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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 GOVERNMENT -**

*Document prepared by  
the Ministry of Sustainable Development and Tourism, Montenegro*



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## **Progress Report on the Implementation of Recommendation No. 201 (2018)**

- October 2020 –

## I) INTRODUCTION

**Skadar Lake** is the largest lake in the Balkans, with an area of 40.000 ha. It was proclaimed the National Park in 1983, and is dominated by the aquatic ecosystems. The Lake is a crypto depression and its uniqueness and beauty is reflected in the richness of flora and fauna. Skadar Lake is one of the most important habitats of birds in the Mediterranean, that is, the nesting, feeding and resting site for 282 species of birds, i.e. for 150.000 specimens annually, of which 98% is protected by the national legislation and international conventions.

Moreover, Skadar Lake is a habitat for: 1.900 plant species, 54 species of freshwater molluscs, 45 species of fish (native carp and bleak), 16 species of amphibians, 28 species of reptiles, 57 species of mammals (the otter, which is nearly endangered, is particularly characteristic). Many of these animal species are listed in Annexes I and II of the Bern Convention. Therefore, in 1989, Skadar Lake was recognized as an internationally important bird area (IBA-Important Bird Area), and in 1955 it was included in the World List of Wetlands of International Importance (Ramsar Sites).

The shore of Skadar Lake is picturesque and abounds in wetland-type peninsulas and bays. Skadar Lake hides many endemic species of plant and animal life. It is also adorned with small islands, known as *gorice*, covered with wild dog rose, laurel and ivy.

Skadar Lake is also rich in cultural and historical monuments which are scattered over a large part of this National Park. This lake has its islands. There was a prison once on one island, while today is inhabited only by birds, on the second island there is the Monastery of St. Nicolas, and the most beautiful beach of the Lake Pješčac is situated on the third island. This little beach captivates with simplicity and clean water.

On 6 June 2018, the citizens of Virpazar sent to the Prime Minister of Montenegro an appeal and a petition to prevent devastation of the National Park Skadar Lake caused by unsustainable construction and to consider introducing moratorium on construction. The Secretariat of the Bern Convention addressed the Ministry of Sustainable Development and Tourism regarding the appeal and petition of citizens, and organized a mission together with the Ramsar Convention in the period 11-14 June 2018, during which the competent authorities provided all the necessary information and detailed answers, as well as the Environmental Impact Assessment Study for the tourist resort Porto Skadar Lake. The mission experts had the opportunity to talk to all relevant state institutions and to visit the National Park Skadar Lake.

In this respect, at the 38<sup>th</sup> session of the Standing Committee of the Bern Convention held in the period 27-30 November 2018 the issue of opening of the Porto Skadar Lake case (number: 2016/04: Development of a commercial project in Skadar Lake National Park and candidate Emerald site (Montenegro)) was considered. The Secretariat of the Bern Convention did not open the case of Porto Skadar Lake at the Standing Committee in order to monitor closely the progress in the implementation of recommendations of the Bern and Ramsar Conventions.

The Ministry of Sustainable Development and Tourism has undertaken to consult all relevant institutions and to consider the recommendations together, and to report regularly to the Bureau of the Standing Committee of the Berne Conventions. The implementation of recommendations was initiated with the scientific and technical expertise of all stakeholders. The institutions have provided all relevant data at their disposal in the area of their competences.

At the 39<sup>th</sup> session of the Standing Committee of the Bern Convention held in the period 2-6 December 2019, the Standing Committee supported the opening of the case related to the construction on Skadar Lake, on

which occasion the case was opened. This means that Montenegro will continue to actively implement the recommendations and regularly communicate the progress to the Bureau of the Standing Committee of the Bern Convention.

The Bureau of the Standing Committee of the Bern Convention, at its meeting held in April 2020, reviewed the reports submitted by both the national authorities (Ministry of Sustainable Development and Tourism) and the complainants.

The Bureau thanked for the timely and detailed reports. It welcomed the progress in certain areas achieved by the Government of Montenegro, such as the mapping of Skadar Lake, bird counting, the development of the Habitat Reference List and the establishment of the Working Group for the development of the Management Plan for the Ulcinj Salina Nature Park. However, the Bureau is concerned about the new plans regarding the proposed highway through Rijeka Crnojevića, the upgrading of road infrastructure, the increase in the number of tourist facilities and the construction of marinas and ports, which are contrary to the provisions of Recommendation no. 201 (2018).

At the second meeting of the Bureau of the Standing Committee to the Bern Convention held in September 2020, the Bureau encouraged the Government to report regularly on the implementation of Recommendation no. 201 (2018), focusing on the matters listed in the Decision from the First Meeting of the Bureau.

Below is the third Report on the implementation of Recommendation no. 201 (2018), which Ministry of Sustainable Development and Tourism submit to the Standing Committee of the Berne Convention.

## **II) Implementation of Recommendation no. 201 (2018) of the Standing Committee to the Bern Convention**

### **1. Inspection supervision**

The Urban Planning and Construction Inspection of the Ministry of Sustainable Development and Tourism performs regular inspections at the location, i.e. at urban plots UP1, UP2 and UP3. In the procedure of control and inspection of these locations covered by the Project DSL “Mihailovići” Skadar Lake of the Investors LLC “MJ PROPERTY” and LLC “Montenegro Resort Company – MRC” performed on 3 July 2020, the Urban Planning and Construction Inspection established that the structures in question are still in the preparatory phase, and that there are no works at the location in question, which means that the situation has not changed compared to the last reporting period (February 2020).

The Administration for Inspection Affairs of Montenegro performs inspection supervision in accordance with Article 108 of the Law on Nature Protection via an environmental inspector. During the inspection control performed on 16 October 2020, it was concluded that there had been no changes in the state of construction at the Mihailovići location. Namely, the roads that had been made previously are covered in vegetation and no activities are taking place. There is an uncategorised road leading from the existing road Rijeka Crnojevića – Virpazar to the village of Mihailovići, whereas there is no road between Mihailovići and the border of Urban planning lot 1 (UP1). Between the village of Mihailovići and the urban planning lots 2 and 3 (UP2 and UP3), there is a barely passable road only for terrain vehicles. This road is also covered in vegetation.

The Administration for Inspection Affairs sent the letter no. 0303-736/20-5345/4 on 16 October 2020 to the Ministry of Sustainable Development and Tourism including the statement of the investor, “Montenegro Resort Company-MRC”, to inform us that the company “Montenegro Resort Company- MRC” had not started any works on the access road to the future tourist complex Porto Skadar Lake, i.e. from the existing road Rijeka

Crniojevića – Virpazar to UP1, Mihailovići Cadastral Municipality, Cetinje, because the process of obtaining the construction permit had still not been completed. The purpose of the activities conducted at the location was only to obtain the expropriation study, and these activities could not have caused any damage. The MRC Company submitted the studies for the allotment and expropriation to the Real Estate Administration of the Cetinje Regional Unit for their approval on 13 February, in order to obtain the construction permit. On 28 August 2020, MRC once again turned to the Old Royal Capital of Cetinje with the same request, but no permits have been issued yet.

## 2. Monitoring of species and habitats from the NATURA 2000 Network

Considering that projects related to the establishment of the NATURA 2000 environmental network in Montenegro are still ongoing, and that we only have data on potential Natura 2000 and EUNIS habitats in the area of Lake Skadar National Park, but not on the status and endangering factors for the majority of habitats based on which concrete management measures could be implemented, the efforts of Lake Skadar NP and the Public Enterprise for National Parks of Montenegro are focusing on the acquiring of new information necessary to implement the protection measures, and on control and physical protection, through measures defined by laws and the Rulebook on internal organisation. We expect that the continuation of activities on the establishment of the Natura 2000 Network will result in the definition of the management measures for such habitats on Lake Skadar. In the area of Lake Skadar National Park, there is a regular monitoring of the status of biodiversity. The activities regarding the monitoring of species in the National Park have been defined by the Lake Skadar NP Management Plan 2016-2020 and the Annual Management Programmes.

The Habitats Directive, Annexes II, IV and V, include 10 plant species from the area of Lake Skadar National Park. The professional service of the Public Enterprise for National Parks of Montenegro conducts monitoring of the species *Marsilea quadrifolia* and *Caldesia parnassifolia*.

For most of the remaining NATURA 2000 species, based on the earlier field research, the data shows that population and habitats of the species *Ramonda serbica* and *Utricularia vulgaris* are not endangered. There are few populations of *Gladiolus palustris* and *Anacamptis pyramidalis*, and no negative factors have been identified in their habitats, whereas the species *Ruscus aculeatus* is part of the many shrubs along the rocky coastline of Lake Skadar and is not an endangered species in this area.

The monitoring of *Marsilea quadrifolia* takes place in the locality of Moračica (meadows of Žabljak), where it was discovered in June 2017, by the professional service of the Public Enterprise for National Parks of Montenegro (PENPM). Monitoring was established and the exploration along the entire course of the Moračica River resulted in the discovery of another habitat in the part of the river closer to the lake. This is a subpopulation which covers a significant surface area along both banks of the river; it is more numerous and covers a bigger area compared to the subpopulation recorded in 2017. This is a significant finding, since we can clearly conclude that the population of *Marsilea quadrifolia* is significant and stable in the locality of the Moračica. Because of the importance of the species at the national and European levels, it is necessary to continue monitoring the state of the population and habitat which has a tendency of overgrowing.

Monitoring of the plant species *Caldesia parnassifolia* started in 2013, when the literature reference was confirmed at the locality of Pančeva Oka; the status was identified and pressures to the habitat and population were recorded. Exploration was extended in August 2020 to the area of Crni Žar. Along the western shore of the islet of Koračica, a numerous population was discovered in an area which is 465 m long and around 50 m wide. It is sporadically present in community with *Schoenoplectus lacustris*, and in the open in community with *Potamogeton lucens* and *Potamogeton perfoliatus*, where the floating leaves cover up to 80% of water surface. Outside this area, it has been identified in the general area of Crni Žar, in rare individual specimens

or in smaller groups, which demonstrates the possibility for its further dissemination. Having in mind the rarity of this species at the European and national levels, the finding on the locality of Crni Žar is extremely important from the point of view of the protection of the diversity of flora, not only of Lake Skadar, but of Montenegro. At this locality, the population is not under the pressure of accelerated overgrowing (which is the case at the Pančeva Oka habitat), which is of key importance for the preservation of the numbers and stability of the *Caldesia parnasifolia* population. Also, it can be assumed with high probability that the species is present in other, similar, still unexplored habitats of Lake Skadar.

The monitoring of the otter (*Lutra lutra*) on Lake Skadar was performed in August, September, and in early October 2020. The non-invasive method of direct observing was selected as the most favourable method for the exploration of otters, i.e. the collection of information on the presence of paw prints, faeces and other excrement, discovery of dens, and other tracks. The presence of otters was registered in the following locations: Vranjina, Plavnica, Gostiljska Rijeka, Virpazar Canal, Godinje Bay, Velika Čakovica, Mala Čakovica, mouth of the Kratuna, the Kratuna River, Prevlaka, Karuč, Karuča Canal, Andrijska Gora, Obida, Grmožur, Raica, Đuravci, Dračanica, Krnjice, Petrova Ponta, Seoca, Kamenik, Liponjak, Ploče, Rudina, Smokvica, Grab, Relje, Vučko Blato, Modra Oka, Biški Rep, Orlija, and Šanik.

Due to the heavy rains in September and October 2020, no monitoring was conducted on the southern shore of the lake, between Murići and Ckla, along the northern shore from Gostiljska Rijeka to Hotski Bay, and at Malo Blato. The monitoring of these locations will be conducted by the end of October 2020.

*Figure 1* uses green dots to show localities where the presence of otters was identified in 2020, whereas in *Figure 2* the green dots show the localities where the presence of otters was identified in 2019.



*Figure 1* Monitoring the presence of otters August-October 2020



*Figure 2 Monitoring the presence of otters during 2019*

### **3. Defining measures to prevent endangering of habitats and mitigation of negative effects on the ecosystem of Lake Skadar NP**

Water lilies and water caltrops are widespread on the waters of Lake Skadar. Even though water lilies and water caltrops are endangered species in many lists, these species are widespread on Lake Skadar and there is no direct pressure that would endanger the status of these species on the lake. It could be said that the general management measures stemming from the Law on Nature Protection and the Law on National Parks as well as the zonation, i.e. the defined regimes of protection of waterways on the Lake, enforcement of instructions from the Rulebook on Internal Organisation in the National Park, as well as the control of the following of these limitations through the engagement of the Physical Protection Service, all constitute a set of measures for the protection of water lilies and water caltrops that functions efficiently.

Having in mind that Lake Skadar NP is absolutely dominated by water surfaces, the most significant threats and pressures to the general ecosystem are the pollution and eutrophication in the entire water surface of Lake Skadar (Montenegro and Albania). Eutrophication is mostly a natural process, while the pattern of water pollution is the introduction of pollutants created outside the national park. These pollutants enter the Lake through rivers and underground waters. Due to the fact that the main polluters are not within the park's borders, the measures to mitigate the negative impact on Lake Skadar must be comprehensive, complex, and implemented in cooperation with all the competent institutions in Montenegro and Republic of Albania. There are other threats and pressures generated within the Park, and the mitigation of their negative impacts is conducted through the enforcement of national legislation and the Rulebook on Internal Organisation, and control measures conducted by the Physical Protection Service. In order to mitigate the harmful effects generated within the Park, thermal cameras have been procured in cooperation with the Ministry of Agriculture and Rural Development so as to more efficiently control the area.

Also, cooperation has been established and memoranda on cooperation have been signed with the NGO sector to protect the Park area from illegal activities, focusing on poaching. In cooperation with the domestic and international institutions and organisations, certain ecological and educational manifestations were established to improve awareness on the importance of the values of the park and nature. Furthermore, the implementation of the project "Improving wetlands management for the conservation of the Dalmatian Pelican in the Balkans"

by NGO “NOE Conservation” from France is ongoing in cooperation with the Public Enterprise National Parks of Montenegro/Lake Skadar National Park and other partners from Montenegro.

In addition to the mentioned endangerment factors, another extremely high pressure on the Lake Skadar ecosystems is also the spread of invasive species. The species *Amorpha fruticosa* (in floodplain ecosystems) and *Egeria densa* (in water ecosystems) are particularly aggressive and cover large areas in the Park. The PENPM professional service performs regular research and monitors the spread of these and other invasive species. Having in mind the complexity of the problem, the measures to mitigate the negative impact of invasive species on the Lake need to be comprehensive, complex, done in cooperation with all competent institutions, and with good cross-border cooperation.

Also, the guidelines for the enforcement of control and prohibition of works in the Categories I (high) and II (good) will be defined in accordance with the Water Framework Directive. In cooperation with the Hydrometeorological Institute of Montenegro, Water Administration, and the Faculty of Natural Sciences and Mathematics, there is a plan to establish the baseline (zero) condition based on which monitoring will be performed and the environmental status and quality of bodies of water in Montenegro will be determined, including bodies of water in national parks. According to the Water Framework Directive, reporting for macro zoobenthos, macrophytes and benthos algae shall be performed every 3 years, and for ichthyofauna every 5 years, whereas the monitoring for all of the mentioned groups will be conducted each year.

#### **4. Planning documents – Special purpose spatial plan for Lake Skadar NP**

The General Regulation Plan of Montenegro is a planning document which closely defines objectives and measures for spatial and urban development of Montenegro, while respecting the specific needs stemming from regional characteristics. It also develops objectives of spatial planning and defines the rational use of the sea area, in accordance with the following: economic, social, environmental, and cultural-historic development. One of the segments of this plan, in accordance with Article 17 of the Law on Spatial Planning and the Construction of Structures, shall develop the area of Lake Skadar National Park.

The Government of Montenegro in May 2020 has adopted the Decision on the Development of the General Regulation Plan and the Decision on the Appointment of the Manager of the Development of the General Regulation Plan of Montenegro and the Reimbursement for the Manager and the Team for the Development of the Plan (“Official Gazette of Montenegro”, no. 052/20 of 3 June 2020). The deadline for the development of the Plan is 24 months from the day the Contract was signed with the plan development manager (Contract no. 01-31/280, signed on 31 July, 2020).

Preparation tasks are ongoing for the start of the drafting of the General Regulation Plan of Montenegro. Namely, the Ministry of Sustainable Development and Tourism requested on 23 June 2020 that all relevant institutions provide available data, proposals, and guidelines for the development of the General Regulation Plan of Montenegro. The plan will incorporate and include also the recommendations of the Standing Committee of the Bern Convention regarding construction on Lake Skadar, as well as conservation measures for this ecosystem in order to ensure their adequate implementation through a planning document.

