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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

40<sup>th</sup> meeting  
Strasbourg, 30 November - 4 December 2020

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**Specific Sites - Files open**

**Development of a commercial project in Skadar  
Lake National Park and candidate Emerald site  
(Montenegro)**

**- REPORT BY THE COMPLAINANT -**

*Document prepared by  
the Informal Citizens Group from Virpazar, Montenegro*

- October 2020 –

To:

**Mr Eoghan Kelly**  
Secretariat of the Bern Convention  
Democratic Participation Directorate  
Agora Building, A4.53V  
1 Quai Jacoutot  
F-67075 Strasbourg Cedex, France

Virpazar 25.10.2020

## REPORT

The Informal Citizens Group from Virpazar would like to congratulate The Standings Committee 40th jubiliary meeting.

This document covers off the latest update and follows up to the ones previously submitted.

**Key update - No meaningful progress from Montenegrin government on recommendations 201, and worsening situation for Skadar Lake's biodiversity.**

Very little positive progress has been achieved. Further, there have been no new developments regarding revisions to or replacement of the Spatial Plan for NP Skadar Lake, as previously committed to by the Montenegrin authorities.

The geometric markings for a future road connecting the village of Mihailovici and White Village site have been noted in June 2020 and already reported.

**For additional context, elsewhere in the National park negative pressures are still at play and have been worse than ever. This is mostly as a result of years of non-professionalism, neglect, nepotism and corruption that is embedded throughout the system of the Montenegrin governing structure, namely in this case the public enterprise responsible for National parks and The Nature and Environmental Protection Agency of Montenegro (NEPA).**

**All reporting to the Ministry for Sustainable development and tourism.**

1. Large fires broke out in different locations across the park in September. Mostly, it has been poorly accessible areas that have been affected. This has led to speculation that poachers were responsible, with their goal being to gain easier access to the water and continue in their illegal activities. These fires were largely ignored by the authorities responsible for park management and by the government. They were eventually extinguished (mostly by rainfall) after 20 days, causing large scale biodiversity loss.

<https://www.pcnen.com/portal/2020/09/20/pozari-oko-skadarskog-jezera-gutaju-sve-pred-sobom-video/?fbclid=IwAR2UnD3SEioKxvLrbrQwWFyzyAZxX2L8-6IHYYrRpyEMak9BilaN9Jy5hTQ>



Burned areas visible on satellite images.

2. Illegal fishing has become widespread in the Park. Highly destructive methods of fishing with electricity and dynamite have now become endemic. Social media is flooded with evidence by the public and NGOs on a daily basis, yet very few poachers are prosecuted and, as a result, activity becomes widespread.

Social media reports : warning- some might find these images disturbing.

<https://www.youtube.com/watch?v=62q4U2TP530>

<https://www.facebook.com/lice.crnegore/videos/468581627142995>

3. Some 25000t of highly toxic caustic soda has been inappropriately stored in the Aluminium smelting plant adjacent to the main contributory of Skadar Lake - Moraca river. This highly toxic material has been dumped on the grounds of the plant, seeping into the ground and into Moraca river causing major concerns of imminent ecological threat to the lake.

<https://www.facebook.com/green.home.18/videos/pcb.2726441477604385/343323266984104>

As you must be aware, after recent elections in Montenegro the new parliamentary majority has been given a chance to form a new government after 30 years of one party rule. Our hopes are high for the new government, in particular from the aspect of the reform of current institutions, freeing them from the current culture of corruption and unprofessionalism. Once the new government is formed, we aim to establish and improve direct communication.

#### **Reiterating our key concern:**

As we have stated in our previous reports, our major concern is that SLS Mihalovici, including within planned Porto Skadar lake and White Village, is just the beginning of the more unsustainable development on the lake that is currently under extreme pressure and is lacking minimal levels of protection.

