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**Negative impacts to Lake Ohrid and Galichica National
Park candidate Emerald Sites due to infrastructure
developments**

- REPORT BY THE COMPLAINANT -

*Document prepared by
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Bern Convention on the Conservation of European Wildlife and Natural Habitats

File No. 2017/2: Negative impacts to Lake Ohrid and Galichica National Park candidate Emerald sites due to infrastructure developments (North Macedonia)

UPDATE REPORT - Implementation of Recommendation 221 (2023)
(01.08.2024 – 14.02.2025)

Summary: Since our last update report (31 July 2024) nothing was done towards the implementation of any of the 15 points of the recommendation; the actions taken in this period by both central and local authorities go in the opposite direction of conservation of the species and habitats in the 2 sites.

UPDATE FOR EACH POINT

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.* - There was no development in regard to this point.

As presented during the 2024 Standing Committee meeting, the Law on Nature protection already has a provision for “multi-purpose” protected area, which can be applied for implementation of this point.

It’s been one year since the public hearing for the new Law on Managing the World Natural and Cultural Heritage of Ohrid Region was organized and we still don’t have any reply from the authorities to the comments we sent. This law is not even mentioned in recently published joint State of Conservation Report, submitted by North Macedonia and Albania to WH Centre, despite 5.d recommendation from UNESCO’s 2020 Reactive monitoring mission, with “immediate” timeframe: *Enforce fully the existing legal framework, in particular the current Law on Managing the World Cultural and Natural Heritage of the Ohrid Region, and proceed with the approval of the new law on the Management of the Natural and Cultural Heritage of the Ohrid Region as soon as possible.*¹

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.* - There was no development in regard to this point.

As previously reported, since February 2024 the situation with the management of the site is even worse than before – for the first time since its establishment (and contrary to the current Law on Managing the WH), the WH Management Commission doesn’t have representatives from environmental NGOs and Biology Institute at the Faculty of Natural Sciences and Mathematics. Previously established expert consultancy body doesn’t exist too. Also, unlike the past 2 years, the sessions of the WH Management Commission are not open for the public anymore (which is another violation of the national law) - we don’t know if this body had any sessions apart from the initial constitutional one.

¹ Link to the state parties SoC Report: <https://whc.unesco.org/en/list/99/documents/>

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 Revitalization of Ohrid Region natural/cultural values to identify actual and potential weaknesses in their design and implementation, using the information gathered to upgrade each document.*** - There was no development in regard to this point.

There is also no implementation of both plans. In the past 6 months we sent several petitions to the competent authorities, requesting implementation of the urgent activities from the Strategic Recovery Plan (SRP), as well as initiatives for inspection – all with zero effect. The replies we received clearly showed that none of the authorities (including the General Secretariat of the Government, Municipality of Ohrid, Ministry of Environment) has any intention to implement the activities from the Strategic Recovery Plan. Lack of implementation, monitoring and reporting mechanisms was one of the weaknesses we pointed out during the initial creation of the SRP.

4. ***In conjunction with the evaluation of the Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029:***

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

There was no development in regard to this point. On the contrary, the situation continued to get worse.

On 2.12.2024 Municipality of Ohrid adopted a “*Decision on the method of implementing the existing urban plans and urban planning documents and adopting new urban plans and urban projects, as well as on the manner of conducting the procedures for determining the legal status of illegally built structures*” - this is practically the same Decision which was adopted in 2021, 2022 and 2023 and which was assessed in the OSA Report (pg. 9) as following: *The “Decision on the Method of Implementing Existing Urban Plans...” (adopted by the authorities in Ohrid, but not in Struga) is supposed to have the force of a moratorium as called for by the RMM, but in practice it does not have this effect because it allows construction to continue, provided that development is aligned with the Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029. Also, there are too many exceptions which allow for construction within the framework of the above Decision. Both Ohrid and Struga Municipalities have issued other related decisions (albeit in a slightly different format) since 2019, but all lack scope and an implementation mechanism. As could be seen from the State Statistical Office data in section 3.1.1 above, construction activity has not decreased in recent years, and effective prevention of construction activity has never taken place.*

Some of the urgent activities in the Strategic Recovery Plan, which the Municipality of Ohrid was obliged to implement by 01.02.2024 include: (1) adoption of a Decree for termination of all acts and planning documents that allow urbanization within Studenchishte; (2) adoption of a Ban on construction of permanent and/or temporary objects on the beaches and the promenade in Studenchishte Marsh area; (3) removal of all seasonal touristic facilities from this area; (4) adoption of a Ban on implementation of all previously adopted urban plans and adoption of new urban plans, which imply urbanization within the boundaries of the Ramsar site. Nothing was done in relation to any of these actions and our petitions for their implementation received replies that clearly showed disregard.