#### **5. Highway route via Rijeka Crnojevica**

The Spatial Plan of Montenegro by 2020 establishes the corridor of the Bar-Boljare Highway, and the Detailed Spatial Plan of the Bar-Boljare Highway defines the stages of construction. Accordingly, the section of the highway between Đurmani and Farmaci is defined as the last stage of the highway’s construction.



Regarding the option for the highway to cross Rijeka Crnojevića (land option), we are hereby informing you that this decision was reached in 2008 with the adoption of the Detailed Spatial Plan of the Bar — Boljare highway (“Official Gazette of Montenegro”, no. 64/08). This planning document gives two options: 1) traversing Lake Skadar NP along the existing route of the Adriatic Highway, and 2) traversing the lake in the area of Rijeka Crnojevića. The existence of two options in the adopted plan leaves a possibility for the options to be reconsidered in more detail through the development of technical documents.

We wish to point out that the Spatial Plan of Montenegro, which is also in development, will also reconsider the decisions in the existing planning documents, including the option for the Detailed Spatial Plan of the Bar – Boljare Highway.

The initial results in the development of the “Strategic Impact Assessment of the Bar – Boljare Highway on the Environment” suggest the need to analyse alternative solutions in the conflicting locations, such as Lake Skadar.

In order to realise the construction of the Bar – Boljare Highway, i.e. develop technical documents, the Ministry of Transport and Maritime Affairs has in the previous period started the realisation of the Feasibility Study for the highway, which will also give the optimum alternative for the highway route by way of a multi-criteria analysis. Concretely, the option for the section Đurmani-Farmací which traverses Lake Skadar has been assessed as negative due to strong environmental limitations, and it was proposed, in the development of the Study, to consider alternatives in the hinterland of Lake Skadar. Through further development of the Study and the Conceptual Design, while respecting all limitations, conditions will be created for a more detailed representation of the highway route, taking into account the intention and the attitude of the Ministry of Transport and Maritime Affairs to minimise the impact on the environment.

We are underlining that the Spatial Plan of Montenegro, which is also in development, will, among other things, reconsider the solutions from the existing planning documents, including the alternatives of the Detailed Spatial Plan of the Bar – Boljare Highway.

## **6. Construction of marinas and ports**

The Ministry of Transport and Maritime Affairs is a participant from Montenegro in the project “ALMONIT-MTC Albania, Montenegro, Italy Multimodal Transport Connectivity”, financed within the INTERREG IPA CBC cross-border cooperation between Italy, Albania and Montenegro.

The overall objective of “ALMONIT-MTC Albania, Montenegro, Italy Multimodal Transport Connectivity” is to promote cross-border accessibility, promote sustainable transport services and facilities and improve public infrastructure. Concretely, four multimodal naval transport connections will operate between Italy, Albania, and Montenegro, whereas the new pilot multimodal transport on Lake Skadar will connect Albania and Montenegro. The improvement of the existing transport connections in the region aims to develop sustainable cross-border cooperation in the region where the project is implemented.

The purpose of the project is to establish a long-term partnership between the main project actors through multimodal transport and to establish inland waterways and maritime lines. The total value of the project for all stakeholders: Albanian Development Fund, Puglia Region, Molise Region, and the Ministry of Transport and Maritime Affairs, is 7 million euros. The Ministry of Transport and Maritime Affairs, as one of the project partners, received the funds in the amount of 2,440,000 euros, of which 85% is the IPA contribution, and 15% in the amount of 366,000 euros is national co-financing. The approved funds are intended for the revitalisation of the Virpazar port. The project duration is 42 months, and the deadline for the completion of the project is June 2022, which is the final date for the completion of construction of Virpazar port.

The following results are to be achieved through the ALMONIT-MTC project:

- Multimodal lake transport to connect Albania with Montenegro on Lake Skadar – concretely, the Virpazar port with the corresponding port in Shkoder;
- Four multimodal naval transports to connect Italy, Albania and Montenegro – concretely, this maritime transport will operate in the port of Bari (IT), port of Bar (Montenegro), port of Shengjin (AL), port of Termoli (Molise, IT).

The overall objective of the project is to improve cross-border accessibility, promote sustainable transport services and improve infrastructure. The expected project results are to improve the multimodal maritime transport mobility between the region of Molise and Montenegro; to improve multimodal maritime transport mobility between the region of Puglia, Montenegro, and Albania; to improve multimodal lake transport between Montenegro and Albania by establishing the line between Virpazar and Shkoder. An expected project result is the establishment of multimodal lake transport between Virpazar and Shkoder and the establishment of a naval route Bar-Bari-Shengjin.

We wish to point out that the project includes the revitalisation of the former Virpazar port at the entrance to Virpazar, which should lean on the existing wastewater collector in this settlement, outside the National Park.

As for the number of inspectors for the safety of navigation on the lake, the Law on Amendments to the Law on Maritime Navigation Safety stipulates that inspection supervision shall be performed by navigation safety inspectors, and it is expected that the number of inspectors on the sea and on the lake will be increased.

Directive 2002/59/EC establishing a community vessel traffic monitoring and information system (VTMIS) has been completely harmonised and transposed into Montenegrin regulations. The institutional framework for VTMIS implementation is coordinated by the Ministry of Transport and Maritime Affairs. The transposing of parts of the Directive 2010/65/EU on the European Maritime Single Window commenced in 2016. In order to fully enforce the Directive, it is necessary to invest in the “Single Window” maritime information system.

The first stage of VTMIS in Montenegro was implemented with the assistance of the EU. Sensors were installed in three locations along the coast of Montenegro. Data from the sensor stations are sent to the control centre where the exchange of naval data takes place with other systems in Montenegro and abroad (MARES, EMSA, etc.). The costs of realisation of the first stage of VTMIS on the coast of Montenegro were 1.8 million euros. The second stage includes the installation of additional sensors (CCTV) in the existing VTMIS locations, new sensor locations on Lake Skadar and in the Bay of Kotor, and the introduction of the “Single Window” information system (EU Directive 2010/65). The evaluated costs for the introduction of the first two activities amount to 1.6 million euros, and for the third activity the costs amount to 500,000 euros.

It can be concluded that the implementation of the VTMIS system has been partially completed. The realisation of Stage II is expected to take place, as was described in SPP (Single List of Priority Infrastructure Projects). It is also necessary to establish systems of radio communication for safety of navigation on Lake Skadar. With EU’s assistance, the telecommunication coverage of the navigation of vessels on Lake Skadar was planned, as well as the introduction of the so-called AIS base stations to monitor the movement of passenger vessels on the lake.

## **7. Measures taken to preserve and improve the environmental value of protected areas and the potential NATURA 2000 and Emerald networks such as the Ulcinj Salina, Lake Skadar and river courses**

### Ulcinj Salina

The Government of Montenegro, in cooperation with the Public Enterprise for National Parks (PENP), with which the Agreement on the Lease of Ulcinj Salina for the Period of One Year, i.e. until 24 August 2021 was concluded, continued to take measures and actions between June and September 2020 to ensure further protection and sustainable management of the “Ulcinj Salina” Nature Park.

Funds were allocated in the capital budget for 2020 for infrastructural works on the Salina in the amount of 1,000,000 euros. In order to use these funds for the given purposes, a Terms of Reference was made for the development of technical documents (Main Project for the adaptation of structures (canals, embankments) on the Salina terrain in Ulcinj).

At the same time, funds were allocated in the budget of the Municipality of Ulcinj in the amount of 200,000 euros for the management of the “Ulcinj Salina” Nature Park. Additionally, the amount of 185,000 euros was allocated for the management of this area by the Public Enterprise for National Parks.

The President of Ulcinj Municipality formed in January 2020 a working group to develop the Management Plan for the “Ulcinj Salina” Nature Park for a period of five years. This working group included the representatives of the following institutions: Ministry of Sustainable Development and Tourism, Municipality of Ulcinj, Environmental Protection Agency, Public Enterprise for National Parks, Trade Union of company A.D. Solana “Bajo Sekulić”, former Salina Employees, NGO Centre for Protection and Research of Birds, and NGO “Dr Martin Schneider Jakoby”. The public discussion on the draft of the five-year plan for the management of the protected natural property of Ulcinj Salina was organised from 7 July to 28 July 2020. Due to the epidemic, no round table was organised, but the stakeholders had the opportunity to submit their objections, proposals, and suggestions in writing.

As part of negotiations on Montenegro’s accession to the EU, within Chapter 27 – Environment and Climate Change, the Working Group for the preparation and negotiating on Montenegro’s accession to the EU for the area of EU acquis in Chapter 27 made the Draft Action Plan to meet the final benchmarks in Chapter 27 – Environment and Climate Change. This document addresses all of the obligations of Montenegro within Chapter 27 in the pre-accession period, and the benchmarks for the keeping of a favourable conservation status of the Ulcinj Salina area were elaborated in detail within the sub-area of nature protection. Between 29 July and 28 August 2020, a public discussion process was organised regarding the Draft Action Plan for the meeting of the final benchmarks in Chapter 27 – Environment and Climate Change, prepared by the Working Group for Chapter 27. No comments that were received included any suggestions related to the part of the Action Plan pertaining to the improvement of management of the Ulcinj Salina.

Following the integration of comments received from the Government’s General Secretariat and additional communication with members of the Working Group for Chapter 27, draft Action Plan to meet the final benchmarks in Chapter 27 will be submitted to the EU for their opinion.

Furthermore, within the cooperation between the Government of Germany and the Government of Montenegro, through regular meetings and communication between the representatives of the Ministry of Sustainable Development and Tourism and the representative of the German Embassy in Montenegro, a draft ToR was prepared for a German expert who would provide support to the Municipality of Ulcinj in defining the optimum model for the management of this protected area, and in the implementation of protection measures, which would contribute to the meeting of one of the final benchmarks from the Common Negotiating Position for Chapter 27. Consultations to finalise the ToR between the two parties were completed and the publishing of the call for the engagement of the expert in Germany is ongoing. It is expected that the expert will start his/her engagement in the next 6 months.

It is also worth mentioning that, in accordance with the conclusions from the 12<sup>th</sup> meeting of the Sub-Committee for Transport, Environment, Energy, and Regional Policy, held on 13 June 2019, and the conclusions from the video conference held on 5 September 2019 with the representatives of the European Commission (EC), it was agreed that Montenegro will submit reports every three months on the implementation of activities taken to protect the Ulcinj Salina. So far, three reports have been sent: on 31 December 2019, 31 March 2020, and 30 June 2020.

### Lake Skadar

With regard to Lake Skadar, the recommendations of the Bern Convention are being implemented. The first report for 2020 was sent on 3 March 2020, and it can be concluded that so far most of the measures have been implemented.

In 2019, three projects worked on the mapping of Montenegro: “Establishment of Natura 2000 Network”, coordinated by the Environmental Protection Agency, financed from the state budget; “Conservation and Sustainable Use of Biodiversity at Lakes Prespa, Ohrid and Shkodra/Skadar (CSBL), financed by the Government of Germany, implemented by GIZ and EPA, which was mapping Lake Skadar; and “Promoting Protected Areas Management through Integrated Marine and Coastal Ecosystems Protection in Coastal Area of Montenegro”, coordinated by the Ministry of Sustainable Development and Tourism, financed by GEF, which mapped a total of 11% of territory of Montenegro in accordance with the Habitats Directive, with field work also realised in accordance with the Birds Directive. The achieved results in these three projects, together with the results from the previously implemented IPA 2016 Project “Establishment of Natura 2000” so far mapped around 25% of Montenegro’s territory.

The state budget for 2020 provided funds for the continuation of field work and implementation of activities to further establish and identify the area of Natura 2000, to be coordinated by EPA. Regarding the start of the season of field research in 2020 for the establishment of the Natura 2000 environmental network, a plan of field work was developed for ornithofauna as well as a work plan for habitats and other species. Experts started the field survey. Ground work of four experts for ornithofauna started on 6 June 2020, and by 20 October, a total of 68 field research days were realised. The remaining days will be realised by mid-December 2020.

With regard to the field work by experts for species (20 senior experts and 3 junior experts), the field work started on 10 June 2020, and by 20 October a total of 253 field days were completed, which is 70% of the planned field work. The research was done in the localities of mounts Orjen and Visitor for all groups, and additionally for invertebrates and mammals on Lake Skadar NP. Ichthyofauna was covered on the location of Šasko Lake and the plan is to also work on tributaries to Lake Skadar. The remaining planned days will be realised by the beginning of December 2020.

In relation to the database development for the Emerald network, we would like to point out that most of the potential Emerald areas overlap with special protection areas (SPA). The borders of SPAs are scientifically well justified, by the research of various national and foreign experts through the three aforementioned projects. However, since these projects covered only 25% of the territory of Montenegro, research will continue. By 20 October, a total of 434 field work days were implemented of the total number of 530 planned field work days. In the Fulcrum database a total of 6014 data entries were made, and a total of 68000 hectares will be mapped, which is 4,93% of the territory of Montenegro. The remaining field work days will be realised at the latest in early November.

### Watercourses (Tara)

The Joint UNESCO and IUCN Advisory Mission was conducted between 5 and 9 November 2018. The recommendations from this mission's report, which are mostly continuous and long-term, are being implemented. This mostly relates to the basic recommendation given by the experts, that due to the serious impact of the construction of the highway on the Tara riverbed, it is necessary to evaluate and closely monitor the downstream impacts of the highway crossing over the river on the remarkable universal value of this property. Namely, immediately after the end of the Advisory Mission, the Ministry of Sustainable Development and Tourism in December 2018 started to hire experts to implement monthly biological monitoring of the Tara River in accordance with the Water Framework Directive. Since the Tara is a part of European and world heritage, university professors working in biodiversity and fundamental ecology, validated by the scientific community, were selected to conduct monitoring. The biological monitoring started in January 2019 at three localities: Drcka tributary (confluence with Tara) near Mateševu – direct impact zone; the Tara near Mateševu – direct impact zone; and the Tara downstream from Kolašin (Rovačko Trebaljevo). The research in each locality encompassed the lotic and lentic ecosystems of the river, and the monthly monitoring results show the status of wildlife in the river.

The purpose of monitoring is to follow the impact on the environment, and to make qualitative and quantitative analyses of zoobenthos of the riverbed fauna in the downstream canyon part and its response to the changes in the environment, and to suggest conservation measures to protect the fauna. Changes in the composition of the communities of these organisms are the best indicators of changes occurring in the environment.

Based on a detailed analysis of quantitative and qualitative data, a suggestion of measures was made to reduce the identified pressures on the wildlife of the Tara, to reduce pollution from identified pollution sources, as well as a proposal of measures to improve the status of the freshwater ecosystem of the Tara. In 2020, the monitoring of the fauna of the Tara riverbed (lotic and lentic areas) started in June and will last for one year.

The results received from this year's monitoring will be compared to the results from the first year of monitoring (2019). In addition to the riverbed fauna, this year the monitoring of the endemic species of the Tara river will also be performed, with a special focus on the species on the IUCN list, since the Tara is a habitat of many such species (*Tarin faladipsis*, *Tarina Dina*, *Lukina torentikola*, etc.).

Also, some of the UNESCO/IUCN recommendations which relate to a rigorous management plan for the environment will be continuously implemented almost from the very beginning of works on the construction of the priority section of the highway.

Through the Montenegrin National Commission for UNESCO, communication is ongoing with UNESCO's authorities to inform them on the status of the universal value of Durmitor NP. This also relates to the continuous fulfilment of the criteria owing to which the Tara was placed on the UNESCO MAB list of biosphere reserves, all in accordance with the latest Decision that the biosphere reserve of the Tara River basin meets the requirements from the legislation of the World Network of Biosphere Reserves, which was adopted on the 31<sup>st</sup> meeting of the MAB International Coordinating Council for MAB – Man and Biosphere in June 2019 in Paris.

- July 2020 –

### III) INTRODUCTION

**Skadar Lake** is the largest lake in the Balkans, with an area of 40.000 ha. It was proclaimed the National Park in 1983, and is dominated by the aquatic ecosystems. The Lake is a crypto depression and its uniqueness and beauty is reflected in the richness of flora and fauna. Skadar Lake is one of the most important habitats of birds in the Mediterranean, that is, the nesting, feeding and resting site for 282 species of birds, i.e. for 150.000 specimens annually, of which 98% is protected by the national legislation and international conventions.