- 1. As the highest priority, the development and delivery of a new spatial plan for the National Park, as previously committed to by the Montenegrin authorities. Ensuring that the new Spatial Plan**

**is rezoned** according to Recommendations 201, the Shore Functionality Index study and recent biodiversity mapping.

- a. Zone I and II with their buffer zones be treated as nature reserves and fully protected from **ANY** developments.
  - b. any further new tourist developments be sustainable, based in areas that are already currently occupied, be of small scale, and be eco and village tourism based. This as per 3.4.2 Recommendations for Montenegro (page 66 of SFI Study).
  - c. existing road infrastructure is maintained and not upgraded. We maintain that the new motorway route (Bar-Boljare) over Rijeka Crnojevica should be abandoned, and a more sustainable/less damaging alternative is found.
  - d. waterways follow Recommendations 201.
2. **Abandoning SLS Mihalovici entirely** (currently valid until 2020) and, in the light of current evidence, **revoking all building permits for Porto Skadar Lake and White Village**. This will ensure that most of the Recommendations 201 are respected. It will send a strong message that sustainable development and conservation takes priority over private sector profit.
  3. **Protection as a priority**. Finally, initiate and establish efficient and effective methods of monitoring implementation of existing laws, executed in a manner that is visible on the lake.

Thank you for your time. We appreciate your ongoing efforts and support, and we make ourselves available to you to answer any questions or clarifications needed.

Many thanks,

Informal Citizens group from Virpazar

Montenegro



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Ursula Sticker  
Tobias Salathe  
EU delegation in Montenegro

- July 2020 -

To:

**Mr Eoghan Kelly**

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Democratic Participation Directorate

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1 Quai Jacoutot

F-67075 Strasbourg Cedex, France

Virpazar 25.07.2020

## **REPORT**

The Informal Citizens Group from Virpazar would like to thank The Standing Committee for keeping the complaint 4/ 2016 on the agenda.

This document covers off the latest update and new context helpful in considering our complaint.

**Key update - No meaningful progress from Montenegrin government, and evidence of new road infrastructure under development, in contravention of Recommendations.**

We had hoped that, with the opening of this file, the Montenegrin authorities would take this complaint and Recommendations 201 seriously and that we would see some positive progress on the ground.

Unfortunately this is not the case, and very little positive progress has been achieved. Further, there have been no new developments regarding revisions to or replacement for the Spatial Plan for NP Skadar Lake, as previously committed to by the Montenegrin authorities.

The geometric markings for a future road connecting the village of Mihailovici and White Village site have been noted in June 2020. This is clearly in preparation for building of the road needed for the construction of the resort



Photo attached shows an example of one of the geometric markers for road construction taken in June 2020. For reference, during our monitoring of this same site subject to this complaint we noted multiple sightings of the short-toed snake eagle (*Circaetus gallicus*).

**For additional context, elsewhere in the National park negative pressures are still at play. Examples include:**

- Arsonists have attacked the property of prominent activist Mr Pajovic from NGO Carp Security in May this year. Mr Pajovic is a vocal critic of the authorities responsible for managing NP Skadar Lake and their passive approach to illegal fishing on the lake. Please see: <https://balkaninsight.com/2020/05/08/montenegro-greens-protest-after-lake-conservationists-home-is-torched/>
- Fort Besac from the 15th century was reconstructed with the aid of EU grants, intended expressly to support the promotion of local heritage and sustainable tourism. The Fort has now been redeveloped as a museum, gift shop and vine cellar in accordance with this aim. However, the Montenegrin Government is now offering the reconstructed fort to be leased to *private* investors with the prospect of building accommodation facilities on the site and in its proximity. This indicates that public EU money is being redirected to the private sector for private profit. Please see: [https://eeas.europa.eu/delegations/australia/39344/magical-fortress-lake-skadar\\_en](https://eeas.europa.eu/delegations/australia/39344/magical-fortress-lake-skadar_en)
- A new road and border crossing in the village Ckla is to go ahead. The Montenegrin government decision 07-3373 dated 28.06.2018 does not contain any requirements for an environmental impact assessment to be carried out. The NGO Green Home has requested the relevant Environmental Impact assessment report from the Nature and Environmental Protection Agency of Montenegro. At the time of writing, the Agency has still not responded.
- There are also plans to build a new Port of Virpazar through EU IPA funds.

