recommendations remained unaddressed, while the actions which brought the property to the point of its consideration as a World Heritage in Danger, continued.

The situation was assessed by the Reactive Monitoring Mission in January 2020, and while the Mission Report is not yet published on the World Heritage Centre website, parts of it were published by the media. The conclusion (yet to be confirmed by the official publication of this document) is the following: *The Mission therefore concludes that the actions requested since 2017 have not been completed to address the vulnerabilities and threats then identified, with the result that the gradual erosion of attributes has not been halted, threatening projects and plans are still evolving, and further new 95 threats have been brought to the attention of the Mission. It is therefore evident that the property is highly vulnerable due to significant management issues and poor implementation of the legal framework. These have led to inappropriate interventions, negative effects of town planning, and large scale project proposals, all of which have resulted in severe deterioration of its urban, rural and natural landscapes, and the key attributes of its OUV, thus causing **the property to meet the conditions for inscription on the List of World Heritage in Danger.***

Based on our regular monitoring of the actions of all relevant authorities, as well as direct experience from the site, this is our analysis of the implementation of the key 2017 recommendations and conclusions, also relevant for our case:

Recommendation 1) *Develop and submit to the World Heritage Centre, for review by the Advisory Bodies, a comprehensive comparative study of alternative routes for the European Corridor VIII railway including those that do not pass in close vicinity of the lakeshore, and in particular avoiding one of the last well-preserved stretches of the lakeshore on the Albanian-Macedonian border (including the option*

identified and proposed by ICOMOS, based on the mission's visit to the site, and presented in Annex 5, map 6.5.2.5.)

Implementation

According to the 2020 State of Conservation Report, submitted by North Macedonia to the World Heritage Centre: *“On December 10, 2019, the Government of the Republic of North Macedonia obligated the General Secretariat to conduct a tendering procedure to analyze the alternative railway route proposed by UNESCO advisory bodies during the Reactive monitoring Mission (2017). In addition, a state workgroup had been established consisting of all relevant institutions which, among other things, will cooperate with UNESCO and counterparts in the Republic of Albania for finding an acceptable solution for this infrastructure venture”.*

In reality, no such tendering procedure was conducted and the reported “workgroup” was never established. Following the publication of the aforementioned Report, we submitted a Request for information related to the workgroup - after few months and several letters to and from various institutions, on 24.04.2020 we received a replay from the General Secretariat that no such workgroup was ever established.

To our knowledge, and according to the publically available information, a comprehensive comparative study of alternative routes for the European Corridor VIII railway hasn't been initiated, the plan to continue with the initial project is still valid.

***Recommendation 2)** With regards to the construction of highway A2: a. Ensure that sufficient passages for people and wildlife are provided that should be wide and high enough to enable smooth crossing by their users, and which should include at least one of the pipe culverts every kilometer with a diameter of two meters, b. Upgrade the existing road between Struga and the Albanian border, rather than tracing a new highway, in view of the fragility of the environment in that part of the property, and to the closeness of the lake...; and **Recommendation 3)** Assess the cumulative impacts of the railway and highway A2 on the Outstanding Universal Value (OUV) of the property, and justify the choice of not pairing them, or not changing their alignments in order to bring them closer in the northern part of the property.*

Important note: The Advisory mission in December 2019 was specifically for the issues related to the A2 highway. (Report published on WHC website <https://whc.unesco.org/en/list/99/documents/>)

Implementation

We don't have sufficient information whether the Advisory mission recommendations were implemented in any way. **To our knowledge, no new project to pair the A2 highway and the railway exists.**

***Recommendation 4)** Permanently abandon plans for the construction of sub-sections (a) and (e) of the A3 road, and suspend the construction of other sub-sections of the A3 road until all appropriate measures are taken to avoid and minimize their potential impacts on the OUV of the property, in line with the specific recommendations made in this report.*

And

***Recommendation 5)** Permanently abandon plans for the construction of the Galičica ski centre project, maintain the current internal national park zoning, and consider developing ecotourism options that would not negatively impact the property.*

Implementation

These 2 projects, both in the National Park Galichica, have been formally canceled and, to this day, remain to be the only examples of implementation of the recommendations.