Moreover, Skadar Lake is a habitat for: 1.900 plant species, 54 species of freshwater molluscs, 45 species of fish (native carp and bleak), 16 species of amphibians, 28 species of reptiles, 57 species of mammals (the otter, which is nearly endangered, is particularly characteristic). Many of these animal species are listed in Annexes I and II of the Bern Convention. Therefore, in 1989, Skadar Lake was recognized as an internationally important bird area (IBA-Important Bird Area), and in 1955 it was included in the World List of Wetlands of International Importance (Ramsar Sites).

The shore of Skadar Lake is picturesque and abounds in wetland-type peninsulas and bays. Skadar Lake hides many endemic species of plant and animal life. It is also adorned with small islands, known as *gorice*, covered with wild dog rose, laurel and ivy.

Skadar Lake is also rich in cultural and historical monuments which are scattered over a large part of this National Park. This beautiful lake has its islands. There was a prison once on one island, while today this island is inhabited only by birds, on the second island there is the Monastery of St. Nicolas, and the most beautiful beach of the Lake – Pješčac is situated on the third island. This little beach captivates with simplicity and clean water.

On 6 June 2018, the citizens of Virpazar sent to the Prime Minister of Montenegro an appeal and a petition to prevent devastation of the National Park Skadar Lake caused by unsustainable construction and to consider introducing moratorium on construction. The Secretariat of the Bern Convention addressed the Ministry of Sustainable Development and Tourism regarding the appeal and petition of citizens, and organized a mission together with the Ramsar Convention in the period 11-14 June 2018 during which the competent authorities provided all the necessary information and detailed answers, as well as the Environmental Impact Assessment Study for the tourist resort Porto Skadar Lake. The mission experts had the opportunity to talk to all relevant state institutions and to visit the National Park Skadar Lake.

In this respect, at the 38<sup>th</sup> session of the Standing Committee of the Bern Convention held in the period 27-30 November 2018 the issue of opening of the Porto Skadar Lake case (number: 2016/04: Development of a commercial project in Skadar Lake National Park and candidate Emerald site (Montenegro)) was considered. The Secretariat of the Bern Convention did not open the case of Porto Skadar Lake at the Standing Committee in order to monitor closely the progress in the implementation of recommendations of the Bern and Ramsar Conventions, which Montenegro is obliged to fulfil within one year in cooperation with relevant institutions.

The Ministry of Sustainable Development and Tourism has undertaken to consult all relevant institutions and to consider the recommendations together. The implementation of recommendations was initiated with the scientific and technical expertise of all stakeholders. The institutions have provided all relevant data at their disposal in the area of their competences.

At the 39<sup>th</sup> session of the Standing Committee of the Bern Convention held in the period 2-6 December 2019, the Standing Committee of the Bern Convention supported the opening of the case related to the construction

on Skadar Lake and the case was opened. This means that Montenegro will continue to actively implement the recommendations and regularly communicate the progress to the Bureau of the Standing Committee of the Bern Convention.

The Bureau of the Standing Committee of the Bern Convention, at its meeting held in April 2020, reviewed the reports submitted by both the national authorities and the complainants.

The Bureau thanked for the timely and detailed reports. It welcomed the progress in certain areas achieved by the Government of Montenegro, such as the mapping of Skadar Lake, bird counting, the development of the Habitat Reference List and the establishment of the Working Group for the development of the Management Plan for the Ulcinj Salina Nature Park. However, the Bureau is concerned about the new plans regarding the proposed highway through Rijeka Crnojevića, the upgrading of road infrastructure, the increase in the number of tourist facilities and the construction of marinas and ports, which are contrary to the provisions of Recommendation no. 201 (2018).

The Bureau encouraged the Government to report regularly on the implementation of Recommendation No. 201 (2018), focusing on new issues in the next report.

## **IV) Implementation of Recommendation No. 201 (2018) of the Standing Committee of the Bern Convention**

### **3. Inspection**

The Urban Planning and Construction Inspection of the Ministry of Sustainable Development and Tourism performs regular inspections at the location, i.e. at urban plots UP1, UP2 and UP3. In the procedure of control and inspection of these locations covered by the Project DSL “Mihailovići” Skadar Lake of the Investors LLC “MJ PROPERTY” and LLC “Montenegro Resort Company – MRC” performed on 3 July 2020, the Urban Planning and Construction Inspection established that the structures in question are still in the preparatory phase, and that there are no works at the location in question, which means that the situation has not changed compared to the last reporting period (February 2020).

Also, the Administration for Inspection Affairs, through the environmental inspector, performs inspections in accordance with Article 108 of the Law on Nature Protection, where the inspection control established that there was no change in the construction situation at the Mihailovići location. The roads paved in the past period are overgrown with vegetation and there are no ongoing activities.

### **4. Monitoring of species and sites of NATURA 2000**

Regular monitoring of the condition of biodiversity is carried out in the area of the National Park Skadar Lake. Monitoring activities for the species in the territory of the National Park are defined by the Skadar Lake National Park Management Plan for 2016-2020 and the Annual Management Programmes.

The list of the Habitat Directive, Annexes II, IV and V, include 10 plant species from the area of NP Skadar Lake. The expert service of the Public Enterprise National Parks of Montenegro carries out monitoring for species *Marsilea quadrifolia* and *Caldesia parnassifolia*. The species listed in Annex I for which monitoring is carried out is *Quercus robur* subsp. *scutariensis*. As per the Annual Management Programme for the Skadar Lake National Park (2020), monitoring for these three species and their habitats is planned for the period July-September 2020.

For most other NATURA 2000 species, based on previous field researches, the data show that the populations and habitats of *Ramonda serbica* and *Utricularia vulgaris* are not endangered. The populations of *Gladiolus palustris* and *Anacamptis pyramidalis* are small, but without observed negative factors in their habitats, while the species *Ruscus aculeatus* is a part of numerous shrubs along the rocky shores of Skadar Lake and is not an endangered species in this area.

According to protocols for research and monitoring of otters (*Lutra lutra*), the best period for monitoring and research of otter habitats (*Lutra lutra*) is spring, autumn and winter period of the year. The shores of Skadar Lake are characterized by dense and impassable wetland and lake vegetation, so monitoring in the summer months is practically impossible. We note that conducting of field researches is planned to take place in the NP Skadar Lake in 2020 under the Project “Mapping of Natura 2000 Habitats and Species” implemented by the Nature and Environment Protection Agency, and part of the researches on otter status will be conducted through this Project.

### **3. Defining measures to prevent jeopardizing habitats and to mitigate negative impact of the ecosystem of the NP Skadar Lake**

Water lilies and water chestnut are widespread in the waters of Skadar Lake. Regardless of the fact that water lilies and water chestnut are listed as endangered species on numerous lists, these species are widespread on Skadar Lake and no direct pressures have been found that would endanger the status of these species on the Lake. It can be said that the general management measures arising from the Law on Nature Protection and the Law on National Parks, as well as zoning, i.e. defined protection regimes and waterways on the Lake, implementation of instructions of the Rulebook on the Internal Rules of the National Park, and control of compliance with these restrictions by engaging the Physical Protection Service constitute a sufficiently effective set of measures for the protection of water lilies and water chestnuts.

Having in mind the specificity of the area of the Skadar Lake National Park, which is absolutely dominated by water area, as well as the fact that the waters of the Lake territorially belong to Montenegro and Albania, it can be said that the biggest threats and pressures on the overall ecosystem are pollution and eutrophication. While eutrophication is a predominantly natural process, Lake water pollution is primarily a consequence of the introduction of pollutants from areas that do not belong to the National Park (rivers that flow into the Lake, as well as groundwater). Therefore, global measures to mitigate the negative impacts on Skadar Lake must be comprehensive, complex, coordinated with all relevant institutions, as well as with good cross-border cooperation.

Also, there are other threats and pressures that are generated in the area of the National Park, and the mitigation of their negative impacts is carried out through the Rulebook on the Internal Rules and Control by the Physical Protection Service of the Skadar Lake National Park.

In addition to the said threatening factors, the spread of invasive species also constitutes an extremely great pressure on the ecosystems of Skadar Lake. Particularly aggressive species are *Amorpha fruticosa* (for flooded ecosystem) and *Egeria densa* (for aquatic ecosystem) which cover large areas of the Park. The expert service of the Public Enterprise National Parks of Montenegro (JPNPCG) conducts regular researches and monitors the process of spreading of these and other invasive species. Given the complexity of the problem, and in this case, measures to mitigate the negative impacts of invasive species on the Lake must be comprehensive, complex, coordinated with all relevant institutions, as well as with good cross-border cooperation.

Also, guidelines for the implementation of control and prohibition of works in zones of category I (high) and II (good) will be defined in accordance with the Water Framework Directive. In cooperation between the Institute of Hydrometeorology and Seismology (IHS), the Water Administration and the Faculty of Science, it



is planned to determine the baseline (zero) state on the basis of which monitoring will be carried out and the ecological status and quality of water bodies at the level of Montenegro established, including water bodies in the territory of National Parks. According to the WFD, reporting for macrozoobenthos, macroflutes and benthic algae will be performed every 3 years, and for ichthyofauna every 5 years, while monitoring for all these groups will be conducted every year.

#### **4. Planning documents – Special Purpose Spatial Plan for the NP Skadar Lake**

The General Regulation Plan of Montenegro is a planning document which determines in more detail the goals and measures of spatial and urban development of Montenegro, taking into account specific needs arising from regional specifics, elaborates spatial planning goals and regulates the rational use of space and sea areas, in accordance with economic, social, environmental and cultural-historical development. Within this plan, as one of its segments, in accordance with Article 17 of the Law on Spatial Planning and Construction of Structures, the area of the Skadar Lake National Park will be developed.

The Government of Montenegro has adopted the Decision on Drafting the General Regulation Plan and the Decision on appointing the manager for drafting the General Regulation Plan of Montenegro and the amount of remuneration for the manager and expert team for drafting of the Plan (Official Gazette of Montenegro 052/20 of 3 June 2020). The deadline for drafting of the Plan is 24 months from the day of signing of the contract with the manager for drafting of the Plan (signing of the contract is expected).

Preparatory works are underway to start drafting the General Regulation Plan of Montenegro. Namely, on 23 June 2020, the Ministry of Sustainable Development and Tourism requested from all relevant institutions to provide available data, proposals, and guidelines for the purpose of drafting of the General Regulation Plan of Montenegro. The Plan will incorporate, *inter alia*, the recommendations of the Standing Committee of the Bern Convention regarding construction on Skadar Lake in order to ensure their adequate implementation through the planning document.

#### **5. Highway section though Rijeka Crnojevića**

The Spatial Plan of Montenegro until 2020 determines the corridor of the Bar-Boljare highway, and the Detailed Spatial Plan of the Bar-Boljare highway defines the staged construction. Therefore, the section of the highway Đurmani-Farmacu is defined as the last phase of the construction of the highway.

Regarding the variant solution of the highway crossing over Rijeka Crnojevića (land option), we would like to inform you that this solution was adopted in 2008 by the adoption of the Detailed Spatial Plan of the Bar - Boljare highway (Official Gazette of Montenegro 64/08). This planning document provides two options: 1) crossing the Skadar Lake National Park and 2) crossing Rijeka Crnojevića, whereby we point out that both options need to be analysed and compared against the same criteria.

The initial results of the Strategic Environmental Impact Assessment of the Bar - Boljare Highway indicate the need to analyse alternative solutions in conflict areas such as Skadar Lake.

The existence of variant solutions in the adopted planning solution leaves the possibility to review them in more detail while elaborating technical documents.

In order to implement the construction of the Bar – Boljare highway, i.e. to prepare technical documents, the Ministry of Transport and Maritime Affairs started in the previous period drafting of the Feasibility Study for the highway which will, *inter alia*, provide the optimum route based on a multicriteria analysis. In particular, the variant for the section Đurmani-Farmacu, which crosses Skadar Lake, was evaluated as negative due to

strict environmental restrictions, and it was proposed that solutions in the hinterland of Skadar Lake are considered further in the process of developing the Study. Further elaboration of the Study and development of the Preliminary Design, taking into account all limitations, will create conditions for a more detailed presentation of the highway route, where the intention and position of the Ministry of Transport and Maritime Affairs is to minimize environmental impacts.

We emphasize that the Spatial Plan of Montenegro, whose development is also ongoing, will examine, *inter alia*, the solutions of the valid planning documents, as well as variant solutions of the Detailed Spatial Plan of the Bar - Boljare highway.

## **6. Construction of marinas and harbours**

Within the INTERREG IPA CBC Programme Italy, Albania, Montenegro thematic projects, within the Project ALMONIT-MTC, Multimodal Transport Connectivity, the Ministry of Transport and Maritime Affairs, as one of the project partners, was granted funds amounting to EUR 2,440,000, of which 85% is the IPA contribution, and 15% amounting to EUR 366,000 is national co-financing. The approved funds are intended for the revitalization of the Port of Virpazar. The duration of the Project is 42 months, and the deadline for the completion of the Project is June 2022, which is also the deadline for the completion of construction works on the Port of Virpazar.

The overall objective of the ALMONIT-MTC Project (Albania - Montenegro - Italy) is to increase cross-border accessibility, promote sustainable transport services, as well as to improve public infrastructure.

We note that this is a revitalization of the once existing Port of Virpazar at the very entrance to Virpazar, which should rely on the existing wastewater collector for disposal of wastewater from this area, outside the zone of the National Park.

With respect to the speed of navigation on Skadar Lake, the Ministry of Transport and Maritime Affairs has started drafting the Law on Amendments to the Maritime Navigation Safety Law having in mind, *inter alia*, Recommendations No. 201 (2018), which were adopted on 30 November 2018. The Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats, acting in accordance with Article 14 of the said Convention, has proposed to the Government of Montenegro that, *inter alia*, it should:

- prohibit the use of personal vessels (scooters) on Skadar Lake and any other water activities which may harm floating vegetation;
- define regulations concerning “driving” by boats, such as speed limits (speed limit of 4 knots in the Lake zone concerned);
- ensure distance from zone I of strict protection and from the shore.

Having in mind the above Recommendations, the Draft Law on Amendments to the Marine Navigation Safety Law provides that “the speed of navigation of a vessel must not exceed four knots at Skadar Lake locations: Rijeka Crnojevića Canal, Karatuna River Canal, both branches of Morača River which belong to the Skadar Lake National Park, the area of Mihailovići, Poseljanski Bay, Biški Rep, the mouth of Rijeka Crnojevića, the mouth of Bazagurska Matica, the area around the island of Liponjak in the areas of prohibited fishing”.

It is also provided that navigation on water-jet vessels and the use of vessels with an engine power exceeding 7.35 kW is prohibited on Skadar Lake, without the approval of the administration authority responsible for nature protection.

Regarding the number of inspectors for lake navigation safety, the said Proposal Law envisages that inspections will be performed by navigation safety inspectors, and an increase in the number of inspectors is expected, both at sea and on the Lake.

## **7. Measures taken to preserve and improve the ecological values of protected areas and of potential NATURA 2000 and Emerald network such as Ulcinj Salina, Skadar Lake and rivers**

### Ulcinj Salina

In respect to Ulcinj Salina, the Government of Montenegro is aware that Ulcinj Salina, as one of the 10 largest and youngest salinas in the Mediterranean, and as a habitat of global importance for feeding and nesting of waterfowl, faces challenges, which is why we pay special attention to its continuing protection and sustainable management.

As per the above, during 2020, further measures and activities were continued in order to preserve and protect the ecosystem and to renew the infrastructure at the Salina in order to ensure further protection and sustainable management of the Nature Park "Ulcinj Salina". Thus, within the capital budget for 2020, funds amounting to EUR 1,000.000 have been allocated for infrastructure works at the Salina. With a view to using the funds for these purposes, the Terms of Reference were prepared in the previous period for drafting of technical documents (Main Design for the reconstruction of structures (canals, embankments)) in the territory of the Salina in Ulcinj.

In January 2020, the Mayor of the Municipality of Ulcinj established a Working Group tasked with preparation of the Management Plan for the Nature Park "Ulcinj Salina" for the period of five years. This Working Group consisted of representatives of the Ministry of Sustainable Development and Tourism, the Municipality of Ulcinj, the Agency for Nature and Environment Protection, the Public Enterprise National Parks, Trade Union of the JSC Salina "Bajo Sekulić", former workers of the Salina, NGO Centre for Protection and Research of Birds and NGO "Dr Martin Schneider Jakoby". The Draft Management Plan is currently subject of public discussion. At the same time, in the budget of the Municipality of Ulcinj for 2020, funds amounting to EUR 200.000 have been allocated for the management of the Nature Park "Ulcinj Salina". In addition, funds amounting to EUR 185.000 have been allocated for the temporary management of this area by the Public Company National Parks, for the period until the end of August 2020.