#### **Reiterating our key concern:**

As we have stated in our previous reports, our major concern is that SLS Mihalovici, including within planned Porto Skadar lake and White Village, is just the beginning of the more unsustainable development on the lake.

Further, it is our belief that the EU should not offer funds for projects through IPA within NP Skadar lake to a government that:

- has a demonstrably poor record regarding positive action related to natural and cultural heritage preservation;
- actively ignores European best practice, and the resolutions of the European Parliament;
- disregards expert advice;
- And clearly favours **UNSUSTAINABLE** development usually by individuals and companies linked to decision makers in public office.

Therefore, we continue to stress the importance of the following urgent actions:

1. **As the highest priority, the development and delivery of a new spatial plan for the National Park, as previously committed to by the Montenegrin authorities.** There is clearly resource available to fund such action immediately when we see that, for example, new border crossing infrastructure is under development. Therefore, it is our position that the delivery of a new spatial plan is being *intentionally* delayed by the Montenegrin government in order to continue unsustainable land development for private sector profit under the current SLS Mihalovici.
2. **Abandoning SLS Mihalovici entirely** (currently valid until 2020) and, in the light of current evidence, **revoking all building permits for Porto Skadar Lake and White Village.** This will ensure that most of the Recommendations 201 are respected. It will send a strong message that sustainable development and conservation takes priority over private sector profit.
3. **Ensuring that the new Spatial Plan is rezoned** according to Recommendations 201, the Shore Functionality Index study and recent biodiversity mapping.
  - a. Zone I and II with their buffer zones be treated as nature reserves and fully protected from **ANY** developments.

- b. any further new tourist developments be sustainable, based in areas that are already currently occupied, be of small scale, and be eco and village tourism based. This as per 3.4.2 Recommendations for Montenegro (page 66 of SFI Study).
  - c. existing road infrastructure is maintained and not upgraded. We maintain that the new motorway route (Bar-Boljare) over Rijeka Crnojevica should be abandoned, and a more sustainable/less damaging alternative is found.
  - d. waterways follow Recommendations 201.
4. **Protection as a priority.** Finally, initiate and establish efficient and effective methods of monitoring implementation of existing laws, executed in a manner that is visible on the lake.

Thank you for your time. We appreciate your ongoing efforts and support, and we make ourselves available to you to answer any questions or clarifications needed.

Many thanks,

Informal Citizens group from Virpazar

Montenegro



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Helena Orsulic  
Krzysztof Zyman  
EU delegation in Montenegro

- February 2020 -

To:

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Virpazar 15.02.2020

## REPORT

The Informal Citizens Group from Virpazar welcomes the Standing Committee's decision to OPEN the file of the complaint 04/2016 for commercial development Porto Skadar Lake in Montenegro. We hope that with the opening of this file, the Montenegrin authorities will take this complaint seriously and actually live up to and deliver on their commitments on the ground in practice, not just on paper.

We would like to note that it is encouraging that:

1. No further building activity has been noted at the site of SLS Mihailovici
2. Mapping has been concluded
3. The previously ill-conceived Spatial Plan for NP Lake Skadar has been withdrawn from parliamentary procedure in 2018.

However, negative pressures are still in play:

1. Ongoing inadequate protection of the lake, despite the recent fishing ban by the Ministry of Agriculture. NGOs and local fishermen are widely circulating videos on social media of illegal fishing.\*

[https://de-de.facebook.com/pg/saveskadarlake/posts/?ref=page\\_internal](https://de-de.facebook.com/pg/saveskadarlake/posts/?ref=page_internal)

2. Speed boats - there is no indication that the authorities are taking any real action to prevent their use and so we expect to see an increase in the destructive use of such nautical vehicles this touristic season.
3. The new border crossing with Albania, and road in the village of Ckla, within the national park (Montenegrin government decision 07-4490 from 20.09.2018) seems to follow the same patterns of new development. Currently being investigated by NGO Green Home as to whether it meets the necessary standards of approval. We enclose a copy of concerns received by a member of the local community (Annex I).