In this reporting period the Ministry of Environment continued to contribute towards further urbanization of the site by issuing new *Decrees for spatial planning conditions* (the first step towards new urbanization of a certain area), including decrees for new urban plans for 4 villages within NP Galichica (14.11.2024: coastal villages Peshtani and Elshani - buildings with apartments and studios; 15.11.2024: v. Ramne - weekend houses; 20.12.2024: v. Konjsko - buildings with apartments and studios). On 21.01.2025 Ministry of Environment also issued a Decree (for spatial planning conditions) for expansion of Ohrid airport.

According to the Official Journals of the Municipality of Ohrid (31.10.2024 and 14.11.2024), the municipality plans a reconstruction of the shore belt from the city square to the Canal Studenchishte. This area is the same as the Quay Macedonia, for which there was a harmful project that envisaged extension of the quay into the lake – the State party informed UNESCO that this project was cancelled, but we are afraid that it might be revived under a different name.

We repeat our great concern for the construction of a hotel complex in Gorica 3, close to the border of the Ramsar site and on Lake Ohrid coast: (1) the complex is based on an old urban plan (adopted without the mandatory SEA procedure), for which the Municipality of Ohrid had a legal obligation to declare it as invalid and to start a procedure for a new urban plan which will be in line with the WH Management Plan; (2) the construction permit was issued without EIA procedure and without any assessment of the environmental impact. We are especially worried because our initiatives for environmental inspection not only didn't bring any results, but the latest development (December 2024 – February 2025) points out that most likely the state environmental inspector used the inspection to give the investor a time to falsify environmental elaborate (type of environmental impact assessment that national legislation allows instead of EIA in certain cases).

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.*** - There was no development in regard to this point.

As presented during the 44th Standing Committee, Amendments to the Law on Urban Planning were adopted without any public participation; they brought back old (and formally annulled) urban plans for villages (so called General Village Acts) that were adopted without environmental impact assessment. There are several general acts for villages within NP Galichica and on Lake Ohrid shore.

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.*** - There was no progress - on the contrary, legalization of illegal constructions continued, as well as emergence of new illegal constructions.

In the period 01.10.2024 -31.01.2025 Municipality of Ohrid legalized 44 illegal constructions, 19 of these are within the NP Galichica. Previously reported illegal urban complex within Ramsar site Studenchishte Marsh continued to develop, with full knowledge of all state and local environmental and construction inspectors, while the marsh is under temporary protection that bans urbanization.

According to the Strategic Recovery Plan, Municipality of Ohrid should have removed all illegal constructions within the 50m of shore, Studenchishte Marsh and St. Naum springs area, by 01.02.2024.

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.*** - There was no development in regard to this point.

The last action is still the withdrawal of the law from the Assembly procedure (together with Studenchishte Marsh Law). The Prime Minister and the Minister of Environment never replied to the letter sent on 26.09.2024 by 17 NGOs, requesting urgent revision of the valorization study for Lake Ohrid (and Studenchishte Marsh) and full implementation of the Bern Convention recommendation.

UNESCO asked for urgent adoption of this law (as well as the Law on proclamation of Studenchishte Marsh as a Park of Nature) – this request is completely ignored in the 2025 State Party report to UNESCO (*the SoC report noted in point 1*).

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.*** – No progress, the update for point 7 is valid for this point as well.

Additional note: UNESCO's 2024 reactive monitoring mission report also notes that the area of Gorica North should not be urbanized and revision of the proposed law (now withdrawn) is recommended, the report goes even further noting that the whole area of the marsh needs to be a zone of strict protection. Link to the report: <https://whc.unesco.org/en/list/99/documents/>

9. ***Proceed to aligning each protected area in North Macedonia with the IUCN guidelines for 75% to be primarily managed for nature conservation, including by revision of permitted activities in line with the findings of this report, and establish a regular, annual mechanism for the delivery of state funds to protected areas for general management purposes.***

The State of Conservation report submitted to UNESCO states the following: “In 2025, PIGNP will review its Management Plan (2021–2030). A key objective of this review is to meet the IUCN recommendation to designate 75% of the park's area as natural zones. Achieving this milestone will require strong support from the Ministry of Environment and Physical Planning and the Government of the Republic of North Macedonia.”