As part of the Montenegro's accession negotiations with the EU under Chapter 27 - Environment and Climate Change, the Working Group for the Preparation and Conduct of Negotiations on the Accession of Montenegro to the European Union in the area of the EU acquis relating to the negotiating Chapter 27 prepared Draft Action Plan for fulfilling closing benchmarks in Chapter 27 - Environment and Climate Change. This document addresses all the obligations of Montenegro under Chapter 27 in the pre-accession period, and measures relating to maintaining of favorable conservation status of the area of Ulcinj Salina are elaborated in detail in the sub-area relating to environmental protection. The Draft Action Plan will soon be presented at a public discussion.

In addition, within the cooperation between the Government of the Federal Republic of Germany and the Government of Montenegro, through regular meetings and communication between representatives of the Ministry of Sustainable Development and Tourism and representatives of the Embassy of the Federal Republic of Germany in Montenegro, proposed Terms of Reference (ToR) has been prepared for a German expert to provide support to the Municipality of Ulcinj in defining the optimum management model for this protected area, as well as in the implementation of protection measures, thus contributing to the fulfilment of one of the closing benchmarks of the Common Negotiating Position for Chapter 27.

It should also be mentioned that, in accordance with the conclusions of the 12<sup>th</sup> meeting of the Subcommittee on Transport, Environment, Energy and Regional Policy held on 13 June 2019, as well as the conclusions of the video conference held on 5 September 2019 with representatives of the European Commission (EC), it was agreed that Montenegro reports to the EC on a quarterly basis on the implementation of activities undertaken to protect Ulcinj Salina. So far, 3 reports have been sent: on 31 December 2019, 31 March 2020, and 30 June 2020.

### Skadar Lake

With respect to Skadar Lake, we are working on the implementation of the recommendations of the Bern Convention. The first report for 2020 was sent on 3 March 2020, and based on it can be concluded that most of the measures have been implemented.

In 2019, around 11% of the overall territory of Montenegro has been mapped in accordance with the Habitat Directive, and field work has also been carried out in accordance with the Bird Directive, under three projects: “Establishment of the Natura 2000 Network” coordinated by the Nature and Environment Protection Agency and financed from the state budget; “Conservation and Sustainable Use of Biodiversity in the Areas of Prespa, Ohrid and Skadar Lake (CSBL)” funded by the Government of Germany, implemented by GIZ and NEPA, under which Skadar Lake was mapped, and “Promoting Protected Areas Management through Integrated Marine and Coastal Ecosystems Protection in Coastal Area of Montenegro” coordinated by MSDT and financed by GEF. The total of about 25% has been mapped so far based on the results achieved under these three projects, together with the results achieved within the previously implemented IPA 2016 Project “Establishment of Natura 2000”.

The state budget for 2020 provided funds for the continuation of field work and the implementation of activities aimed at further establishment and identification of Natura 2000 sites, which will be coordinated by NEPA. With regards to the beginning of the field research season in 2020, a field work plan for ornithofauna and a work plan for habitats and other species have been developed for the establishment of the Natura 2000 ecological network. Experts have begun conducting field research.

Regarding the development of a database for the Emerald network, we point out that most of potential Emerald areas overlap with areas of special importance (SPA). The boundaries of the SPAs are scientifically well justified by researches of various national and international experts under the above three projects. However, as these projects have covered only 25% of the territory of Montenegro, the researches need to continue.

### Rivers (River Tara)

The Joint Advisory Mission of UNESCO and IUCN was held in the period 5-9 November 2018. The recommendations of the Mission Report, which are mainly of a continuous and long-term nature, are being implemented. This primarily refers to the basic recommendation given by the experts that due to the serious impact of the construction of the highway on the Tara riverbed, it is necessary to assess and closely monitor the downstream impacts of the highway crossing the river on the exceptional universal value of the resource. Namely, immediately upon completion of the Advisory Mission, the Ministry of Sustainable Development and Tourism initiated in December 2018 a procedure to contract experts for the purpose of conducting monthly biological monitoring of the Tara River in accordance with the Water Framework Directive. As Tara is part of the European and world heritage, university professors dealing with biodiversity and fundamental ecology, confirmed by the scientific community, have been selected to conduct the monitoring. Biological monitoring started in January 2019 at three localities: the Drcka tributary (confluence with Tara) near Mateševo - the zone of direct impact; Tara River near Mateševo - zone of direct impact; and the River Tara after Kolašin (Rovačko Trebaljevo), where the influence of construction downstream from Kolašin is monitored. At each locality, the

survey covered the lotic and lentic part of the River and the monthly monitoring results show the state of the living organisms in the River.

The aim of monitoring is to follow up on the impact on the environment, qualitative and quantitative analysis of zoobenthos of the river bottom fauna in the downstream part of the Canyon and its response to changes in the environment, as well as proposing conservation measures for the protection of fauna. Changes in the composition of the communities of these organisms are the best indicators of changes taking place in the environment.

The results obtained by this year's monitoring will be compared with the results from the first year of monitoring (2019). Therefore, upon completion of the second year of research, we will have a clearer picture of changes in the ecosystem, trend and dynamics of its recovery, assessment of the ecological status of the River, additional proposed measures to reduce pressures on the Tara wildlife, and proposed measures to improve the Tara freshwater ecosystem. In addition to the bottom fauna, endemic species of the Tara River will be monitored this year, with special emphasis on those on the Red List of Internationally Threatened Species (IUCN), since Tara is a habitat for a number of such species (*Tarin faladipsis*, *Tarina Dina*, *Lukina torrentikola* etc.).

Also, the part of the UNESCO / IUCN recommendation related to the existence of a rigorous Environmental Management Plan has been implemented continuously almost from the very beginning of the works on the construction of the priority section of the highway.

In any case, communication with competent UNESCO bodies takes place through the Montenegrin National Commission for UNESCO for the purpose of informing them about the status of exceptional universal value of NP "Durmitor". This refers, *inter alia*, to further fulfilment of the criteria due to which Tara is on the UNESCO MAB list of biosphere reserves, all in accordance with the latest decision that the Tara River Basin Biosphere Reserve meets the criteria of the legal framework of the World Biosphere Reserve Network adopted at the 31<sup>th</sup> session of the International Coordinating Council of MAB-the Man and the Biosphere in June 2019 in Paris.



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## **Progress Report on the Implementation of Recommendation No. 201 (2018)**

February, 2020

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## I) INTRODUCTION

**Skadar Lake** is the largest lake in the Balkans, with an area of 40,000 ha. It was proclaimed the National Park in 1983, and it is dominated by the aquatic ecosystem, which is also a cryptodepression. The lake covers an incredibly varying area ranging from 300 to 500 km<sup>2</sup>. Its uniqueness and beauty is reflected in the richness of flora and fauna. Skadar Lake is one of the most important habitats of birds in the Mediterranean, that is, the nesting, feeding and resting site for 282 species of birds, i.e. for 150,000 specimens annually, of which 98% is protected by the national legislation and international conventions.

Moreover, Skadar Lake is a habitat for: 1,900 plant species, 54 species of freshwater molluscs, 45 species of fish (native carp and bleak), 16 species of amphibians, 28 species of reptiles, 57 species of mammals (the otter, which is nearly endangered, is particularly characteristic). Many of these animal species are listed in Annexes I and II of the Bern Convention. Therefore, in 1989, Skadar Lake was recognized as an internationally important bird area (IBA-Important Bird Area), and in 1995 it was included in **the World List of Wetlands of International Importance (Ramsar Sites)**.

A rare pelican, *Pselecanus crispus*, is the trademark of this National Park. The average depth of Skadar Lake is 6m, and as some parts of the bottom are below the sea level, in some places it reaches a depth of up to 60m. Such places on Lake Skadar are called "eyes". The shore of Skadar Lake is picturesque and abounds in wetland-type peninsulas and bays. Skadar Lake hides numerous endemic species of plant and animal life. It is also adorned with small islands, known as *gorice*, covered with wild dog rose, laurel and ivy.

Skadar Lake is also rich in cultural and historical monuments which are scattered over a large part of this national park. This beautiful lake has its islands. There was a prison once on one island, while today this island is inhabited only by birds, on the second island there is the Monastery of St. Nicolas, and the most beautiful beach of the Lake – Pješčac is situated on the third island. This little beach captivates with simplicity and clean water.

The **State Location Study "Mihailovići"**, covers the area located in the southern part of the Old Royal Capital of Cetinje, with the total area of 59 ha. The land area covers 57 ha, of which 8 ha is river basin land and a much smaller area is water area (2.02 ha).

The decision on developing the SSL „Mihailovići“, on the basis of **Special Purpose Spatial Plan Skadar Lake**, was adopted by the Government at the session held on **4th October 2012**. The scope of the SSL „Mihailovići“ relates to Zone III-buffer zone of the National Park „Skadar Lake“.

Considering that Skadar Lake has also been a Ramsar site since 1995, ever since the beginning of development of the SSL „Mihailovići“ there has been a sensitive treatment of this important freshwater wetland habitat. All issues of relevance for the preservation of Skadar Lake as a potential Emerald and NATURA 2000 habitat, in the context of adapting the construction of structures in the Ramsar area, were elaborated in the **Report on the Strategic Environmental Impact Assessment**. Also, due to the location specificity during development of the SSL „Mihailovići“, in addition to the **Report on Strategic Environmental Impact Assessment**, a **Study on Landscape Protection and a Study on the hydrological-hydrogeological characteristics of the terrain of the location** were also developed.

The public debate on the Draft of the SSL „Mihailovići“ and Draft Report on the Strategic Environmental Impact Assessment was held in the period from 7 to 22 February 2014. During the Public debate which took place at the Secretariat for planning and spatial development and environmental protection, or at the Round Table held on 19<sup>th</sup> February 2014 in the Old Royal Capital of Cetinje, there were no interested parties.

Observations were submitted by: Old Royal Capital of Cetinje, as well as interested parties: MJ Property Podgorica and Montenegro Resort Company.

The state authority responsible for implementing the procedure for strategic environmental impact assessment, i.e. the Environmental Protection Agency, in August 2014, gave its approval to the Report on Strategic Environmental Impact Assessment.

On **23rd October 2014, the Government passed the Decision on the adoption of SSL „Mihailovići“**. The decision was published in the Official Gazette of Montenegro No. 49/14. The planned tourist accommodation capacities in the SSL „Mihailovići“ are located within the two tourist complexes, which will be formed on the principle of ECO Lodge (eco-village). **The first tourist complex area of 11.85 ha is planned at the location of Biški rep** in the western part of the State Study for Mihailovići, on the urban lot UP1. **The second tourist complex** is planned in the **eastern part of the SSL „Mihailovići“, on two urban lots - UP2 and UP3**, the total area of 3.51 ha.

Since 2016 until now, Ministry of Sustainable Development and Tourism provided all necessary information to both Bern Secretariat and Ramsar Secretariat in relation to the issue of the ecological character of Ramsar area of Skadar Lake in the context of the development of commercial projects.

Following submission of a complaint in relation to the development of a commercial project on Skadar Lake by an Informal Citizens Group from Virpazar to the Secretariats of both Bern and Ramsar Convention, in the period June 12-14 2018 joint advisory mission by the Bern Convention and Ramsar Convention took place. During the mission all necessary information and detailed answers were provided, as well as documentation. The experts of the Mission had an opportunity to talk to all relevant state institutions, and visit the Skadar Lake National Park.

In this regard, at the 38<sup>th</sup> session of the Standing Committee of the Bern Convention, held from 27-30 November 2018, the issue of opening the case of Porto Skadar Lake was discussed (**number: 2016/04: Development of a commercial project in the Skadar Lake National Park and candidate Emerald site (Montenegro)**). It is important to note that the Secretariat of the Bern Convention did not open the case of Porto Skadar Lake on the Standing Committee, but it defined a set of recommendations with the deadline for implementation until December 2019, whose implementation will be closely monitored.

The Ministry of Sustainable Development and Tourism coordinates, with other competent institutions, the fulfilment of the above recommendations. Below is the **First Report on the Implementation of Recommendations covering the Reporting Period December 2018 - December 2019**.

## **II) Implementation of Recommendation No. 201 (2018) of the Standing Committee of the Bern Convention**

At the 38<sup>th</sup> session held in the period 27-30 November 2018, the Standing Committee of the Bern Convention defined a set of recommendations for the Government of Montenegro in relation to the construction in the Skadar Lake National Park, which was opened at the 39<sup>th</sup> session of the Convention. The Government of Montenegro should implement the Recommendations in the next 12 months, that is, until December 2020.

**1.) The Government of Montenegro should immediately implement the following conservation and management measures in the next 12 months:**



**1.1. Halt any development on the mainland as well as the shore zone and water body of the Mihailovići location unless a detailed habitat map on a 1:10,000 scale for “Mihailovići“, Poseljanski Zaliv Bay, Biški Rep, the mouth of Crnojevića river, the mouth of Bazagurska matica and the islands Liponjak and Galići has been provided. The habitat map, ideally based on earth observation images, shall clearly classify any habitat type pursuant to the EUNIS habitat classification and EU Habitat Directive. The detailed habitat map provides the basis for a realistic environmental impact assessment.**

The Urban Construction Inspection of the Ministry of Sustainable Development and Tourism carries out regular inspection supervision of the site concerned, ie urban parcels UP1, UP2 and UP3. In the process of control inspection of the subject sites under the DSL "Mihailovici" Skadar Lake, investors LLC "MJ PROPERTY" and LLC "Montenegro resort company MRC", urban construction inspection has determined that the subject facilities are still in the preparatory phase, and that on the subject The site has no construction work, which means that there is no change in the situation compared to the last reporting period in November 2019.

According to the above, it has been stated that preliminary works are being carried out on the terrain, while works on the construction of structures on the basis of the Final Design are not being performed.

Mapping of Skadar Lake and preparation of a habitat map with the scale 1:10,000 for the above mentioned locations were carried out with the assistance of GIZ, as part of the transboundary project “Conservation and Sustainable Use of Biodiversity at Lakes Prespa, Ohrid and Shkodra/Skadar (CSBL)”, the beneficiaries of which are Montenegro, North Macedonia and Albania.

All habitat types of interest to the community from Annex II of the EU Habitats Directive, i.e. Natura 2000 Habitats, as well as all other habitat types (natural and artificial) as “non-Natura 2000 habitat” have been mapped.

Final results were verified at the end of December 2019, and the Reference List of Skadar Lake Habitats, as well as a GIS Habitat Layer covering the entire national park area, can be found at the link below due to the document's extensiveness (<https://we.tl/t-kW5Tsu5K0o>).

**1.2. Elaborate immediately a reference list of all present EUNIS and NATURA 2000 habitats with a focus on wetlands habitats, define their favourable conservation status and the necessary conservation measures to maintain or restore the favourable conservation status and include those measures in any planning document related to the conservation of Skadar Lake National Park, Skadarsko jezero Ramsar Site and Candidate Emerald Sites Skadar Lake.**

The draft Natura 2000 habitat reference list was developed through the IPA project “Establishment of the Natura 2000 Network” and it was also used and revised during the above mentioned habitat mapping that was done by GIZ for 2019 through the project “Conservation and Sustainable Use of Biodiversity at Lakes Prespa, Ohrid and Shkodra/Skadar (CSBL)”. All habitat types of interest to the community from Annex II of the EU Habitats Directive, i.e. Natura 2000 Habitats, as well as all other habitat types (natural and artificial) as “non-Natura 2000 habitat” have been mapped. Field research data were combined with desktop surveys, especially in the case of wetland surfaces and wetland areas.

Following the fieldwork, the results were verified for the Montenegrin part of Skadar Lake, and a new and improved Preliminary Reference List of Habitats for Montenegro and Albania was created. This list was part of a detailed discussion of the international expert team at the Round Table held in Podgorica on 31 October 2019. The mutually agreed results were accepted as the final reference list of the common habitat. The common

list contains 24 habitat types, 6 of which have been reported for the Albanian part of Skadar Lake and 21 for the Montenegrin part. Also, the final list for non-natura 2000 Montenegrin habitats consists of 10 habitat types. (The habitat Reference list You can find in Annex 1.)