As we stated in our previous reports, our major concern is that SLS Mihalovici, including within planned Porto Skadar lake and White Village, is just the beginning of the more unsustainable development on the lake. (Note: up to 70% of their capacity is planned to be sold as apartments for private ownership.)

Montenegrin government plans for more aggressive developments are not consistent with all current recommendations that call for the national park's protection and the government's own obligations. These development plans include:

- the proposed motorway across Rijeka Crnojevica
- upgrade of the road infrastructure
- increase in tourist facilities
- building up marinas and ports
- and many others as envisaged in now-abandoned Spatial Plan for NP Skadar Lake



These recommendations are namely:

1. Bern convention recommendations 201 (2018)
2. European Commission reports (2019) and EU parliament resolutions on Montenegro (2018)
3. Study of Shorezone functionality index (2016)
4. Ramsar report (2005)
5. Guidelines for the zonation of Lake Skadar-Shkoder, Schneider-Jacoby, M. (2010)
6. Study of the potentials for sustainable spatial development of Skadar Lake, Expedito, Center for sustainable spatial development, 2007

If NP Skadar Lake as a wetland of international importance is to become an Emerald Site and, further, be fully recognised as a Natura 2000 site, protection and conservation will need to take priority over development. Best European practice and all the recommendations above will need to be taken seriously and incorporated in the future Spatial Plan for the lake.

Therefore, we have two main points to stress:

1. Abandoning SLS Mihalovici entirely (currently valid until 2020) and, in the light of current evidence, revoking building permits for Porto Skadar Lake and White Village. This will ensure that most of the recommendations 201 are respected. It will send a strong message that conservation takes priority.
2. Ensure that the new Spatial Plan is rezoned according to Recommendations 201, Shore Functionality Index study and recent biodiversity mapping.
  - Zone I and II with their buffer zones be treated as nature reserves and fully protected from ANY developments.
  - any further new tourist developments be sustainable, based in areas already occupied, are of small scale, and be eco and village tourism based - as per 3.4.2 Recommendations for Montenegro (page 66 of SFI Study)
  - road infrastructure is maintained and not upgraded. The new motorway route (Bar-Boljare) over Rijeka Crnojevica is abandoned, and a more sustainable/less damaging alternative is found.
  - waterways follow recommendations 201
3. Protection - finally initiate and establish efficient and effective methods of monitoring implementation of existing laws, executed in a manner that is visible on the lake.

NP Skadar Lake is at its crossroads. The time to act is now.

Ideally we would like to see this file closed at the next meeting. The Montenegrin government could use this complaint as an example how to protect this lake of international importance. This would send a clear message to the European Commission and Parliament on the commitment of this administration to adopt high European standards in nature protection and will hugely help in the accession talks on future EU membership.

Informal Citizens group from Virpazar  
Montenegro



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Tobias Salathe, Ramsar

EU delegation in Montenegro

## **Annex I**

### BORDER CROSSING Zogaj – Skje

Rumours of a new border crossing between Montenegro and Albania via Skje and Zogaj have been around for some time. It seems that these plans get more and more specific now.

We can read in the press that the Albanian Parliament recently approved an agreement with Montenegro on this issue *“as it is expected to enhance economic links between the two EU candidate countries”* and *“facilitate the movement of vehicles and people as well as boost economic development in the area”*. (see.:

<https://seenews.com/news/albanias-parl-approves-agreement-with-montenegro-to-open-new-border-crossing-632072>)