There was an important recent development related to National Park Galichica – the new Management Plan for the park is in a process of adoption and public consultations were organized for the draft Plan, as well as the draft Strategic Environmental Assessment (SEA) for the plan. While both documents have many positive aspects and deserve a praise, we are also concerned about few issues, including:

The Draft Management Plan mentions a dislocation of an existing and a new road through NP Galichica (without any details), while the Draft SEA doesn't have any information about such project. We asked for more information about this issue during the public debate and with our written comments, but still wait on the information;

The Draft Management Plan also has an Annex "Sustainable Tourism Strategy", which is a very positive aspect, but one of the proposed activities is development of Off-road Jeep Safari Programme – we find this proposal not suitable for the National Park, in our opinion it will result with increased pollution, noise and waste, might cause various accidents, etc.

Our main comment on the new Management Plan and related SEA, is that both documents don't incorporate the related recommendations – e.g. the Recommendation 9 specifically addresses the illegal constructions within the NP Galichica and the Draft Plan and SEA point out the urbanization as one of the major threats to the natural values of the park, but fail to incorporate an inventory of illegal constructions within the park and an assessment of their impact.

However, we still don't know the final version of these 2 documents, which might incorporate these and other comments.

Recommendation 6) *Put in place a moratorium on any coastal and urban transformation within the World Heritage property, at least until all relevant planning documents (Management Plan, OUV based Urban/Coastal Master Plans etc.) have been prepared and adopted, effective protective juridical regulations have been approved, and effective control mechanisms are established.*

Implementation

Requested as an urgent measure in 2017, this recommendation was seemingly addressed in August 2019 - **the three municipalities within the World Heritage (Ohrid, Struga and Debarca) adopted Decisions for a moratorium, but crafted in a way to allow continuation of all planned projects.** The Decisions have so many exceptions, that in reality they didn't stop the coastal and urban transformation. For example, the moratorium(s) were not valid for: changes during construction, changes of investors, reconstruction, adaptation, reconversion, decisions on buildings for which no building permit is issued, initiated procedures for the issuance of a building, enlargement and extension permit, construction and reconstruction of facilities, construction of buildings for public services (education, sports, science, culture, healthcare and social protection), construction of transmission lines up to 35kV and substation lines up to 10kV, stadiums and sports facilities with up to 10.000 spectators, multi-story garages, municipal roads, squares, public parks, markets, public parking lots, cemeteries, monuments and memorials, etc.

The so called Decisions for a moratorium were also temporary documents and expired in 2020, prior to the adoption of all relevant planning documents, regulations and control mechanisms (as requested by the 2017 RMM).

There is one good news related to coastal and urban transformation – in January 2021, the Government adopted a decision to cancel the tourism development zone Ljubanishta 1. However, this is only one positive example. **Despite the recommendation in 2017 and repeated request in the WH Committee Decisions in 2017 and 2019, the urban and coastal transformation continues**, including urbanization of the coastal villages (Konjsko, Trpejca, Elshani); new hotels and hotel complexes on the coast and in the vicinity of Studenchishte Marsh (touristic complex Gorica 2, new hotel instead of the restaurant/club "Park", new hotel near Biljanini Springs, etc.); projects for several beaches (Daljan, Scouts Camp, Debrca, etc.); reconstruction of a port in St. Naum and new ports in Trpejca, Peshtani, Struga; construction of a platform near the Ohrid Airport; urban plan for a new industrial zone in Leskoec; concrete platforms into the lake in the Village of Radozda, urban project for an industrial zone in Moroishta (Struga), etc.

This is done despite the 2017 RMM concerns:

- *The increased urbanization along the coast and in the upper parts of the national park caused fragmentation and destruction of habitat, increased interference with natural resources (particularly water), and pollution (e.g. solid waste, construction debris, waste waters, air pollution, noise). The lake's shoreline cliffs provide habitat for the Balkan endemic keeled lizard*

*(Algyroides nigropunctatus)*³. Even minor pressures upon the habitat alongside the cliffs on the stretch from Peštani to Gradište and in the vicinity of the village of Trpejca may seriously affect this sensitive population and jeopardize its survival.