In the site of urban plot 1 - UP1 (Porto Skadar), 60% of the territory is composed of non-Natura habitats, while 40% are Natura habitats. From Natura 2000 habitats the following types are represented:

62A0 Eastern sub-Mediterranean dry grasslands (30%);

5130 Juniperus communis formations on heaths or calcareous grasslands (10%);

While no Natura habitats are:

F5.3 Pseudo-maquis (30%);

I-JZ Settlement zones and extremely degraded areas (construction site, 30%);

On the site of the urban plots UP2 and UP3 (White Village), 50% of the territory consists of Natura 2000 habitats, namely:

62A0 Eastern sub-Mediterranean dry lands (30%, Good)

5210 Arborescent matorral with Juniperus spp. (30%, good)

9250 Quercus trojana woods (30%, Good)

92A0 Salix alba and Populus alba galleries all along the shore line (<10%, Very Good).

Also, the remaining 50% of the territory of UP2 and UP3 sites are non-Natura habitats:

G1.7C Oriental hornbeam woods (30%, Good)

F5.3 Pseudo-maquis (10% Poor)

I-JZ Zone of settlements and extremely degraded areas (10%)

Regarding the wetland area surrounding the site in the Natura habitat make up 70% of the site with the degree “very good representativity”, while no Natura account for 30% of the site, and these are stems of reed. The following types of Natura 2000 habitats have been found in the wetland:

3150 Natural eutrophic lakes (floating veg., 60%, very good);

92A0 Salix alba and Populus alba galleries (10%, Good);

3140 Hard oligo-mesotrophic waters (sublacustral wells, <10%);

In addition, within the CSBL Project, a “Monitoring Manual for Lake-bound Species and Habitats” was prepared in cooperation with EURONATUR, local experts and non-governmental organisations from the three countries, and with the support of the relevant state authorities. This publication will assist all interested parties in effective and systematic coordinated monitoring of species and habitats on Ohrid, Prespa and Skadar lakes in accordance with the EU Birds Directive and the Habitats Directive.

The “Monitoring Manual for Lake-bound Species and Habitats” includes two types of lake habitats and 21 species, 14 of which are listed in the EU Birds Directive and the Habitats Directive. By establishing the status of protection of sensitive or even vulnerable species, indicative conclusions can be drawn about the overall status of protection of the lake flora and fauna. Furthermore, the Manual covers a fairly broad and representative taxonomic spectrum, ranging from floating aquatic plants to flood trees and from dragonflies to otters. Should regular monitoring be carried out for all these species in the future, all three beneficiary countries will have a sound basis for nature conservation.

The status and conservation measures will also be defined based on habitat mapping results, and afterwards incorporating the guidelines and conservation measures into the new General Regulation Plan of Montenegro.

**1.3. Establish and run a monitoring system on species strictly protected according to Appendices I and II of the Bern Convention resp. NATURA 2000 species and habitats by the National Environmental Protection Agency at first at least in the area mentioned under (1). The monitoring system must include the otter (*Lutra lutra*).**

Skadar Lake National Park is part of the Public Enterprise National Parks of Montenegro (Javno preduzeće Nacionalni parkovi Crne Gore - JPNP). The National Parks of Montenegro is responsible for the management of the entire Montenegrin territory side of Skadar Lake. This also includes monitoring of flora and fauna.

In the area of Skadar Lake National Park, regular biodiversity condition monitoring is carried out. The Skadar Lake National Park Management Plan for 2016-2020, as well as the Annual Management Program, defines activities for monitoring species on the territory of the National Park.

Numerous activities are implemented in accordance with the Skadar Lake National Park Annual Management Program for 2019, *Strategic Area 3: research, supervision, restoration and improvement of ecosystems, habitats and conditions*, through which the status of threatened, sensitive, vulnerable, important and protected ecosystem species is defined, pressures on ecosystems, habitats and species are reduced and protective measures are implemented.

In the middle of January 2020, the IWC counting of bird was done. The results obtained were transmitted through the national coordinator to the International Bureau for the Protection of Water Birds IWRB, which in cooperation with Bird Life publishes the results of censuses from all aquatic facilities in Europe. In addition to the winter census of birds, the qualitative composition of the populations as well as their spatial distribution on the lake was determined.

During November and December 2019, cleaning of pelican nesting platforms (*P. crispus*) was done as a improving measure of breeding habitat for this species.

Also, activity was implemented regarding the pelican censorship (*P. crispus*). During January 2020, the Pelicans were practically permanently residing on Lake Skadar in variable numbers. A visit to the colony during the establishment of the IWC Census when active nests were recorded and the beginning of nesting on artificial platforms in mid-January was considered as the start of monitoring of Pelicans nesting in the lake in 2020.

The Program of management of NP Skadar Lake for 2020 defines the activities of monitoring and taking protection measures for the habitats of Shkodra oak (*Quercus robur subsp. Sqtariensis*), as well as monitoring of nationally and internationally protected species *Marsilea quadrifolia* (BC - An I, Emerald, IPA, HD - An IIb, An IV b, IUCN - VU Decreasing) and *Caldesia parnasifolia* (BC - Ann. I, HD - An II b, An IV b, IUCN - NT Decreasing).

***Lutra lutra* – Euroasian Otter**

Monitoring otter (*Lutra lutra*), a species from Appendix II of the Berne Convention, started in 2011 in Skadar Lake National Park and has since been implemented through program activities of the National Park. In the period November 2019 - February 2020, the otter was not monitored, but the Skadar Lake NP Management Program for 2020 envisages the continuation of regular otter monitoring.

Also, in accordance with Article 100 of the Law on Nature Protection (“Official Gazette of Montenegro”, No. 54/16), the Environmental Protection Agency monitors the state of nature conservation on the basis of the Annual Monitoring Program adopted by the Government.

During 2019, mammal monitoring was carried out on Lake Skadar, including the otter (*Lutra lutra*), which we provide to you in Annex 2.

In the elementary school "Međuriječje" in Kolasin. ” was held a ecological lesson on the topic: "Protection and conservation of the otter species". The lesson was realized on December 13, 2019 in cooperation with the Environmental Protection Agency and NGO "Living Green - Living Green", Podgorica.

**1.4. Provide and submit to the Secretariat of Convention georeferenced and digitalized borders, as well as appropriate updated data forms on the corresponding Candidate Emerald Site and Ramsar Site.**

A GIS habitat map that covering the entire area of the national park has been completed and submitted to the Ministry of Sustainable Development and Tourism, which is forwarded to the Secretariat of the Convention (on link: <https://we.tl/t-kW5Tsu5K0o>), together with a working version of the digitized border of the Skadar Lake National Park, which was made for the purpose of developing the Special Purpose Spatial Plan for the Skadar Lake National Park. (Please find working version of the digitized border of the Skadar Lake National Park, Annex 3, figure 1 and 2.)

**1.5. The new Special Purpose Spatial Plan for Skadar Lake National Park needs to follow the approach of the 2001 Special Purpose Spatial Plan for Skadar Lake National Park and reconfirm the designation of the broader area of the mouth of Crnojevića river and the Liponjak and Galići islands a Zone I of strict protection.**

The General Regulation Plan of Montenegro is a planning document that defines in detail the goals and measures of spatial and urban development of Montenegro, taking into account the specific needs that arise from regional specificities, elaborates the goals of spatial planning and regulates the rational usage of spatial and sea areas, in accordance with: economic, social, environmental and cultural-historical development.

Preparatory activities are underway to begin drafting of a new planning document - the General Regulation Plan of Montenegro, which will include the area of the Skadar Lake National Park, as one of the segments of the Plan, in accordance with Article 17 of the Law on Spatial Planning and Construction of Structures.

Within the prescribed legal procedures, this Ministry has submitted the Draft Decision on the drafting of the General Regulation Plan of Montenegro to all units of local self-government, in order to provide guidelines for the preparation of the program assignment. Also, the selection of the manager of the development of the Plan is underway, following a public invitation issued by the Ministry.

When drafting the planning document for the Skadar Lake area, the Spatial plan of the special purpose area of the National Park Skadar Lake from 2001, will be used as the basic basis.

**1.6. In addition, the Zone I area needs to include a 300 m wide belt on the lake around the islands and the sublacustrine springs.**

The areas of Zone I as well as the protection belt, will be considered through the process of development of the new General Regulation Plan of Montenegro, under which the area of the Skadar Lake National Park will be elaborated, after the competent institutions provide the baseline studies, bases, development plans and other documentation required to develop the Plan.

**1.7. The new Special Purpose Spatial Plan for Skadar Lake National Park needs to apply the designation of Zone I of strict protection to the Poseljanski zaliv Bay and Biški Rep shore zone. Namely, pursuant to the definition of the new Plan, strict protection is to be applied to natural conservation sites of ecological importance for the functioning of natural biological processes and the integrity of the ecosystem. The proposed area clearly fits in this definition, but not in the definition of Zone III of sustainable use to be applied to modified or changed natural habitats.**

Development of the Special Plan for Special Purpose for Skadar Lake National Park was discontinued on 31<sup>st</sup> December 2018, in accordance with Article 217 of the Law on Spatial Planning and Construction of Structures (“Official Gazette of Montenegro”, No. 64/17, 44/18 and 63/18).

Preparatory activities are underway to begin drafting of a new planning document - the General Regulation Plan of Montenegro, within which the area of the Skadar Lake National Park will be elaborated as one of plan segments, in accordance with Article 17 of the Law on Spatial Planning and Construction of Structures.

Areas that should be designated as Zone I of strict protection will be taken into account during preparation of the Plan and included in it after the environmental protection guidelines and conditions have been provided by the competent environmental institutions.

**1.8. The use of speedboats has to be limited to police, border police, ranger service and other authorities with competences on the lake. Those have to follow speed restrictions except in case of emergency.**

Article 16, paragraph 1, item 42 of the Law on National Parks (“Official Gazette of Montenegro”, No. 28/14 and 39/16) stipulates prohibiting the usage of vessels with a motor of more than 10 hp (boats, speedboats, scooters, etc.) without authorisation, except for the needs of state authorities.

The Draft Law on Amendments to the Law on Maritime Navigation Safety is being prepared, which, after its adoption, will prohibit the use of vessels with a motor of more than 7,35 kW (boats, powerboats, scooters, etc.) without authorisation, except for the needs of state authorities and in case of emergency.

In order to increase the safety of navigation on the Lake, setting up an AIS Base Station on the shore of Lake Skadar is planned, which will allow the instalment of AIS transmitters in navigation vessels for passenger transportation. Thus, the coastal station “BARRADIO” will at every moment have the real-time picture of movement of passenger vessels on Skadar Lake.

In addition, the Ministry of Transport and Maritime Affairs will increase the number of maritime navigation safety inspectors in the coming period, which will certainly contribute to more intensive implementation of navigation and vessel control on Skadar Lake.

**1.9. The use of personal water crafts (water scooters) and any other water activities which can harm the floating vegetation must be prohibited.**

NP Skadar Lake enables the effective protection and conservation of all its ecosystems and their natural processes, living and non-living aquatic, floodplain and terrestrial ecosystem components. Unacceptable and illegal activities, degradation and major negative impacts on natural processes, habitats and species of flora and fauna have been eliminated. In accordance with zoning, only certain parts of the area are allowed to use certain resources in a controlled manner.

In addition to the Working Group established by Decision no. 325-114 / 17-23 of 24 July 2017, with the aim of more effectively combating all kinds of illegal activities in the area of Skadar Lake National Park, professional development of employees will be done through training and acquisition of new skills and knowledge in accordance with the Law on Protection of Persons and Property .

Also, cooperation with state institutions will be strengthened in order to protect the Park's space more efficiently, by recording illegal activities through communication with the Ministry of Internal Affairs, as well as by organizing meetings with inspection services in order to coordinate activities and more efficiently process recorded illegal activities.

Furthermore, in the coming period, efforts will be made to establish communication with the local population, as well as to raise awareness of the importance and values of the National Parks in order to respect legal restrictions and to protect the aquatic vegetation of the lake.

**1.10. Regulations on boating, such as speed limit (a 4 knot speed restriction on the lake area in question), and distance from Zone I of strict protection and from the shore have to be stipulated.**

The Law on Amendments to the Law on Safety of Maritime Navigation prohibits the use of vessels with an engine of more than 7.35 kW (boats, speedboats, scooters, etc.) without permission, except for the needs of the state administration and in the area of Skadar Lake. emergency situations.

Also, the same law stipulates a speed limit of four knots at the following locations of Skadar Lake: Mihailovici area, Poseljanski bay, Bishki rep, estuary of the river Crnojevic, estuary of Bazagur nut and area around Liponjak island.

This issue will be considered when drafting a new planning document - the General Regulation Plan of Montenegro.

**1.11. No installations or constructions shall be allowed in the shorezone stretches classified with Shorezone Functionality Index under category I (high) and II (good).**

The implementation of the Water Framework Directive (WFD) represents a number of common technical challenges for EU Member States as well as candidate countries. A shared understanding and approach is of crucial importance for successful and efficient implementation of the Directive in Montenegro, which the Government of Montenegro is aware of. Therefore, in accordance with the Water Directive, the issue of zoning of the Lake Skadar National Park will be discussed in cooperation with the Water Administration. The National Parks of Montenegro and the Water Administration, through planned cooperation, will also define the guidelines for implementation of control and prohibition of works that have been defined by the said Directive in zone categories I (high) and II (good).

The document "Shorezone Functionality Index - Skadar Lake" was published through the CSBL Project in May 2017. This document highlights the key aspect of the WFD - hydromorphological status assessment. It consists of a combination of hydrological and morphological assessments.

According to morphological, structural and biotic parameters, the results show that 46% of the total perimeter of the lake falls into the high category, followed by the good category with 23.4%, then the moderate category with 24.8%, the weak category with 0.92% and the bad category with 4.9%.

In addition, prohibiting installations or construction in lake zones may be an integral part of the planning document guidelines, which will be discussed during the process of preparation of the General Regulation Plan of Montenegro. (Annex 3, figure 3.)

**2. All further considerations made by the Bern and/or Ramsar Convention as well as the Delegation of the European Union to Montenegro shall include the Porto Skadar Lake development on the urban planning plot UP1 and, in addition the development known as White Village on urban planning plots UP2 and UP3 of Mihailovići location as well as any other development on this location.**

For all further steps made in relation to the projects Porto Skadar Lake and White Village, as well as during preparation of any planning document, the opinions and recommendations of the Berne and Ramsar Convention, as well as of the Delegation of the European Union to Montenegro will be taken into account.

**3. Examines whether any building permit related to the location issued after October 2017 were valid as according to article 4 of the Decision on the adoption of SSL Mihailovići, the latter is valid until 2020, but respective building permits shall be issued within a three-year period only. In addition, the validity of SSL Mihailovići should not be renewed and the provisions of article 4 of the above mentioned Decision should be applied in a way that through amendments the remaining facilities such as the landing place in front of UP1 shall be deleted.**

SLS "Mihailovići" is valid until 2020, and its extension is not planned. The Directorate for Construction in the Ministry of Sustainable Development and Tourism, after October 2017, **has not issued any building permits** in the area within the scope of the State Location Study "Mihailovići".

In this area, the following building permits were issued before October 2017:

- to the investor "Montenegro resort company MRC", for the construction of a tourist resort on UP1, number: UPI 0503-836/12-2014 of 27 March 2015, and
- to the investor "MJ Property", for the construction of a tourist resort: a 5-star category hotel with annexes, on UP2 and UP3, number: UPI 1054-87/12 of 6 June 2016.

Moreover, in the said building permits, pursuant to Article 93 of the Law on Spatial Planning and Construction of Structures ("Official Gazette of Montenegro, no. 51/08, 34/11, 35/13 i 33/14), a condition is laid down that works must commence within 2 years from the date of issuance of a building permit and that otherwise the construction right will cease to apply.

According to the data obtained from the Directorate for Inspection Affairs and Licensing in the Ministry of Sustainable Development and Tourism, the investor "MJ Property" doo Podgorica, submitted a notice of commencement of construction works, and started preparatory works on 1 June 2018, under the number 107/4-1522/1 within the legal deadline.

With regard to the issued building permit, the investor "Montenegro Resort Company" submitted a notice of commencement of works on 10 February 2017, also within the legal deadline.

The above mentioned building permits were issued for the preliminary design. The Urban-Planning and Technical Conditions for berths are issued separately, independently of Urban-Planning and Technical Conditions for the construction of other parts of tourist resorts. Accordingly, the berth permit is issued in a special procedure and it requires development of an Environmental Impact Assessment Study.