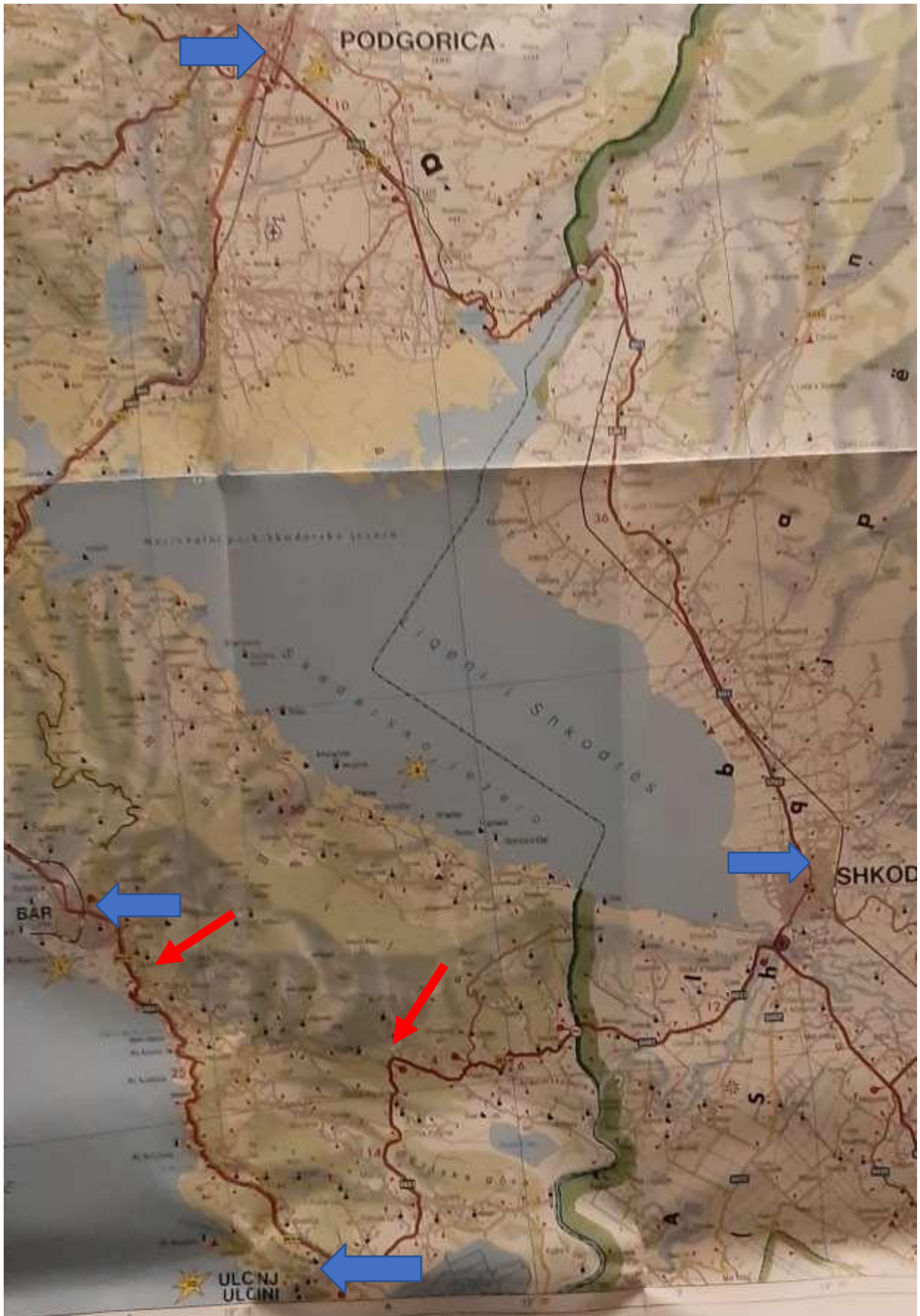
### Is this a valid argument?

The plan below shows the main economic centres around the Skadar Lake with Podgorica, Bar and Ulcinj in Montenegro and Shkoder in Albania, and the existing main roads connecting them.

The cities are already well interconnected and use two existing border crossings: Tuzi in the North aims at Podgorica, in the South the crossing near Sukobin aims at Ulcinj and Bar.

The road between Vladimir and Ulcinj has recently extensively been upgraded. Between Vladimir and Bar the secondary road from Kruta to Dobra Voda and vice versa is used as a natural shortcut. Upgrading this road would improve the connection between Bar and Shkoder. As it is frequently used by Albanian-bound traffic from the Bari (It) – Bar ferry, an upgrade almost imposes itself. The shortcut runs largely through flat land and upgrading would therefore be relatively simple.