- *Studenčišta marsh is a sensitive wetland system containing many valuable species and acting as a natural filter for the lake. Considering that Studenčišta marsh is already under severe pressure from nearby urban development, any projects planned in this area should carefully consider environmental and biodiversity impacts before getting approval for implementation. The 5th State Party's report to the Convention on Biological Diversity noted worrisome condition of a relict species, tufted sedge (Carex elata). The species' biological vitality is in decline and only small populations are still present near Studenčišta area.*



The terrain is enclosed and ready for a new construction – right next to the Canal and Biljanini Springs

³ Appendix II of the Bern Convention



A new hotel rises 50-60m from the lake, in St. Stefan – the building permit was issued in 2018



The terrain has been cleared for a new construction in Gorica 1, in a close vicinity of the lake



Burning of the remaining parts of the reed bed on the coast near Struga is not unusual. More often than not, soon after such “accidents” new platforms and commercial beaches appear on the same spot

Reconstruction of Quay Macedonia

One of the projects we are concerned about is the project for reconstruction of the Quay Macedonia in the City of Ohrid – initially it included 3m widening of the existing quay into the lake and the 2017 RMM expressed concerns about it. The project was somewhat alternated, but still entered about 1m into the lake. There was no environmental impact assessment (EIA) and public participation for the project, it got construction permit based on an Elaborate approved by the Ministry of Environment (which excludes public participation). The Government approved 36.000 000 denars (over 500.000,00 Euro) for the project in January 2021, but after the media published parts of the 2020 Reactive monitoring mission report, which recommends an immediate modification of the project (without any extension), the Mayor of Ohrid gave a public statement that it has been redesigned and aligned with the 2020 RMM comments. This is also confirmed in the latest State of Conservation Report, submitted by North Macedonia to the WH Centre, in February 2021. However, we submitted a request for information and asked for the full documentation of the recently re-designed project and the reply we received from the Municipality of Ohrid is that there is no new project, the 2018 version is the last one. The construction is expected to start in the spring of 2021, the investor sent Notification for a start of the construction to the Ministry of Transport and Communications on 28.01.2021.

New Marina

A project for a new Marina in Studenchishte Marsh has been present in various forms for several years and it's envisioned in the urban plan from 2000. This is the last, intact marshland habitat on the lakeshore, crucial as a filter to the lake, but also a habitat of valuable species, including many endemic ones. It has already been fragmented, separated from the lake and negatively affected by construction and other activities, additionally worsened with the latest concrete platform/promenade. Many experts warned against the idea of a new marina in Studenchishte Marsh and, according to the latest State of Conservation Report submitted by the State Party, the Management Plan for Ohrid Region (2019) prevents construction of a new marina in the marsh. We don't see the Management Plan as an effective prevention of this project - on the contrary, it envisions a marina-like extension to the urban areas and the zoning is crafted in a way that allows such project. Furthermore, the new Marina project is mentioned in the recent (2021) Draft Study for Valorization of Lake Ohrid (as one of the 3 options for a marina). The Lake Ohrid Watershed Management Plan (2020/2021) also mentions construction of a modern boat marina for Ohrid and Struga (estimated capacity 1,000 boats), without a precise location.

Additional note on Studenchishte Marsh⁴

After a process of several years, the Ramsar nomination dossier for Studenchishte Marsh and Lake Ohrid has been submitted. While, on the surface it looks like this valuable habitat will finally get the protection it urgently needs for a long time, in reality the recent Valorization Study ([Spirovska et al., 2020](#)), conducted as part of the Ramsar designation process, compares very poorly to the previous proposal ([Spirovska et al., 2012](#)) despite finding increased biological values, including key populations of endemic diatom species, and no decrease in core habitat. The 2020 Study reduces the protection category from III (Monument of Nature) to IV (Nature Park) and thereby precludes the need for a buffer zone under Macedonian law. It simultaneously shrinks and fragments Zones of Strict Protection and Active Management to just 34% of the proposed site, i.e. well below IUCN threshold. It omits core areas such as the lakeshore, which is needed to restore hydrological and ecological connections between wetland and lake ([Society of Wetland Scientists, 2018](#)), the Biljanini Springs, and Studenchishte Canal, a former river, where 14 of Lake Ohrid's 21 native fish species can be found, including endemics ([Spirovska et al., 2020](#)). Significant populations of world-unique diatoms can also be found at the canal ([Spirovska et al., 2020](#)), while the springs contain gastropod taxa that are not found anywhere else in the world except Lake Ohrid too, including the threatened *Gyraulus crenofilus* ([Budzakoska-Gjoreska et al., 2014](#)).