However, at the UP1 location, a permit for the construction of a berth was not issued because it was not the subject of a building permit.

**4. Carefully examines the procedure which led to the issuing of a landing place in the case of the White Village development and if necessary revise or revoke the respective building permit. Pursuant to the provisions of SSL Mihailovići such a landing place must be subject to a separate environmental impact assessment.**

According to the Urban and Technical Requirements (UTR), building permits for moorings are issued separately, independently of the UTRs for construction of other parts of the tourist resorts. The issuance of a building permit for a mooring is envisaged in a separate procedure and an environmental impact assessment procedure needs to be carried out for it.

A building permit for construction of a mooring has not been issued for UP2 and UP3 urban parcels at the White Village location.

**5. Provides and determines clear basic technical specifications and requirements in the appropriate planning documents which are related to the construction of any landing place or waste water treatment inside the protected area. Those specifications and requirements must fully consider the integrity and dynamics of the sensitive ecosystem of Skadar Lake National Park, Ramsar Site and Candidate Emerald Site.**

The Law on Strategic Environmental Impact Assessment ("Official Gazette of Montenegro" No. 59/11 and 52/16) stipulates the conditions, manner and procedure for carrying out an assessment of the impact of certain plans and programmes on the environment through the integration of environmental protection principles in the process of preparation, adoption and implementation of plans and programmes that have a significant impact on the environment. This Law is 100% harmonized with the SEA Directive.

Regarding technical specifications and requirements during the construction of a mooring, building permits are issued in a separate procedure and independently from the Urban and Technical Requirements (UTU) for construction of other parts of tourist resorts. An environmental impact assessment procedure needs to be carried out in order to obtain a building permit.

EIA procedure is conducted in accordance to the Law on Environmental Impact Assessment which is 100% harmonized with the EIA Directive from 2014.

**6. The floating vegetation with large carpets of white water-lily and water chestnut is a special habitat on Skadar Lake. It is the very sheer size of theses habitat complexes that makes them representative on European level. Any reduction of those habitats shall be prohibited;**

Pursuant to Article 56 of the Law on Nature Protection ("Official Gazette of Montenegro", No. 54/16) and Article 29 of the Law on National Parks ("Official Gazette of Montenegro", No.39/16), the responsibilities of the Manager of the Skadar Lake National Park to conduct control of activities on the Lake related to preventing endangerment of flotant vegetation by controlling waterways and fishing organised with nets have been defined. Based on several years of monitoring of the status of flotant vegetation, the Public Enterprise for the National Parks of Montenegro is of an opinion that, in addition to the existing legally defined measures for protected areas and species, no additional protection measures are required for these species. Water lily and water chestnut populations are numerous and stable.



In line with the Draft Law on Amendments to the Law on Maritime Navigation Safety, riding speedboats and jet boats will be prohibited on Skadar Lake, which will contribute to further preservation of these species. Furthermore, the “STOP Poaching” campaign will be implemented in order to prevent poaching that disrupts the balance of the lake ecosystem, while raising public awareness.

In addition, Paragraph 30 of the Order on fishing bans, restrictions and measures for the protection of fish (“Official Gazette of Montenegro”, No 21/12) of 21<sup>st</sup> February 2019, stipulates that the catch of all fish species and other aquatic organisms is prohibited in the fishing area of “Skadar Lake” at Rijeka Crnojevića from Obod Cave to the places of Gradina and Lisinj until 15<sup>th</sup> May 2025. The same Order also prohibits fishing in the following localities: Pančeva Oka, Crni Žar, Pjavnik (Pantovac), Omerova Gorica, Manastirska Tapija, Golubovo Island, Manastirski Vrbiš and Grmožur Island.

Paragraph 31 prohibits the catch of all fish species and other aquatic organisms in the fishing area of "Skadar Lake" at the Plavnica River and along the entire course of the Virpazar Channel until 15<sup>th</sup> May 2021.

**7. Establishes an effective dialogue mechanism with and participatory approach to all stakeholders in order to ensure information exchange as well as to consider any biodiversity data gathered by NGOs and the scientific community.**

Perceiving the importance of the non-governmental sector, with the Law on Non-Governmental Organisations ("Official Gazette of the Republic of Montenegro“, No. 27/99, 09/02 and 30/02, "Official Gazette of Montenegro“, No. 11/07) Montenegro has given its citizens the legitimate right to satisfy different interests through various forms of organisation and free association.

There is a continuous dialogue going on between the Government and the civil society in accordance with the Law on Strategic Environmental Impact Assessment, the Law on Environmental Impact Assessment, the Law on Nature Protection, the Law on the Environment and the Law of industrial emissions, as they set out the mechanisms for public participation in the decision-making process. There is ongoing work on improving the dialogue, and this trend will continue.

From the point of view of Montenegro's strategic commitment to European and Euro-Atlantic integration and fulfilment of membership requirements, it is necessary to emphasize the importance and role of NGOs in the accession process, in particular in providing the conditions for their involvement in the regulatory reform, as well as in the process of harmonisation of the national legal order with the Acquis requirements.

Pursuant to Article 15, paragraph 1 of the Decision on establishing the negotiating structure for the accession of Montenegro to the European Union (“Official Gazette of Montenegro”, No. 9/12, 15/14, 19/17, 33/18 and 48/18), the Government of Montenegro, at its meeting of 26<sup>th</sup> July 2018, adopted the Decision on the establishment of a working group for the preparation and conduct of the negotiations on the accession of Montenegro to the European Union for the field of the EU Acquis relating to negotiation chapter 27 - Environment and Climate Change (“Official Gazette of Montenegro”, No. 65/18), whose members are also the representatives of 4 non-governmental organisations who are participating in the work of the Working Group.

The dialogue additionally gains importance through the communication that has been achieved through the work of four Aarhus centers in Montenegro (two centres at the state level and two at the NGO level).

Pursuant to the Decree on the election of representatives of non-governmental organisations into the working bodies of the state administration bodies and conducting public consultation in preparation of laws and strategies, the NGO sector is continuously invited to participate in the work of the working bodies in drafting of environmental laws and strategies.

Until December 2019, four calls for NGOs to participate in the drafting of laws and by-laws were announced, whereas for three no candidates applied and for one of the calls two representatives of NGOs applied. During 2018, out of a total of nine calls for NGOs, for five no candidates applied, while four representatives applied for four calls, i.e. three, because a representative of one NGO applied for two calls. During 2017, out of a total of eight calls, for five no candidates applied, while for three calls three candidates applied, i.e. two, because a representative of one NGO applied for two calls.

Also, on 21<sup>st</sup> October 2019, a Public Discussion on the Draft Study on the Protection and Establishment of the Protected Natural Resource "Valley of the River Zeta" and the Decision on the Proposal for Proclamation of the Nature Park "River Zeta" was organised by the Municipality of Danilovgrad.

Four Public consultations were organised,

- Public consultation of interested NGOs to support the establishment of a "Union Concern List of Invasive and Non-Invasive Species" and to map their distribution;
- Public consultation of interested non-governmental organizations for conducting educational campaigns for the purpose of environmental protection;
- Public consultation of interested NGOs to support the development of Action Plans for the most endangered species that must be developed under the EU Directive on the Conservation of Natural Habitats and Wild Flora and Fauna; and
- In order to prepare and produce the highest quality Sixth National Report under the Convention on Biological Diversity (CBD), and taking into account the need to ensure the highest possible level of transparency and facilitate the prior participation of the interested public, the Ministry organized public consultations on 4 June 2019 for Draft Sixth National Report under the Convention on Biological Diversity.

Also, the Roundtable was organized by the Ministry of Sustainable Development and Tourism with representatives of environmental NGOs from the north of Montenegro on "Environmental Protection", on 17<sup>th</sup> December 2019 in Mojkovac.

The Round table was aimed at further enhancing cooperation between state institutions, at the state and local level, NGOs and citizens, in order to better inform and educate them, which would contribute to a more active involvement of NGOs in decision-making processes, which will enable easier implementation of democratic processes in the field of environmental protection and improvement in Montenegro.

The conclusion of the Round table is that without successful cooperation between governmental institutions, at both the state and local levels, and civil society organizations, it is not possible to expect a comprehensive implementation of environmental activities, which means that cooperation between the mentioned entities should be continuous .

Proposals for sectoral analyses for financing projects and programs of non-governmental organisations in the field of environmental protection for 2020 were prepared.

During 2019, there were three public discussions, in 2018, nine were held, while during 2017 there were three public discussions.

Furthermore, in order to strengthen the capacities at both the Governmental and NGO levels, trainings, supported by the OSCE Mission to Montenegro, have been conducted for years in a row to strengthen the dialogue of both sectors. Within the workshops organised for strengthening of capacities for implementation of strategic and environmental impact assessments, special emphasis has been placed on strengthening cooperation with the civil society.

In addition, this type of cooperation also refers to the partnership relationship in the sector of cross-border projects, that is, cooperation of the NGO sector with the Ministry of Sustainable Development and Tourism in the implementation of international agreements in the field of cross-border cooperation.

About 20 interested citizens, including NGOs and the media, attended the Public Discussion on the Environmental Impact Assessment Study for construction of the tourist resort on Skadar Lake.

Also, at the Public Discussion on the Environmental Impact Assessment Study for the 5-star tourist resort project, the NGOs had their member in the Commission for Evaluation of the Environmental Impact Assessment Study for the tourist resort (White Village). After the Public Discussion, the Environmental Protection Agency gave its approval to the Study, which was prepared in accordance with the comments received from the Commission and the applicable regulations and standards for the construction of this type of facility.

In addition, the NGO sector participated in evaluation of the Environmental Impact Assessment Study on the basis of the Public Call announced by the Environmental Protection Agency and their representatives were selected as members of the Evaluation Commission for the following Studies: Adriatic Sea 3D Geophysical Survey, Hotel Kraljičina Plaža, Small Hydropower Plants and exploitation of technical building stone. For the Public Call for a Member of the Commission for Evaluation of the Environmental Impact Assessment for the Smokovac Loop, which is part of the Bar - Boljare Highway, the Smokovac - Mateševo section, there were no interested parties.

Based on previous cooperation achieved with the NGOs, concerning the development of the commercial project of Porto Skadar Lake on Skadar Lake, it has been announced that during the process of preparation of the planning documents, as well as the environmental impact assessment study, NGOs had no comments.

#### **8. Considers hosting the upcoming biogeographical seminar on Emerald sites in SEE.**

Regarding database development for the EMERALD Network, we would like to inform you that, based on information published in the book "CONSERVING WILD BIRDS IN MONTENEGRO - a first inventory of potential Special Protection Areas", 33 potential SPA areas have been identified so far. Namely, the criteria that are applied in the Birds Directive are in line with the criteria for the Berne Convention, since the Natura 2000 Network in the EU countries also qualifies as the Emerald Network. Most potential Emerald areas overlap with SPA areas.

The boundaries of the SPA areas have been scientifically well justified, through the surveys of various national and foreign experts through the three-year IPA Project "Establishment of the Natura 2000 Network in Montenegro" (April 2016 – April 2019). During the field research in 2017 and 2018, within 9 important biodiversity areas (KBAs), just over 14% of the total territory of Montenegro was mapped for 52 habitat types. If we were to use the existing data where KBAs overlap with potential Emerald areas, we would have data for about 10 to 12 potential Emerald areas.

During 2019, research continued on the establishment of the Natura 2000 network, for which 200,000 Euros were allocated within the State Budget. Continuation of the fieldwork was carried out by the Environmental Protection Agency. Habitat and species mapping continued in areas not explored in previous activities, that is, in the Alpine biogeographic region.

Continuation of research referring to establishment of the Natura 2000 network in 2020 was enabled with funds from the budget of the Government of Montenegro in the amount of 250,000 Euros. Operational funds will

also be provided through the IPA 2016 Project, “Technical Support for Monitoring and Implementation of Environmental and Climate Action Policies”.

Updating of the Emerald database for proposed locations by using data collected through the IPA project is a time-consuming task, thus the Ministry of Sustainable Development and Tourism, in collaboration with the Environmental Protection Agency, will work on revising potential Emerald areas in the coming period. Thereafter, a more detailed overview of the status of the proposed Emerald areas will be provided in order to continue implementation of further activities.

The Ministry of Sustainable Development and Tourism is very enthusiastic about hosting a biogeographic seminar.

### **9. Identifies and defines appropriate mitigation measures;**

Through the Strategic Environmental Impact Assessment and Impact Assessment process, appropriate guidelines and measures have been defined to prevent, reduce or eliminate the adverse environmental impacts of projects.

Defining mitigation measures will be possible as soon as the lake-zoning concept becomes clear, since optimal zoning is a precondition for the future development of Skadar Lake which is based on the principles of ecological sustainability. Attention will also be paid to reducing the process of further eutrophication and overgrowing, which is the greatest threat to the Skadar Lake ecosystem, especially in the zone of Manastirska Tapija, through reducing pollution, not only of the aquatic environment, but also of the surrounding area throughout the Skadar Lake basin.

The spread of allochthonous invasive species is a large threat, especially the species *Amorpha fruticosa* (false indigo bush), which is very aggressively spreading in the Plavnica area, but also in other locations along the lakeshore (Gostiljska Rijeka, Murići), and in recent years the species *Egeria densa* also, which is recorded in the waters of Plavnica and Šegrnica. Having in mind how serious the problem is, discussing the implementation of conservation measures in cooperation with competent institutions is planned according to the Management Program of the Skadar Lake NP for 2020.

The monitoring system should be strengthened and improved through selection and regular monitoring of indicator parameters. With regard to birds, this system already functions through regular monitoring of breeding and wintering populations under several European schemes.

Also, it is necessary to comply with the rules for construction of structures in national parks in accordance with the Rulebook on closer conditions for the erection or construction of temporary facilities, devices and equipment (“Official Gazette of Montenegro”, No. 043/18, 076/18 and 076/19), and also to develop a plan for the administration, management, fishing and protection of the fishery fund through the development of the Fisheries Basis.

By regular and strict application of penalty legal provisions, the illegal collection of protected and/or rare species (plant and animal) for commercial and collector purposes is to be eliminated.

**10. Takes measures to preserve and improve the ecological value of protected areas and potential Natura 2000 and Emerald Network sites such as Ulcinj Salina, Lake Skadar and river courses, as stated in the recommendations of the latest EC Montenegro 2018 Report of April 2018. Better coordination is needed with the 'appropriate assessment' procedure under the Habitats Directive. Implementation of EIA and public consultations need to improve, especially at the local level.**

**Potential investments in hydropower and touristic developments need to comply with nature protection requirements.**

Montenegro is working very hard to preserve the environment, and more and more attention is being paid to preventing, minimizing as much as possible, completely eliminating pollution and ensuring sound management of natural resources.

Pursuant to Article 8 of the Law on Environmental Impact Assessment (“Official Gazette of Montenegro”, No. 075/18), the obligation to obtain approval for an environmental impact assessment has been established. The developer of the project for which a Study is requested or of the project for which a decision on the need for conducting a Study has been adopted, may not enter into the execution of the project or obtain approval to carry out activities without the approval of the Study or the Decision that no Study is required.

It is also stipulated that when the impact assessment process involves the conduct of an appropriate assessment procedure, that procedure should be carried out as part of the environmental impact assessment procedure in accordance with the Law on Nature Protection. Where the environmental impact assessment process is conducted under other procedures in accordance with specific regulations, those procedures shall be carried out in a harmonised manner. The procedure for the appropriate assessment in accordance with Article 46 of the Law on Nature Protection, consists of the preliminary and the main appropriate assessment.

Appropriate Assessment is carried out when there is a possibility to plan, program, project, alone or in combination with other plans, programs and projects may have a significant negative impact on the conservation objectives and may have a negative impact on the ecological integrity of the ecological network.

For the time being Montenegro has four Aarhus centres. The dialogue additionally gains importance through the communication that has been achieved through the work of two Centres at the state level and two at the NGO level.

The establishment and functioning of Aarhus centres improve the implementation of the Aarhus convention and public involvement. In order to improve the implementation of the SEA and EIA on the local, as well on governmental level, in 2019 a capacity building has been conducted. Capacity building is to be continued in 2020. Within the scope of the planned activities for the implementation of the SEA and EIA, public consultation represents an integral part of the capacity building for SEA and EIA.

