



Strasbourg, 9th February 2024

T-PVS/Files(2024)12

CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Bureau of the Standing Committee

18-19 March 2024
Strasbourg

Complaint on stand-by: 2022/04

**Hydropower plant development on Emerald Network site
Komarnica (ME000000P)
(Montenegro)**

- COMPLAINANT REPORT -

*Document prepared by
NGO Montenegrin Ecologists Society, NGO KOD and NGO Društvo mladih ekologa Nikšić*

Mr. Mikaël Poutiers - Secretary of the Bern Convention
Mr. Eoghan Kelly - Coordinator
Mr. Marc Hory - Project Manager
Mr. Michaël Nguyen - Administrative and Project Manager

**Subject: Complaint No. 2022/04: Hydropower plant development
on Emerald Network site Komarnica (ME000000P).**

DEAR MR. POUTIERS,
DEAR MR. KELLY,
DEAR MR. HORY,
DEAR MR. NGUYEN,

Hereby we send you an update by the complainants relevant to the Complaint No. 2022/04: Hydropower plant development on Emerald Network site Komarnica (ME000000P). After our last update in early 2023, we want to share with you the significant state-level developments related to the HPP Komarnica case.

New government, same support for Komarnica

On October 31, 2023, the Parliament of Montenegro elected the 44th Government of Montenegro and in accordance with that, new ministers were elected and the appointment of the directorates is underway.

We also want to reiterate that the Environmental Impact Assessment (EIA) revision is currently underway. It is important to emphasize that all new ministries maintain a unanimous position regarding the matter concerning HPP Komarnica: *the final determination will be contingent upon the outcomes delineated in the EIA.*¹ This stance was consistently articulated by key planners during the public hearings, where the representatives of non-governmental organizations raised concerns regarding the Komarnica HPP issue.

On May 20 2022, the commission that was established by the Environmental Protection Agency of Montenegro (EPA) compiled Report No. 03-UPI-1618/47. The report comprises 87 observations, recommendations, and comments, leading to the principal conclusion that the EIA Elaborate cannot be endorsed until the specified deficiencies are corrected. In light of the objections outlined in the report, the commission stipulated a deadline of 855 days from the receipt of the commission report for addressing the identified issues, which means that **the new EIA is expected in the second half of 2024 - the deadline is 21.09.2024.**

We also would like to recall that on June 24 2022 the government signed the concession contract with EPCG for the construction of Komarnica hydropower plant and production of electricity. The concession, spanning a duration of 30 years, is set to be executed in three distinct phases. This action took place under the government operating in a **technical mandate.**

The Komarnica hydropower plant is included in the **Energy Development Strategy of Montenegro until 2030.**

¹ <https://balkangreenenergynews.com/montenegro-to-submit-hydropower-grid-projects-for-eu-growth-plan-financing/>

UNESCO decision

According to the decision of the Extended forty-fifth session in Riyadh, Kingdom of Saudi Arabia, **10-25 September 2023**, UNESCO requested: *the States Parties to ensure that the potential impacts of proposed projects on the OUV of the property are assessed in line with the Guidance and Toolkit for Impact Assessments in a World Heritage Context, prior to taking any decision that would be difficult to reverse, as follows: (...) the State Party of Montenegro to ensure that potential impacts of the Komarnica HPP on the OUV are assessed during the evaluation of the EIA, with specific considerations for the implications of this project on the potential future extension of the property into the Dragišnica and Komarnica Nature Park, and not to approve the project if it would result in negative impacts on the OUV. (...) requests the State Party to submit to the World Heritage Centre, by 1 December 2024, an updated report on the state of conservation of the property and the implementation of the above.*²

Bearing in mind the fact that the consequences on nature are irreversible if construction takes place, this warning by UNESCO is very significant. Moreover, the requirement to consider the impacts of Komarnica HPP on the UNESCO site and its potential extension is not part of the 87 observations by EPA in Report No. 03-UPI-1618/47. This could mean that the revised EIA might not be in line with the international obligations of Montenegro.