Of course we have yet to see if this will take place, but considering the legal and illegal urbanization of the national park, it's questionable if there are natural zones in 75% of the park at all.

In 2024 the Ministry of Environment had a call for financing the national parks' projects – we don't know if and how much the parks received from the budget last year, but the total nature protection state budget was re-balanced from around 297.170,00 Eur to around 256, 520, 00 Eur. The total budget for nature protection in 2025 is significantly increased (around 667.642,00 Eur) but we don't know how much, if anything, is envisaged for the national parks.

10. ***Implement thorough monitoring of key species according to scientific principles throughout the World Heritage site, but particularly at biodiversity hotspots and core habitats, using the information to inform management decisions, national Red List classifications, and action plans for the conservation of endemic species.*** - There was no development in regard to this point.

Update relevant for the endemic species: according to the WH Strategic Recovery Plan a ban on the endemic and endangered² Ohrid trout (*Salmo letnica*) fishing should have been adopted by 01.02.2024. Instead of a ban, Lake Ohrid fishing quota was adopted on 24.10.2024 – 5 tones/year of Ohrid trout is allowed for commercial fishing and 2 pieces/day for recreational fishing. In November 2024 the Ministry of Agriculture, Forestry and Water Economy announced a call for 7 concessions on Lake Ohrid (the lake was divided into 7 zones and each zone will get a private concession). According to media articles, 6 companies have been selected so far. The concessions are issued for 12 years. We recently submitted a request for information asking for copies of the legally binding environmental impact assessment for the concessions (and all other mandatory documents/procedures) – but we still don't have a reply from the Ministry of Agriculture, Forestry and Water Economy (the 20 days legal deadline for a reply hasn't expired yet).

11. ***Accelerate the procedures for the designation and full adoption of Emerald Network Sites and the establishment of a connected Network in accordance with the provisions of the Bern Convention and in cooperation with neighbouring countries.*** - There was no development in regard to this point. Emerald network is completely ignored.

Additional information: we consider the establishment of national Emerald network in our country as a top priority and our colleagues from the Western Balkan region firmly share this position. In this context:

- as a member of the working group on environment and sustainable development (part of the regional Civil Society Forum of the Berlin Process) we proposed the following policy recommendation to the WB leaders: “*Update respective databases, speed up and finalize the establishment of national Emerald Networks as a matter of urgency, thus aligning the key component of nature protection with EU standards and fulfilling one of their primary obligations as contract parties to the Bern Convention.*”; and to the European Commission: “*Stimulate and prioritize the process of establishing the national Emerald Networks throughout the WB6 countries through EU-funded CSOs and governmental projects, aiming to prepare these countries for joining the Natura 2000 network.*” - all participating CSOs supported these proposals and they are part of the policy recommendations that were presented to the WB leaders, EU and EC representatives, during the 10 year of the Berlin Process meeting in Berlin, in October 2024 (link to the policy recommendations: <https://wb-csf.eu/publications-csf/policy-recommendations-civil-society-think-tank-forum-2024>);
- we also proposed to include the establishment of national Emerald networks in the Green Agenda for the Western Balkans Action Plan, and all participating NGOs agreed – this was done as part of the joint NGO proposals on the GAWB Action Plan, organized by CEE Bankwatch Network and signed by 18 NGOs from the region. (link to the document: https://bankwatch.org/wp-content/uploads/2024/09/2024_10_Joint-NGO-proposals-on-the-GAWB-Action-Plan_Parts-1-and-2.pdf - the noted part is on pgs. 23-25)

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***

² IUCN classification: endangered under criteria B1ab(iii)+2ab(iii)

biodiversity hotspots such as Saint Naum Springs. To our knowledge there was no development in regard to this point.

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.* - There was no development in regard to this point. Information presented for points 7 and 8 is applicable here as well.
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.* - There was no development in regard to this point.
Additional note: Ostrovo restaurant is practically illegal because it doesn't have a permit for temporary equipment issued from the municipality (confirmed by the local inspector in 2023). In this context, previously mentioned urgent activity from the Strategic Recovery Plan is also relevant here (removal of all illegal constructions within the 50m of shore, Studenchishte Marsh and St. Naum springs area). As noted in point 1, the responsible central and local authorities ignored (or provided absurd replies to) our petitions for implementation of the urgent activities from this plan.
15. *Design and implement, together with the interested public and NGOs, a comprehensive awareness raising campaign on the importance, standards and methods of protecting the natural and cultural heritage throughout the Ohrid Region which should be recognised as a national treasure.* There was no development in regard to this point.

Respectfully,
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