As it is, the connection between the main economic centres around the Skadar Lake is existing and functioning well. Traffic from and to Bar would benefit from an unavoidable upgrade of the Kruta - Dobra Voda stretch.



The region bordering the Skadar Lake at the Montenegrin side, remained isolated from these economic centres and their connecting roads in a natural way, mainly because of the geography with a chain of mountains forming a ridge between the eastern and western part of the country.

The main road (P16) of this region, runs some 50 km. from the viewpoint at Stegvas in the South-East, all the way to Virpazar in the North-West. Once past Ostros, it becomes a single track road that borders and climbs the mountainous ridge edging the lake. Transforming this road to a main road could only be achieved at an enormous financial cost. This region has mainly local economic activity that would hardly benefit from a main road-type connection. This situation does certainly not justify the huge expense and impact of such a transformation.

Considered against this background, a new border crossing at Skje offers hardly any benefits: it does not contribute to a better connection between existing economic centres nor does it boost the existing local economy in this naturally-isolated region. The extra movement of vehicles would only lead to a congestion of the main axis between Ostros and Virpazar. The quoted arguments seem thus to be void.

### Economical alternative

The road as it is, all the way from Skje to Virpazar, offers stunning views of the lake and leads through fabulous mountain land as well. This region as a whole is an unspoilt area of great natural beauty and wildlife. Not surprisingly, the lake and its Montenegrin shores are integrated in the Skadar Lake National Park. The map below shows the boundary of the park by a dashed line.



The lake is accessible by dead-end roads that lead to the multiple villages bordering it. Investments should aim at the development of homebound touristic infrastructure in these villages, rather than at through-going roads. Passing traffic should be avoided at all. The existing roads can handle the needs of locally based ecotourism. Sufficient and up-to-date homebound accommodation is more needed. It should accommodate the yearly increasing number of eco-tourists who prefer owner- managed business to unpersonal hotels.

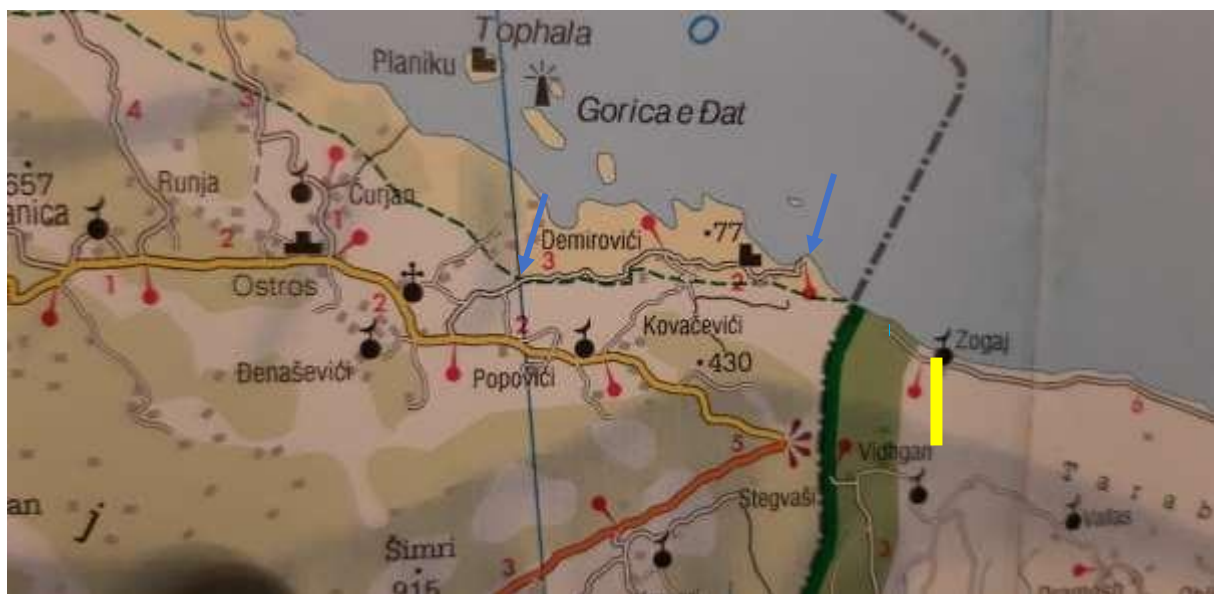
This way an economic alternative could be developed that benefits the local people with respect for nature and the special status of the Skadar Lake