***Recommendation 7)** Finalize all relevant planning documents (Management Plan, OUV-based Urban/Coastal Master Plans, OUV-based Tourism strategy, including regulations for tourism activities, movable facilities at the beaches and open-air commercial activity) and submit them to the World Heritage Centre for review by the Advisory Bodies; It is strongly recommended that the SEA process be used for amending and strengthening parts of the Management Plan.*

Implementation

The key document for an effective management of the whole region is the Law on Managing the World Natural and Cultural Heritage of Ohrid Region – it regulates the creation of the Management Plan for the region, responsibilities for the implementation of the plan, the managing body, etc. The law from 2010 stipulates a large and ineffective managing body, without defined rules for monitoring of the implementation, transparent reporting, etc. That was one of the main reasons for the new Law on Managing the World Natural and Cultural Heritage of Ohrid Region, which was withdrawn from the Assembly procedure, by the Government, in late August 2019 (after the 42nd session of the World Heritage Committee in Baku, Azerbaijan). This took place following the public exposure of the version of the law the Government sent to the Assembly – it amended the articles regulating the managing structure and the decision-making process (making this decision-process ineffective), but this version was kept secret from the public, as well as from UNESCO. Since August 2019 the new law is kept in a drawer and the Management Plan for the region, as well as other relevant plans, are created under the old law.

The Management Plan for WH Ohrid Region was adopted in January 2020 and it is implemented by the same, ineffective, management body (the Ohrid Region Management Commission), there are no specific obligations for monitoring and reporting on the implementation, etc. It is therefore no surprise that one year after the Management Plan was adopted, almost no activity, that was supposed to be finalized by the end of 2020 (according to the Action Plan in the Management Plan) hasn't even started, the urbanization of the coast continues, and there is no progress in the implementation of the 2017 RMM recommendations. **So far, the adopted Management Plan hasn't made any difference.**

It is important to mention that the content of the adopted plan itself has many issues, including zoning that allows continuation of the planned projects (such as the Marina in Studenchishte Marsh, urbanization of the coastal villages, etc.). According to the official reply we got from the authorities, the currently valid Management Plan doesn't incorporate any IUCN comments. According to the 2021 State Party State of Conservation Report, the Management Plan was submitted to the World Heritage Centre in April 2020 – 3 months after it was adopted by the Government. There is no information that a new version of the plan (with IUCN comments) has been formally adopted, therefore, our conclusion is that WH bodies' comments are not incorporated in the currently valid Management Plan.

⁴ Input provided by Citizens' Initiative Ohrid SOS

The Management Plan will have to be revised once the new law is adopted. According to the Action Plan (part of the Management Plan) the new law should have been adopted by October 2020, but the process hasn't even started. Meanwhile, other relevant plans are in a process of adoption, but they will all have to be revised once the main Management Plan is aligned with the new plan. In short – the next few years the country will spend time and money for creation, adoption, revision, new cycles of public consultation, alignment of various plans and managing bodies, etc. The result of the Government's action with the new Law on Managing Ohrid Region is ineffective management of the world heritage and practically paralyzed legal framework that might need years to become functional and effective.

Valorization Study for Lake Ohrid

Currently a Valorization Study for Lake Ohrid is in a process of creation/adoption. This is the base document for the Law on Re-proclamation of Lake Ohrid for a Monument of Nature and the Management Plan for Lake Ohrid. Draft version of the Study was subject to stakeholders consultations in late December 2020 and we find a lot of issues in the draft text. The Study is very general and lacks even basic data about the key species, it's not based on any field research (it's more a brief compilation of some of the available materials than a study); doesn't have an assessment of the current state of the species; doesn't include Studenchishte Canal; instead of 2 independent consultancy bodies (the Scientific Council and the Council of Stakeholders, as stipulated in the Law on Nature Protection) it proposes these bodies to be integrated in the Managing Public Enterprise which is appointed by the Government (and envisions completely different and unappropriated roles for these bodies, especially for the Scientific Council); it doesn't mention that Lake Ohrid is an Important Bird Area (while it should provide up to date information on the most important bird species and their trends); etc. The Study doesn't mention, nor incorporates, the 2017 RMM recommendations relevant for Lake Ohrid.

The process of preparing the Study was only 4 months and the document has 139 pages. Considering the fact that it's a Study for valorization of the oldest lakes on the European continent and one of few ancient lakes in the world, which is a host of about 1,500 species, and more than 300 endemic species, and, according to the Nomination Dossier for the Albanian side of the lake "probably by far the most diverse lake in the world taking surface area into account" – the presented Draft Study is quite worrisome. The disappointment is even bigger taking into account that it's a Study created by IUCN (ECARO) and our hope was that it will serve as an example of a high standard for scientific work and nature protection in our country.

We have yet to see the version of the Study which will be subject to formal public consultations and hopefully it will be a comprehensive document that will provide the proper scientific base for an effective Management Plan for Lake Ohrid.