The Ministry of Sustainable Development and Tourism adopted the Rulebook on closer content of the appropriate assessment study for the ecological network site (“Official Gazette of Montenegro”, No. 45/17).

In accordance with the National Strategy with the Action Plan for the Implementation, Transposition and Enforcement of the EU Acquis on Environment and Climate Change for the Period 2016-2020, additional training on this topic is planned at the national and local level. The first in a series of trainings was implemented in late March 2019, with a focus on the local level, where experts presented experiences in the context of conducting strategic and environmental impact assessments, as well as disseminating information and public consultation. In the context of better public consultations, apart from the competent authorities, the Aarhus Centers play a special role.

When it comes to the Ulcinj Salina, given the fact that it is one of the 10 largest and youngest salinas in the Mediterranean, and a habitat of global importance for the feeding and nesting of water birds, the Government pays special attention to its protection.

At the session held on 24<sup>th</sup> June 2019, the Ulcinj Municipal Assembly decided to proclaim the Nature Park “Ulcinj Salina”, while the Ministry of Sustainable Development and Tourism sent the Ramsar Secretariat an

official nomination for listing the Ulcinj Salina on the List of Wetlands of International Importance. On 1<sup>st</sup> July 2019, the Ulcinj Salina was declared a wetland of international importance and is listed on the Ramsar List. On 15<sup>th</sup> January 2020, a Working Group was formed by the Municipality of Ulcinj to prepare a 5-year management plan for the protected area “Nature Park Ulcinj Salina”.

Regarding the UNESCO area of the Tara River Canyon in the context of construction of the highway, a control mechanism has been established through the work of competent inspection bodies (environmental, water inspection), as well as supervision of the execution of works which is carried out by the international consultant of the French - Italian consortium. The Government established a Commission for Technical Admission of Works, and the contractor, in addition to the obligation to comply with and implement the measures under the Environmental Impact Assessment Study, also prepared a Remediation Action Plan approved by the Environmental Protection Agency. In addition, the expert team of the University of Montenegro (Faculty of Science) carries out regular monitoring of the riverbed fauna.

In general, when it comes to investments in hydropower and tourism development, the Law on Strategic Environmental Impact Assessment (SEA), the Law on Environmental Impact Assessment (EIA) and the Law on Nature Protection (in particular Article 18, and Articles 45, 46 and 48) are continuously applied.

Article 18 of the Law on Nature Protection prescribes that strategies, spatial plans, plans for the erection of temporary facilities, plans and programs for the management and use of natural resources (mining, energy, transport, maritime, water management, agriculture, forestry, hunting, fishing, tourism and other activities which may have an impact on nature), must contain guidelines and requirements for nature protection.

Article 40 provides the procedures for the issuance of approvals for actions, operations and activities in protected areas, as well as procedures for environmental impact assessment of projects (EIA and SEA).

The Environmental Protection Agency provides the guidelines and requirements for nature protection upon request. In addition, all the above-mentioned procedures for issuing licenses or approvals (EIA, SEA, permits for actions, operations and activities in protected areas) are carried out in accordance with the prescribed legal procedures.

**11. Prepares a schedule and programme of work to implement the above recommendations, including details of the person/actors responsible, along with the timetable with clear milestones and deadline for each recommended action.**

The draft of Working plan is prepared in form of table which is provided in Annex 4.

**12. Regularly reports on progress in the implementation of the Recommendation, as requested by the Bureau to the Standing Committee to the Convention and the Committee itself.**

Montenegro will regularly report to the Bureau of the Bern Convention on the progress of implementation of the recommendations in accordance with the request of the Standing Committee. The first report for 2020 has been prepared and will be sent by 28.02.2020.

## Annex I

### Joint habitat reference list for Montenegro and Albania

Code	Habitat	AL	MNE
3140	Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.		+
3150	Natural eutrophic lakes with Magnopotamion or Hydrocharition-type vegetation	+	+
3260	Water courses of plain to montane levels with the Ranunculion fluitantis and Callitriche-Batrachion vegetation	+	
3280	Constantly flowing Mediterranean rivers with PaspaloAgrostidion species and hanging curtains of Salix and Populus alba		+
5210	Arborescent matorral with Juniperus spp.		+
5230	*Arborescent matorral with Laurus nobilis		+
5310	Laurus nobilis thickets		+
6110	*Rupicolous calcareous or basophilic grasslands of the Alysso-Sedion albi		+
62A0	Eastern sub-Mediterranean dry grasslands (Scorzoneratalia villosae)		+
6420	Mediterranean tall humid grasslands of the Molinio-Holoschoenion		+
6510	Lowland hay meadows (Alopecurus pratensis, Sanguisorba officinalis)		+
6540	Sub-Mediterranean grasslands of the Molinio-Hordeion secalini		+
8140	Eastern Mediterranean screes		+
8210	Calcareous rocky slopes with chasmophytic vegetation		+
8310	Caves not open to the public		+
91E0	*Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)	+	
91F0	Riparian mixed forests of Quercus robur, Ulmus laevis and Ulmus minor, Fraxinus excelsior or Fraxinus angustifolia, along the great rivers (Ulmenion minoris)	+	
9250	Quercus trojana woods		+
9260	Castanea sativa woods		+
9290	Cupressus forests (Acero-Cupression)		+
92A0	Salix alba and Populus alba galleries	+	+
92D0	Southern riparian galleries and thickets (NerioTamaricetea and Securinegion tinctoriae)	+	+
9340	Quercus ilex and Quercus rotundifolia forests		+
9540	Mediterranean pine forests with endemic Mesogean pines		+
	<b>TOTAL</b>		
<b>24</b>		<b>6</b>	<b>21</b>

## Annex II

### Mammal monitoring in the Skadar Lake NP (except marine mammals and species from the order *Chiroptera*)



#### Introduction

Based on the Agreement on Consulting Services-05-D-1161/1 of 30<sup>th</sup> April 2019, concluded between the Environmental Protection Agency and Ninoslav Đurović an environmental engineer, mutual rights and obligations are laid down referring to preparation of a mammal monitoring analysis, except marine mammals and species from the order Chiroptera. According to this agreement the following is to be carried out: Monitoring of mammals at the site of Skadar Lake NP, Analysis of the status of the given locations, Endangerment factors for mammals and their habitats at the given locations, as well as Proposal of measures for the protection of mammals and their habitats at the locations in question.

#### Location

Most of the locations visited are located within the boundaries of the Skadar Lake National Park (defined by the Law on the National Parks of Montenegro, Article 11), but in order to obtain the necessary data, locations that are in the contact zone and directly gravitate towards the Skadar Lake region were also visited.

The locations visited are: Dupilo, Rijeka Orahovštica, Poseljani, Rijeka Crnojevića, Rijeka Biševina, Uvala Jovovica and Šišarine, Virpazarski Kanal, Obida, Donji Murići, Zabes, Godinje, Rijeka Plavnica and Gostiljska Rijeka and Bakine Tigle.

**Number of field visits:** 12




**Dates of the field visits:** 23<sup>th</sup> May 2019; 14<sup>th</sup> June 2019; 25<sup>th</sup> June 2019; 21<sup>st</sup> July 2019; 8<sup>th</sup> August 2019; 17<sup>th</sup> August 2019; 29<sup>th</sup> September 2019; 2<sup>nd</sup> October 2019; 15<sup>th</sup> October 2019; 17<sup>th</sup> October 2019; 31<sup>st</sup> October 2019 and 14<sup>th</sup> November 2019;

### Methodology

A non-invasive direct observation method was used during this research. This method involves: recording traces of mammalian activity in a spatial pattern (faeces, hair, trace), visual detection, inference based on species behaviour, and inference based on terrestrial ecology.

### Monitoring of mammals

With the methodology mentioned above, the presence of the following species has been determined in the area of the Skadar Lake NP and in the region within the contact zone of the Park boundaries:

Species	Nationally protected		IUCN status	
<i>Vulpes vulpes</i> - Fox	No		LC	
	Location	Observed	Coordinates	Date
	Obida	Visual detection	42°14'21.72"N 19° 6'32.02"E	17/08/2019
	Veliki Vis – Godinje	Trace	42°13'27.00"N 19° 5'56.88"E	23/05/2019
	Highway – Section Debela Glava - Virpazar	Run over	42°15'19.10"N 19° 5'46.63"E	29/09/2019
 <p>Obida – <i>Vulpes vulpes</i>, Fox</p>				
Species	Nationally protected		IUCN status	
<i>Lutra lutra</i> , Otter	Yes		NT *	
	Location	Observed	Coordinates	Date
	Obida	Trace	42°14'21.72"N 19° 6'32.02"E	08/08/2019
	Rijeka Orahovštica	Trace	42°15'8.89"N 19° 2'0.06"E	02/10/2019
	Highway – Section Vranjina – Bakine Tigle	Run over (3 individuals)	42°17'0.53"N 19° 8'28.35"E	18/02/2019 27/03/2019
	Donji Murići	Trace	42°9'41.14"N 19°13'27.46"E	21/07/2019
	Rijeka Biševina	Trace	42°19'18.70"N 19° 8'45.19"E	29/09/2019
	Lower flow of the Rijeka Crnojevića	Trace	42°21'38.18"N 19° 3'28.96"E	29/09/2019
	Highway – Section Debela Glava - Virpazar	Run over	42°15'49.75"N 19° 5'46.24"E	05/24/2019



Highway – Section Vranjina – Bakine Tigle – Lutra lutra, Otter

\*According to the IUCN Red List status, the status has not been determined in Montenegro, but there is already a status, and the global status of this species is NT. According to the latest publication of The Otter Specialist Group (OSG), which is part of the Species Survival Commission (SSC) of the International Union for Conservation of Nature (IUCN), the status in Montenegro is V - Vulnerable - (The Global Otter Conservation Strategy, 2018)

Species	Nationally protected		IUCN status	
Mustela nivalis, Least weasel	No		LC	
	Location	Observed	Coordinates	Date
	Bakine Tigle	Run over	42°15'49.75"N 19° 5'46.24"E	/
	Uvala Jovovića	Run over	42°17'0.53"N 19° 8'28.35"E	/
Species	Nationally protected		IUCN status	
Glis glis, Edible dormouse	No		LC	
	Location	Observed	Coordinates	Date
	Vranjina	Visual detection	42°16'18.67"N 19° 7'25.45"E	14/06/2019
Species	Nationally protected		IUCN status	
Mus musculus, House mouse	No		LC	
	Location	Observed	Coordinates	Date
	Virpazar	Visual detection	42°14'45.33"N 19° 5'27.05"E	14/06/2019
Species	Nationally protected		IUCN status	
Sus scrofa, Wild boar	No		LC	
	Location	Observed	Coordinates	Date
	Dupilo	Traces	42°15'8.06"N 19° 1'57.22"E	02/10/2019
	Poseljani	Traces	42°18'18.65"N 19° 3'4.13"E	23/05/2019
Species	Nationally protected		IUCN status	
Capreolus capreolus, Roe deer	Permanent hunting ban: roe deer and her young Hunting closure: roebuck		LC	
	Location	Observed	Coordinates	Date
	Dupilo	Traces	42°15'8.06"N 19° 1'57.22"E	02/10/2019

	Rijeka Crnojevića	Traces	42°20'55.37"N 19° 2'19.21"E	21/07/2019
<b>Species</b>	<b>Nationally protected</b>		<b>IUCN status</b>	
<i>Erinaceus europaeus</i> , Hedgehog	No		LC	
	<b>Location</b>	<b>Observed</b>	<b>Coordinates</b>	<b>Date</b>
	Highway – Station Zeta - Virpazar	Run over (4 individuals)	42°17'22.96"N 19° 9'0.07"E	/

Also, we should emphasize the large number of abandoned horses (Žabljačke Livade and Crmničko Polje), the large number of stray dogs and cats in larger villages (Virpazar, Rijeka Crnojevića) and abandoned goats on the islands (Vranjina, Mala and Velika Čakovica).

**Assessment of the state of the population and assessment of the importance of the area for the population of the species**

Species	Type of presence of the species	Population/individual *		Character of occurrence of the population	Data quality evaluation	Endemic	Isolation	Global	Top location	Conservation
		min	max							
<i>Lutra lutra</i> , Otter	P	5	20	Breeding reproduction	M	No	B	B	Yes	II
<i>Vulpes vulpe</i> , Fox	P	3	15	Breeding reproduction	M	No	C	B	Yes	II
<i>Sus scrofa</i> , Wild boar	P	5	20	Breeding reproduction	M	No	C	B	Yes	II
<i>Mustela nivalis</i> , Least weasel	P	4	15	Breeding reproduction	M	No	C	B	Yes	II
<i>Glis glis</i> , Edible dormouse	P	10	More than 100	Breeding reproduction	P	No	C	B	Yes	I
<i>Mus musculus</i> , House mouse	P	10	More than 100	Breeding reproduction	P	No	C	B	Yes	I
<i>Capreolus capreolus</i> , Roe deer	P	3	10	Breeding reproduction	M	No	C	B	Yes	III
<i>Erinaceus europaeus</i> Hedgehog	P	10	More than 100	Breeding reproduction	P	No	C	B	Yes	I

**Analysis of the status of given locations**

The presence of the above species was determined at the locations. In most locations, habitat pressure has been identified, whether through deforestation, hunting or fishing, waste or urbanisation. Increasing pressure is evident which has a significant impact on the mammalian habitat itself, as well as food availability.

Assessment of the status of the area in general (based on recorded activities: A high impact; B medium impact; C low impact)

Type	Impact
Urbanism	A
Agriculture	A
Industry	B
Eutrophication	B
Disturbance	A
Fishing	A
Logging	A
Waste	B
Traffic	A
Hunting	B
Tourists	A
Illegal structures	A
Sand and gravel exploitation	B
Wastewater	B
Collecting plants and other species	C
Invasive and other problematic species	B
Solid waste	B
Geographic disasters and natural events	B

#### **Endangerment factors for mammals and their habitats at the given locations**

There are numerous factors that affect the endangerment of mammals and their habitats in the Skadar Lake region. As each location carries with it a certain peculiarity, the factors listed below are descriptive in relation to a given location or to the activities and consequences for the habitat.

- Hunting within the boundaries of the Park (Poseljani, Rijeka Crnojevića, Zeta , Malesija)
- Hunting outside the Park (Dupilo, Zeta, Malesija)
- Urbanisation (Mihailovići village, Orahovstića River), construction of bio-collectors near Vranjina (due to the construction of bio-collectors, the "green corridor" has been interrupted and 3 otters, one marten and a large number of hedgehogs were killed while crossing)
- Logging (throughout the region)
- Tourism (waste, animal disturbance...)
- Agriculture (in order to protect their products, various types of poisons, animal traps, as well as nets and gadgets are used for the purpose of frightening and hunting animals)
- Sport fishing (waste)
- Commercial fishing (a large number of fishing nets are found in the lakeshore vegetation)
- Construction and renovation of facilities (large quantities of construction waste...)
- Traffic (the highway that intersects the Skadar Lake National Park is a frequent place of animal peril, this year counted 4 otters, one fox, one weasel, hedgehogs ...)