Spatial plan of Montenegro (draft)

What is worrying is that the **draft of Spatial Plan for Montenegro until 2040**, which is currently under public debate, still includes the construction of the **Komarnica Power Plant** alongside with two more hydropower plants (Boka and Kruševo) and a new turbine on the existing Perućica plant.

In this draft, it is stated that: *”The construction of HPP Komarnica is planned by the Energy Development Strategy of Montenegro until 2030, the National Strategy for Sustainable Development of Montenegro until 2030. Detailed spatial plan for HPP Komarnica, Spatial urban plan of the municipality of Šavnik and Spatial urban plan of the municipality of Plužine.”*

In addition, it is concluded that: *“Recognizing the indisputable great importance of HPP Komarnica in the energy system of Montenegro, and on the other hand environmental requirements and protection requirements, for the final decision on the construction of HPP Komarnica, it is important that within the project documentation and accompanying assessment of the impact on the environment will be brought by the conclusions of the competent institutions of Montenegro.”*

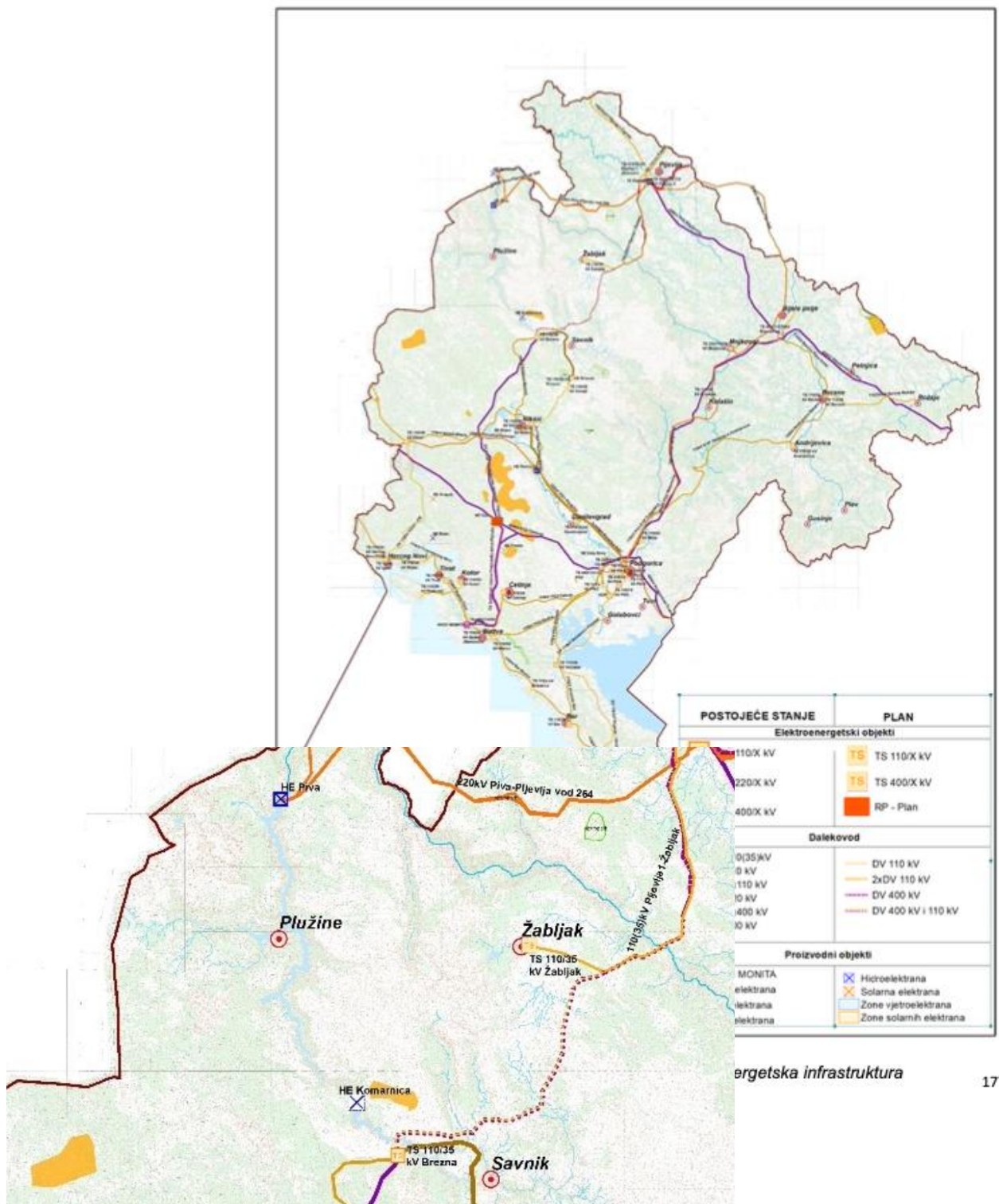
All our efforts and requests to exclude the construction of the Komarnica Hydroelectric Power Plant from the plan, expressed during public events and meetings with Ministers, addressing this topic, conclude with the assertion that, **if the Environmental Impact Assessment indicates that construction is unwarranted, the project will not proceed.**