Lake Ohrid Watershed Management Plan (LOWMP)

We don't know the exact status of this plan. It is published on MoE website, but it's validity is not clear because no institution adopted it (at least that's the reply we received from MoE). However, it's one of the plans referenced in the Study for Valorization of Lake Ohrid.

There was no public participation in the process of creation of this plan. We found out about it by a post on Twitter stating "*The draft Lake Ohrid Watershed Management plan, developed by GWP-Med, has been published for public consultation by the Ministry of environment & Physical Planning, North Macedonia*". The only way to access this "published for public consultations" document, was by getting a direct link from MoE employee. The published document was only in English language and there wasn't any information about timeframe for comments or date and place of public hearing. All our attempts to ask for proper information and public participation were futile, including our letters to UNDP, the organization implementing this GEF funded project.

There are many issues with the plan, for example: it doesn't take into account the Management Plan for Ohrid Region, it doesn't even mention, let alone incorporate 2017 RMM recommendations, it envisages a new marina for 1.000 boats for Ohrid and Struga, etc. However, the public had no chance to voice any concerns or submit comments.

There is also no Strategic Environmental Assessment for the plan, contrary to the Law on Environment.

If this is considered as a valid management plan, then national legislation and Aarhus Convention have been flagrantly violated.

Management Plan for National Park Galichica is another plan in a process of adoption, we referred to it in the elaboration on the implementation of recommendation 4.

We stress out again that the plan has many positive aspects (especially regarding the financing of the National Park and the goal to abandon the current model of forest exploitation as a main source of funds). However, in addition to the previously stated concerns about this plan, we add the **Raft Floating Restaurant in the strictly protected area of St. Naum springs**: in July 2019 the Public Enterprise “National Park Galichica” signed a Contract with a private company for catering activity on six rafts in the strictly protected area of St. Naum springs. This Contract was signed on the basis of Elaborate for environmental protection approved by the Ministry of Environment (no EIA), and in flagrant breach of several articles from Law on Nature; Law on proclamation of Galichica as a National Park; Law on Water. The Contract expires in July 2021, but the Draft Management Plan for Galichica doesn’t envision closing up of the facility and restoration of the natural environment to its original state. Based on the reply we received on this matter, during the public hearing for the Draft Plan, we are concerned that the Contract might be extended.

Management Plan for the Coast of Lake Ohrid has been announced, but so far we only have an information that it’s been prepared by the Ministry of Transport and Communications.

Conclusion

For an effective and cohesive management of the region as a whole and of each separate aspect/part of it, all these plans (and others to be initiated soon, like tourism development strategy), as well as all different management bodies - must to be aligned in every aspect (e.g. zoning and approved activities in each zone) and in compliance with the Law on Managing the WH of Ohrid Region.

The current trend of preparing and adopting different plans, without any meaningful order (for example – the Watershed Management Plan is compiled prior to the Lake Ohrid Management Plan), while planning to later significantly amend the base law, followed by significant revision of the overarching management plan, as well as complete change of the overarching managing structure – promises a long period of paralyzed state and potentially opened door for continuation of the destruction.

In this manner, decisions from international conventions, such as the Bern Convention, become even more significant for the conservation of the valuable habitats and numerous species of the Emerald candidate sites Lake Ohrid and Galichica National Park.

***Recommendation 8)** Rigorously ensure that cumulative impacts of any infrastructure, urban and/or coastal development projects on the OUV of the property are assessed during the Strategic Environmental Assessment for Ohrid Region Management Plan (2016-2025), and submitted to the World Heritage Centre, for review and comments by the Advisory Bodies before any decisions are made that would be difficult to reverse, in accordance with paragraph 172 of the Operational Guidelines.*

Implementation

The SEA for the Ohrid Region Management Plan is considered as the requested SEA on the cumulative effects of all planned plans and projects within the world heritage – this document doesn’t assess the effects of all planned projects and plans, it doesn’t even mention the majority of the planned projects and plans. **The crucial request by the World Heritage Committee since 2017 remains unfulfilled.**

***Recommendation 9)** In relation to illegal constructions within the property: a. undertake a detailed inventory of all existing illegal constructions within the property and carry out relevant Heritage and Environmental Impact Assessments (HIA and EIA) to assess their impacts on the OUV of the property, b. remove all illegal constructions within the property and in particular within the Galičica National Park, which, based on the above-mentioned HIAs and EIAs are considered to represent a threat to the property, including its authenticity and conditions of integrity, and c. ensure the strict enforcement of existing laws and regulations to prevent any further illegal construction within the property.*