### The intended border- crossing

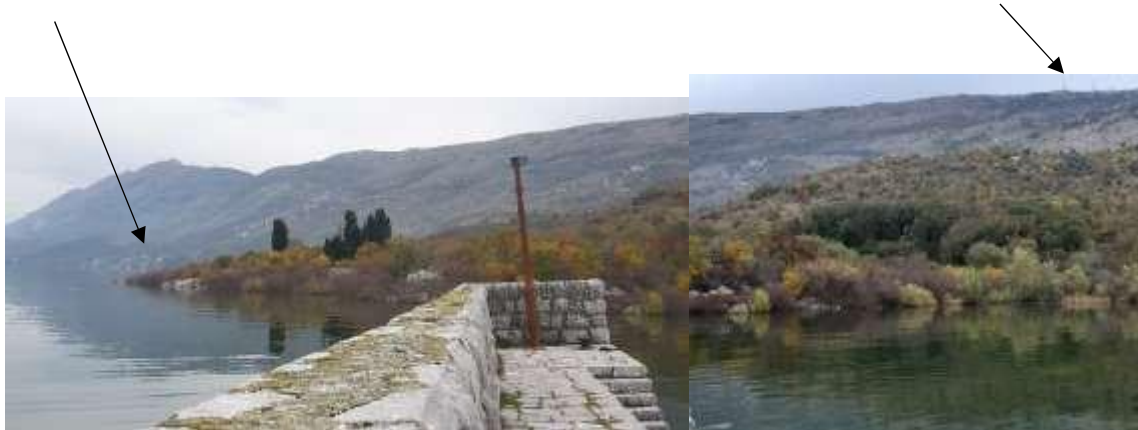
Even though a new border crossing seems not to be of much use, the infrastructure that goes with it threatens to infringe the boundaries of the National Park.

If the road from Zogaj would connect to the existing road in Skje a new stretch of road inside the boundaries of the National Park would be needed.(blue line) Furthermore, the character of the existing dead-end, local road (blue arrows) would drastically change to a road for through-going traffic. This means a substantial infringement on the principles of the National Park.

If a border crossing should be realised at all, the road should run as directly as possible to the viewpoint at Stegvas (yellow line) where it connects to the existing main road P16. In this way the intended (but disputable) movement of vehicles would impact in the least possible way the local villages, all the same having the desired effect of vehicle movement. The area between Zogaj and the border is uninhabited and uncultivated.



## ZOGAJSTEGVAS



### Final consideration

The Skadar Lake National Park and the surrounding region deserves our full commitment.

After years of neglect, the area now seems to have attracted the attention of investors and the National Park comes under pressure. A new massive tourist resort was planned but provoked reaction (see: <http://chng.it/Xvvjrpwr>) – current status unknown.

Apparently, the National Parks of Montenegro did not participate in the Natura 2000 project that should establish the foundations of the Natura 2000 network (see:

[https://eeas.europa.eu/delegations/montenegro\\_en/61066/Natura%202000:%20Next%20steps%20of%20Montenegro](https://eeas.europa.eu/delegations/montenegro_en/61066/Natura%202000:%20Next%20steps%20of%20Montenegro)). It would nevertheless seem that the National Parks (including the Skadar Lake National Park) should unavoidably be involved in such a project.

Vigilance is needed!

### Final “final” consideration

One example of political or administrative neglect immediately catches the eye of every visitor: the omnipresent littering. Roadsides are covered with litter, every now and then alternated by rubbish dumps. Containers are made available but on far and few locations, i.e. where the collection does not compel for extra effort or kilometres. The well-meant roadsigns – without nearby container - advising not to litter on the location, cannot compete with the lack of containers and a mentality of thoughtlessness.

If the government is serious about developing any activity whatsoever, should it not better first emphasis these basic needs instead of running for the big projects?