We would like to point out that Boka and Kruševo plants could also be problematic. Boka would take water from Bileća reservoir (between Bosnia and Herzegovina and Montenegro) thus diverting water from the Neretva basin, which is linked to Open File 2020/09: possible negative impact of hydro-power plant development on the Neretva river. Kruševo would be built on downstream Piva river just before the confluence with Tara, which is linked to the UNESCO Heritage Site Durmitor National Park and the abovementioned decision of UNESCO.

² <https://whc.unesco.org/en/decisions/8244/>

This draft of the plan is open for comments for the next three months.³

Prostorni plan Crne Gore do 2040.g. – Nacrt plana



energetska infrastruktura

Figure 1. Planned and existing electric power infrastructure in the draft spatial plan includes Komarnica

³ <https://mjucloud.gov.me/index.php/s/XAZnNoyC7A9cELM>

Scientific research and educational initiatives

Meanwhile, substantial progress has been made in scientific research and educational initiatives related to the Komarnica River. Alongside continuous media scrutiny, several protest and educational events have been coordinated, engaging numerous international organizations. Of particular significance is the acquisition of new scientific research data. Notably, one of the scientific expeditions was conducted as part of the **European Biodiversity Survey**, an initiative dedicated to enhancing understanding of biodiversity and endangered sites throughout Europe. The initial findings from this survey, available at <https://www.biodiversitysurvey.eu/>, were presented to representatives from the Directorate for the Environment of the European Commission in Brussels.



Figure 2. The longhorn beetle species (Annex II, HD) and fritillary butterfly (VU in Europe on IUCN Red List, Annex II HD) found in Komarnica

In 2024, the Montenegrin Ecologists Society is organizing and hosting additional scientific-research expeditions along the Komarnica River.

Scientific reports on climate change financed by the European Commission are showing that Montenegro and the whole Mediterranean region are suffering from record drought.⁴ January 2024 was the warmest ever and there has been almost no snow even on the highest peak of Durmitor. The trends are expected to continue in the next decades. This means that Komarnica HPP will be left with much less water than planned, making it a very risky investment for a country very dependent on hydroenergy.

In light of the continually evolving situation in Montenegro, ongoing governmental efforts to secure necessary documentation and funding for the construction of the Komarnica hydropower plant and other facilities in the Komarnica/Piva basin, the lack of progress in addressing the impacts on the UNESCO World Heritage property, the government's apparent disregard for the recommendations of the European Parliament, as well as the expected update to the Environmental Impact Assessment report until 21.09.2024, we ask the Bureau to update the complaint status to Possible File. Given the current openness of the State Spatial Plan to revisions and corrections, we kindly urge the Bureau to place the complaint on the agenda for the upcoming 2024 Standing Committee meeting. We further request that the Bureau and Secretariat coordinate with UNESCO and IUCN the possibilities to defend and expand the Durmitor National Park World Heritage Site.

⁴ https://joint-research-centre.ec.europa.eu/european-and-global-drought-observatories/current-drought-situation-europe_en

Best regards,

Vuk Iković



On behalf of: NGO Montenegrin Ecologists Society, NGO
KOD and NGO Društvo mladih ekologa Nikšić