And the immediate measure: *“Halt the process of legalization of all illegal constructions within the property until a detailed inventory of all existing constructions is established and relevant Heritage and Environmental Impact Assessments (HIA and EIA) have been carried out”*

Implementation

1.1. The Government recently (in 2021) proposed legal framework, that not only ensures continuation of the already started procedures for legalization and expansion with new requests, but undermines the rule of law – the Government sent to the Assembly 2 parallel laws for legalization of the illegal constructions in the country. The first one is a new law and the second is a 5 years extension of the existing one, which was supposed to be valid until March 2021. None of the draft laws were published and there weren't any public consultations - despite the legal obligations for public participation, the Government sent both laws directly to the Assembly for adoption.

Several articles in both laws have a special significance for Ohrid Region. If both laws are adopted: **a great number of already started procedures for legalization** of illegal constructions built within the region before 03.03.2011 (over 11.500 only in the Municipality of Ohrid) **will continue until 2026**; the new law has an article stipulating **termination of the started (and legally effective) procedures for removal of illegal constructions**; The old law allows legalization of illegal constructions built before and until 2011, with the new one, the **illegal constructions built between 03.03.2011 and 01.10.2019 also become eligible for legalization** – this means **new requests for legalization in Ohrid Region added** to the already alarming number (over 16.000 only in the Municipality of Ohrid); **A great number of denied legalizations** (over 2.500 only in the Municipality of Ohrid), **and illegal constructions which were facing removal, get a new chance to become legal**, with the new law.

The new law seemingly addresses the illegal constructions in Ohrid Region, by stipulating that its provisions *don't apply to the illegal constructions within the World Heritage of Ohrid Region, which will have a negative impact on the OUVs, according to the Studies for their impact assessment on the environment and cultural heritage.* However, **no such studies have been conducted, nor they can be expected in near future** – on the contrary, the latest State of Conservation Report, which the country submitted to the World Heritage Centre, states that there is no legal framework for such studies (addressed in the text below). In short – **no illegal construction in Ohrid Region will have a negative impact on the OUVs any time soon, so there won't be any obstacles for their legalization.**

1.2. **The existence (and/or the content) of formally reported Inventory of illegal constructions is questionable.** Both 2020 and 2021 State of Conservation Reports, submitted by our authorities to the WHC, state activities related to an Inventory of illegal constructions within the property, however the only official replay we received (in 2020) was that there is no such document. **The fact is that the apparent Inventory of illegal constructions within the property is not a publically available document.**

Important note: compilation of the Inventory of illegal constructions is an easy and fairly quick task, all it takes is to merge the existing data from all 3 municipalities - since 2011 all municipalities in the country have a legal obligation to have a Register of all requests for legalization of illegal constructions. In 2020 (after a whole year sending requests for information and submitting complaints) we received the Excel table with the requests for legalization submitted to the Municipality of Ohrid and the picture is quite worrisome: around 16.000 requests for legalization of over 19.900 facilities had been submitted by June 2020; there are 420 illegal residential buildings; there are 37 illegal camping sites; 13 hotel complexes are entirely illegal, as well as over 20 individual hotels; there are over 2.000 illegal buildings (mainly weekend houses) within the National

Park Galicica; Established private companies own illegal facilities, including business facilities, industrial objects and infrastructure. Public institutions and the Macedonian Orthodox Church are also among the owners of illegal facilities.

- 1.3. Our conclusion is that the authorities have no intention to conduct environmental impact assessment for the illegal constructions, prior to removal.** The third part of the Recommendation 9 stipulates EIA and HIA for the illegal constructions registered in the Inventory (followed by a removal of those with confirmed negative impact on the OUVs).

According to the 2020 State of Conservation Report, submitted by the Macedonian Authorities, the country fulfilled all the preconditions for EIA and HIA: (Pg.2): *"Furthermore, the State Party also compiled an inventory of illegally built structures on the territory of the property, thus fulfilling the prerequisites for conducting an Environmental Impact Assessment (EIA) and a Heritage Impact Assessment (HIA)."* (Pg.6): *"With the completion of the Inventory and the adoption of the Management Plan, the prerequisites for conducting an Environmental Impact Assessment (EIA) and a Heritage Impact Assessment (HIA) of illegally built facilities have been met. The assessments will provide guidelines for future actions to be taken with regards to the illegally built facilities. This process will be conducted for the territory of the property as a whole".* **One year later, according to the 2021 State of Conservation Report, EIA and HIA can't be conducted** (pg.13): *The preparation of the Environmental and Cultural Heritage Impact Assessment is a major challenge due to the lack of a national methodology or legal basis for the implementation of this activity".*

The Environmental Impact Assessment Directive (EIA), as well as the Strategic Environmental Assessment Directive (SEA), had been transposed in the national legislation for over a decade and numerous EIA and SEA procedures had been conducted throughout the years. There is absolutely no obstacle, or any kind of challenge, for the environmental impact assessment of the illegal constructions within the property.

The Heritage Impact Assessment (HIA) is indeed still not incorporated in the Law on Protection of the Cultural Heritage, but there is no reason, nor it is possible, to conduct EIA and HIA as one process – they are 2 very different procedures, conducted by different experts, under different laws, etc. In other words, even if HIA was transposed in the national legislation, it would have been conducted as an independent process of the EIA and vice versa. We are worried that **the authorities utilize the fact that there is no legal base for HIA to justify avoiding the EIA process.**

Important note: The EIA and SEA procedures involve legally regulated public information and participation, thus imposing an obligation for the authorities to publish the Inventory of illegal constructions – by avoiding this crucial step and going directly to removal (an intention clearly stated in the State of Conservation Report) it will be completely up to the authorities to decide which constructions will be demolished and under what criteria, while the public will never know which buildings are illegal constructions, have a negative environmental/cultural impacts, and were "pardoned" nevertheless.

Our position is that public information on the inventory of illegal constructions and public participation in the decision process for removal of the illegal buildings with negative impact, are the only way to ensure rule of law and prevent corruptive practices.

Important note: some of the illegal platforms that were removed right after the 2019 WH Committee Session in Baku, were re-assembled in 2020.

Recommendation 10) Undertake a thorough assessment in view of defining and establishing a buffer zone for the property, in order to strengthen its protection, which should ideally include

Prespa Lake, as an important part of the connected Ohrid-Prespa ecosystem, as well as the remaining part of Galičica National Park.

Implementation

The Management Plan for Ohrid Region proposes a buffer zone that does not include Prespa Lake, but includes the remaining part of NP Galichica. The Draft Management Plan for NP Galichica doesn't incorporate the proposed buffer zone for the WH Site.

***Recommendation 11)** Clarify the decision-making mechanism and tasks and functions of the Commission for Management of the Natural and Cultural Heritage of the Ohrid Region, and establish genuine participative approaches in the management of the property to ensure adequate involvement of local communities and civil society organizations.*

Implementation

No changes were made in the work and functioning of The Commission for Management of the Natural and Cultural Heritage of the Ohrid Region. Even with the existing law and functions, the Commission can make a big difference in the protection and conservation of the region, if it implemented its legal tasks and was a professional and independent body. In reality, the Ohrid Region Management Commission is a passive body, that doesn't monitor the events in the world heritage, nor reacts accordingly (even though it should, according to the law); it's main activity is to give opinions about certain plans when and only if asked by the municipalities; it should have been the responsible body for the implementation of the Management Plan, which hasn't been implemented for over a year, etc. As of January 2021 there is no Commission because its mandate expired, while the new one hasn't been formed yet.

Genuine participative approaches in the management of the property and meaningful involvement of local communities and civil society organizations haven't been established, even though we have yet to see the actual outcome of the public consultations for the latest documents (Management Plan and SEA for NP Galichica and Study for Valorization of Lake Ohrid).

So far, even the first step – access to information, is a very difficult one, in some cases it takes over a year and many letters and complaints to the Agency for protection of the free right to public information to get the requested information. A lot of our requests in the past 2 years remain unanswered, in one case we even got a reply from the General Secretariat of the Government that the information we requested (related to the implementation of the 2017 RMM recommendations) is classified. We've witnessed several manipulative actions of our authorities, which are examples of misusing the civil sector (for the sake of showing participative democracy), rather than genuine cooperation. The creation of the new Law on Managing the World Natural and Cultural Heritage of Ohrid Region is a great example - we (Front 21/42) were part of the working group that developed the new law, but after the draft law was published and public consultations finished, the Government, on a meeting we were not invited to, changed crucial articles and sent that version to the Assembly. If that version of the law was adopted, we would have been participants in legalizing the very things we fight against.

***Recommendation 12)** Strengthen trans boundary cooperation with the State Party of Albania in the protection and conservation of the property, in particular on monitoring the lake's biodiversity and water quality, exchanging relevant scientific data, and establishing common management actions such as jointly agreed fishing quota.*

Implementation

Trans boundary Watershed Management Committee was established, but so far it hasn't had a meaningful role for the protection and conservation of the property. No joint monitoring programmes have been established.

Important step towards joint fishing quota took place in in December 2020 - the Minister of Agriculture, Forestry and Water Economy of North Macedonia and the Minister of Agriculture and Rural Development of Albania signed an Agreement on joint sustainable management of fisheries on Lake Ohrid and Lake Prespa, which is a base for creation of a new bilateral body - Joint

Committee for Fishing of Lake Ohrid and Lake Prespa. On 14.12.2020 we submitted a Request for information, asking for a copy of this Agreement, but received a reply that the procedure for the Agreement verification by both parties hasn't been completed yet, and we cannot get a copy for the time being.

***Recommendation 13)** improve the central wastewater treatment system for all settlements in the Lake Ohrid basin, and enable education and training of relevant staff to build their technical capacities.*

Implementation

During 2020, several activities were undertaken for rehabilitation of the collector system, but this recommendation has not been fully implemented, as the activities are expected to continue in 2021. This is one of the activities that, according to the Action Plan for the Management Plan of Ohrid Region was planned to be completed by the end of 2020. The initial budget for the rehabilitation of the collector was significantly cut off in 2020. Even if the collector system is completely functional, it will not solve the whole problem with the wastewater treatment. There is no proper wastewater treatment for several villages and settlements in the region and there is also the problem of the many illegal buildings – the collector's capacity was not projected for the number of buildings/households it actually serves.

***Recommendation 15)** Develop and implement appropriate measures to stabilize the water level of Lake Ohrid, including regular monitoring and control of discharge of lake waters into the Crn Drim river by Macedonian power plants company ELEM, and explore options to re-divert the Sateska river back into the Crn Drim river.*

Implementation

There is an EU/UNDP project for re-diverting Sateska River, so far there is a feasibility study, but no actual works on the ground have started.

***Recommendation 16)** Close and clean up the Bukovo landfill and all illegal waste dumping sites within the property, and establish a functional communal waste collection system.*

Implementation

Bukovo landfill and other illegal dumping sites haven't been cleaned and closed up, there is no functional communal waste collection system.

***Recommendation 17)** Take all necessary measures to control invasive species in Lake Ohrid and ensure the regular implementation of a biodiversity monitoring programme, and enforce legal provisions to ensure the protection of endangered and endemic species.*

Implementation

No measures have been taken for the invasive species; there is no regular bio monitoring programme; poaching continues to be a problem.

CONCLUSION

The exceptional natural values of Lake Ohrid and Galichica National Park, candidate Emerald sites and parts of the World Heritage, are in constant decline, especially since 2010. For illustration - in the winter of 1989, 79.000 waterbirds were recorded on the lake in North Macedonia, while in 2010 and 2011 only 10.000 and 17.000 individuals were counted (Wetlands International 2006, Veleviski et al. 2010).

Waterbirds are especially abundant in parts of the lake where reed beds are still present, and reed beds have been continuously burnt and cut off for various constructions.

The state of these habitats was so fragile, that in 2019 IUCN, as an advisory body to WH Centre, assessed it as follows: *The on-going threats combined with large-scale infrastructure and development projects, individually and cumulatively, represent a potential Danger to the OUV of the property. **It is considered that the property thus meets the criteria for inscription on the List of World Heritage in Danger according to Paragraphs 177, 179 b) and 180 b) of the Operational Guidelines.***

Instead of urgently addressing the threats, since 2017 (when the Reactive Monitoring Mission delivered the worrisome Report and 19 recommendations) and even after 2019 (when Ohrid Region was proposed for an inscription on the List of World Heritage in Danger), for the past two years (with the exception of Recommendations 4 and 5) the central and local authorities of North Macedonia were focused on empty administrative procedures, misleading documents and reports, that create an impression of dedication to the preservation of the site, instead of actions for genuine implementation of RMM recommendations, while continuing with destructive plans and projects.

We strongly believe that opening this case by the Bern Convention Standing Committee can play a crucial role in the prevention of irreversible, to a point of no return, transformation and damages to Lake Ohrid and National Park Galichica.

Respectfully,
Doroti Pachkova
President
Front 21/42