#### **Proposal of measures for the protection of mammals and their habitats at the given locations**

*Development plans, above all concerning tourism and traffic, threaten to endanger the region significantly in terms of the abundance and diversity of fauna, as well as the environmental units and different ecosystems. Increasing accommodation and planning future projects to increase accommodation, amenities and the like (Porto Skadar Lake, Eco Lodge ...) as well as the most likely Bar - Boljare route that will pass through the Park will significantly affect the entire ecosystem of Skadar Lake.*

*If this is added to the growing tourist offer in the form of lake cruises, (in 2011, around 12 contracts were signed with the Park for this activity and in 2018 over 100 contracts), as well as the intention to open the Skadar - Virpazar waterway, we have a worrying impact on the lake.*

*The set of measures that need to be brought is very different in nature, from some that require careful elaboration to some that can be accomplished without some special requirements:*

#### *Waste*

- *Setting up more bins for recycling material (most waste in the season is of recycling character)*
- *Cleaning and enforcement of penalties for the creation of illegal "wild dumps"*

#### *Traffic*

- *Setting up more frequent signalisation to reduce and speed limit in the Park area*
- *Cleaning of existing green corridors for smaller wild animals or forming corridors on the basis of the Rulebook (Rulebook on protection measures and methods of maintaining crossings for wild animals (Published in the "Official Gazette of Montenegro", No. 80 of 31<sup>st</sup> December 2010))*

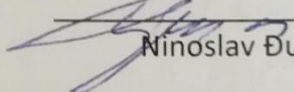
#### *Control and surveillance*

- *Increased control and surveillance to combat illegal hunting and logging within the Park's boundaries through video surveillance*

#### *Zoning*

- *Due to the development of the lake cruising tourist offer, it is necessary to establish the lake zoning on the water, which strictly restricts travel, fishing and tourist routes, and to mark them with frequent signage. This signalisation is intended to protect the zones where the only aquatic mammal on the lake feeds or resides - the otter.*
- *Strictly prohibiting speeding of boats and scooters on the lake, through fines or seizure of the navigation equipment. Also putting up signalisation that indicates that speeding of boats is forbidden on the lake.*

Report prepared by:  
Ninoslav Đurović, signed

Izveštaj sačinio:  
  
Ninoslav Đurović  
Spec. App Zaštite životne sredine

### Annex III

Nacionalni park Škardarsko jezero

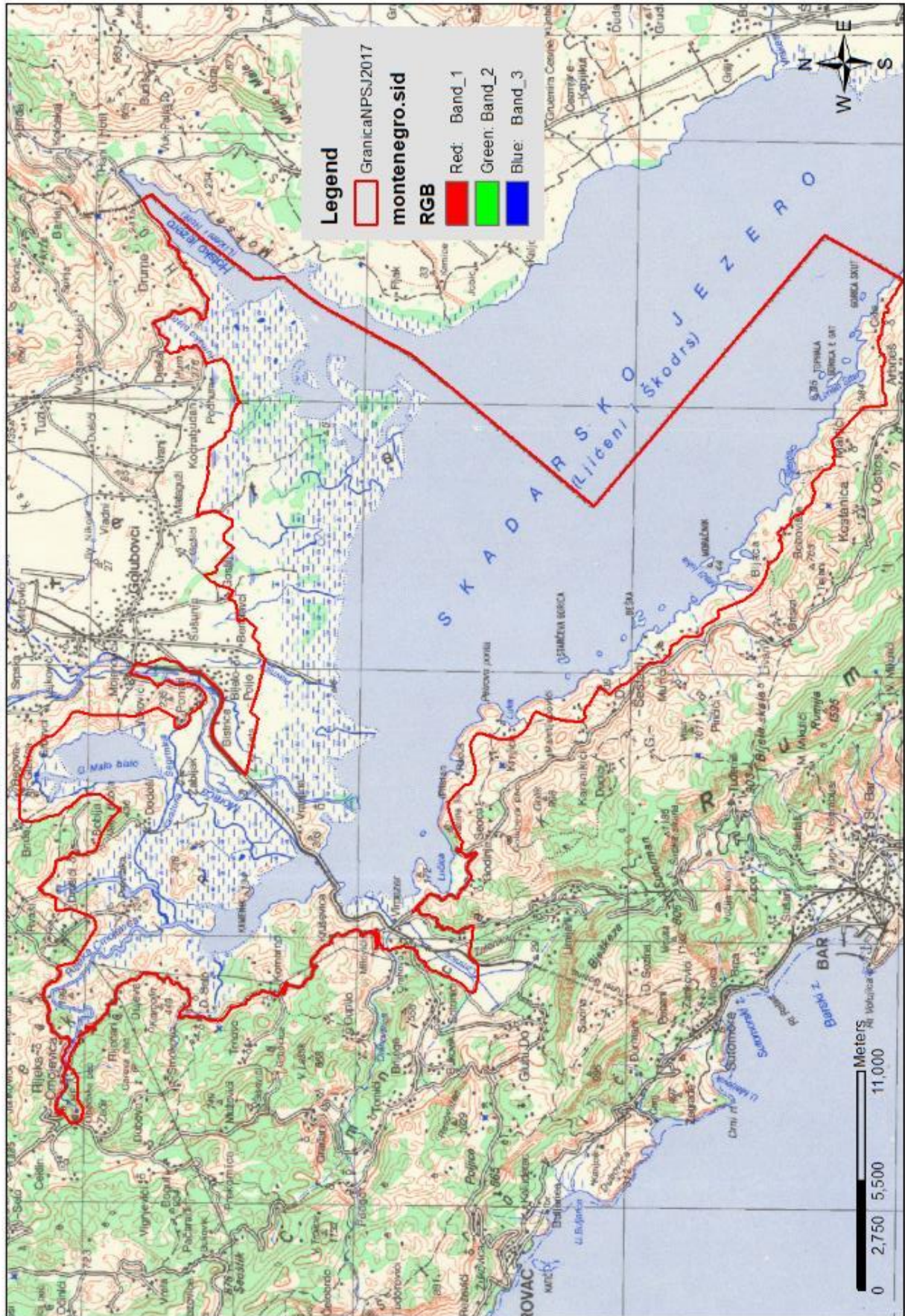


Figure 1.

Nacionalni park Skadarsko jezero



Figure 2.

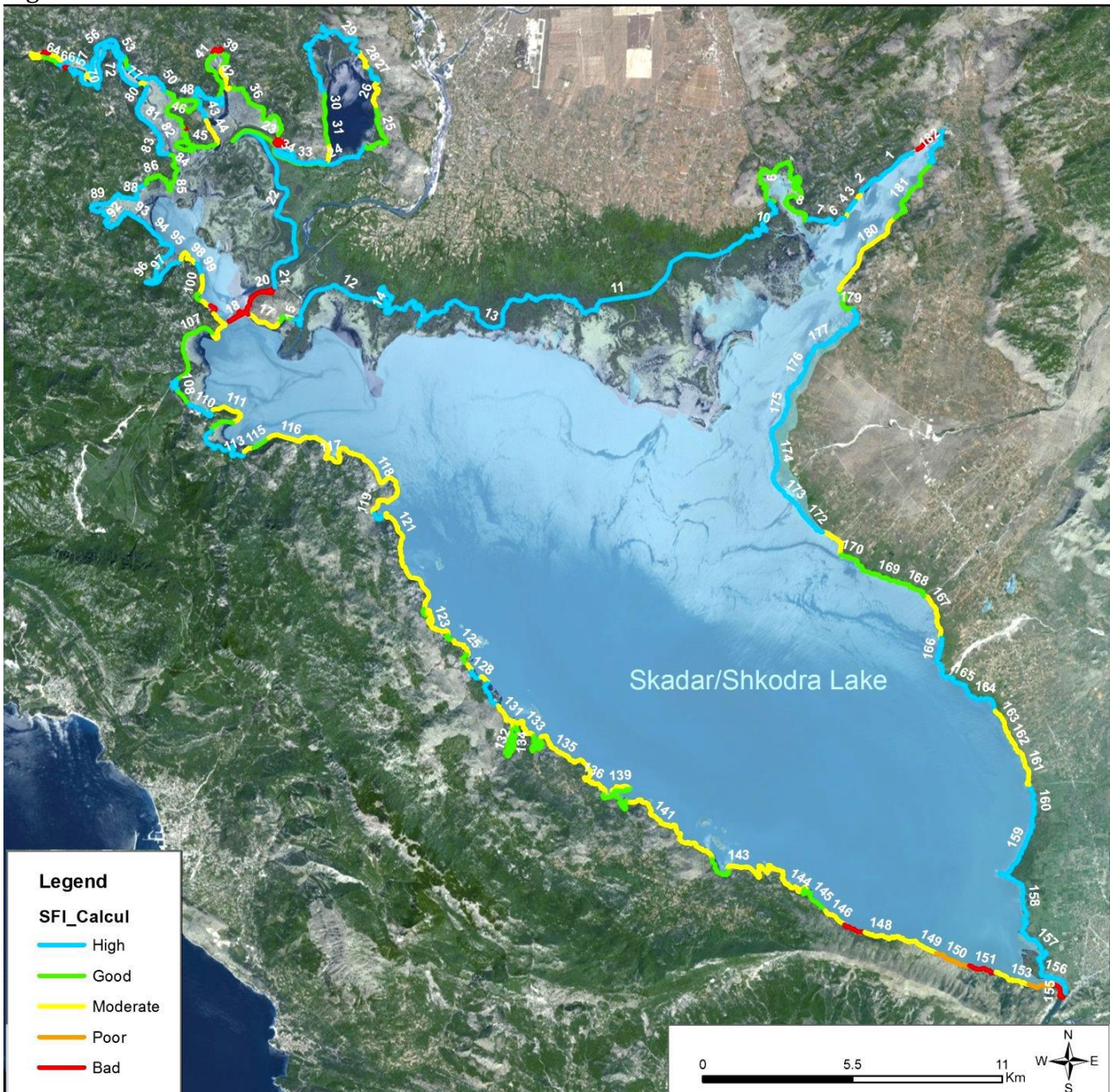


Figure 3.



**Annex IV****WORKING PLAN**

No.	Measures	Activities	Realization time	Responsible authorities
1	<b>Halts any further development on the mainland as well as the shore zone and water body of the Mihailovići location unless a detailed habitat map on a 1:10,000 scale has been provided for “Mihailovići“, Poseljanski Zaliv Bay, Biški Rep, the mouth of Crnojevića river, the mouth of Bazagurska matica and the islands Liponjak and Galići. The habitat map, ideally based on earth observation images, shall clearly classify any habitat type pursuant to the EUNIS habitat classification and EU Habitat Directive. The detailed habitat map provides the basis for any environmental impact assessment</b>	<ul style="list-style-type: none"> <li>- the environmental inspection performs regular inspection supervision of the location;</li> <li>- detailed habitat map has been done with the assistance of GIZ;</li> <li>- the transboundary workshop held on 29-30<sup>th</sup> May;</li> <li>- finish mapping in August;</li> <li>- held Round table on 31<sup>st</sup> October, for data verification;</li> </ul>	- the results of mapping of the Skadar lake are available on link:	MSDT/NEPA/GIZ
2.	<b>Elaborates immediately a reference list of all present EUNIS and NATURA 2000 habitats with a focus on wetlands habitats, define their favourable conservation status and the necessary conservation measures to maintain or restore the favourable conservation status and include those measures in any planning document related to the conservation of Skadar Lake National Park, Skadarsko jezero Ramsar Site and Candidate Emerald Sites Skadar Lake,</b>	<ul style="list-style-type: none"> <li>- The reference list of habitats for Skadar lake is completed through the GIZ project "Mapping habitats of Skadar lake" in December 2019;</li> <li>- methodology was developed in April/May 2019;</li> <li>- the habitat mapping was done for the entire area of Skadar lake;</li> </ul>	- the final reference list is completed in the end of December 2019.	GIZ / NEPA

		<ul style="list-style-type: none"> <li>- the first field visit was paid on 30<sup>th</sup> May 2019;</li> <li>- “Monitoring Manual for Lake - bounded species and habitats”, was done in cooperation with EURONATUR;</li> <li>- The status and conservation measures will also be defined on the basis of the monitoring results;</li> </ul>		
3.	<b>Establishes and runs a monitoring system on species strictly protected according to Appendices I and II of the Bern Convention respectively NATURA 2000 species and habitats by the National Environmental Protection Agency at first, at least in the area mentioned under (i). The monitoring system must include the otter (<i>Lutra lutra</i>),</b>	<ul style="list-style-type: none"> <li>- develop protocol monitoring of species from Annex I and II of the Bern Convention;</li> <li>- conduct regular monitoring of species from Annexes I and II of the Bern Convention under the established protocol;</li> <li>- regular monitoring of biodiversity status performed by NEPA AND PENP of Montenegro;</li> </ul>	- Continuously	Public enterprise for national parks / NEPA
4.	<b>Provides the Conventions' secretariats with georeferenced and digitalised borders of and respective updated data forms on the corresponding Candidate Emerald Site and Ramsar Site</b>	<ul style="list-style-type: none"> <li>- delivered working version of the digitalized border of the Skadar Lake National Park; (Annex II);</li> <li>- GIS Habitat Layer will be delivered in December;</li> </ul>	<ul style="list-style-type: none"> <li>- November 2019.</li> <li>- February 2020</li> </ul>	MSDT / Directorate for Spatial Planning
5.	<b>The new Special Purpose Spatial Plan for Skadar Lake National Park needs to follow the approach of</b>	- Preparatory activities are underway for the commencement of the development of a new	- started in January 2020	MSDT/ Directorate for Spatial Planning

	<b>the 2001 Special Purpose Spatial Plan for Skadar Lake National Park and reconfirm the designation of the broader area of the mouth of Crnojevića river and the Liponjak and Galići islands a Zone I of strict protection,</b>	planning document the General Regulation Plan of Montenegro, under which, the area of the NP Skadar Lake will be elaborated, as one of the segments of the plan;		
6.	<b>In addition, the Zone I area needs to include a 300 m wide belt on the lake around the islands and the sublacustrine springs,</b>	- will be considered through the process of development of the new General Regulation Plan of Montenegro;	-2020	MSDT / Directorate for Spatial Planning
7.	<b>The new Special Purpose Spatial Plan for Skadar Lake National Park needs to apply the designation of Zone I of strict protection to the Poseljanski zaliv Bay and Biški Rep shore zone. Namely, pursuant to the definition of the new Plan, strict protection is to be applied to natural conservation sites of ecological importance for the functioning of natural biological processes and the integrity of the ecosystem. The proposed area clearly fits in this definition but not in the definition of Zone III of sustainable use to be applied to modified or changed natural habitats,</b>	- Preparatory activities are underway to commence the preparation of a new planning document the General Regulation Plan of Montenegro;	-2020	MSDT / Directorate for Spatial Planning
8.	<b>The use of speedboats has to be limited to police, border police, ranger service and other authorities with competences on the lake. Those have to follow speed restrictions except in case of emergency,</b>	- the Ministry of Transport and Maritime Affairs will increase the number of maritime navigation safety inspectors in the coming period;  - it is planned to set up the AIS base station on the shore of Skadar Lake;  - Working Group was formed with the representatives of the Ministry of Sustainable Development and Tourism, the	- On continuous basis	Public enterprise for national parks / Harbor Captain Bar

		Administration for Inspection Affairs, the Police Administration, the Maritime Safety Department and the Harbourmasters' Office;		
9.	<b>The use of personal water crafts (water scooters) and any other water activities which can harm the floating vegetation must be prohibited,</b>	<p>- the Ministry of Transport and Maritime Affairs will increase the number of maritime navigation safety inspectors in the coming period;</p> <p>- it is planned to set up the AIS base station on the shore of Skadar Lake,;</p> <p>- Working Group was formed with the representatives of the Ministry of Sustainable Development and Tourism, the Administration for Inspection Affairs, the Police Administration, the Maritime Safety Department and the Harbourmasters' Office;</p> <p>- by adopting the Law on Amendments to the Law on Safety of Navigation of the Navigation, the use of vessels with an engine of more than 7.35 horsepower (boats, powerboats, scooters, etc.) is prohibited;</p>	On continuous basis	Public enterprise for national parks /Harbour Captain Bar
10.	<b>Regulations on boating, such as speed limit (a 4 knot speed restriction on the lake area in question), and distance from Zone I of strict protection and from the shore have to be stipulated,</b>	- The Draft Law on Amendments to the Law on Safety of Navigation stipulates a speed limitation to four knots at the following locations on Skadar Lake: Mihailovići area, Poseljanski bay, Biški rep, estuary of Crnojevic river, mouth of Bazagurska Matica and area around Liponjak island;	On continuous basis	Ministry of transport and maritime affairs / Public enterprise for National Parks

		- the Zone I will be considered through the process of development of the new General Regulation Plan of Montenegro;	- 2020	
11.	<b>No installations or constructions shall be allowed in the shore zone stretches classified with Shore zone Functionality Index under category I (high) and II (good);</b>	- The document “Shorezone Functionality Index - Skadar Lake” was published through the CSBL Project, and it will be considered through the process of development of the new General Regulation Plan of Montenegro;  - define guidelines for the implementation of control and prohibition of works in accordance with the Water Framework Directive;  - the bans on installations or constructions in the lake zones will be considered during the preparation of the General Regulation Plan of Montenegro;	- 2020	Public enterprise for national parks / Water Administration
12.	<b>Includes the Porto Skadar Lake development on the urban planning plot UP1 and, in addition the development known as White Village on urban planning plots UP2 and UP3 of Mihailovići location as well as any other development on this location;</b>	- opinions and recommendations of the Bern and Ramsar conventions, as well as the EU delegation of Montenegro, will be taken into account;	On continuous basis	MSDT
13.	<b>Examines whether any building permit related to the location issued after October 2017 were valid as according to article 4 of the Decision on the adoption of SSL Mihailovići, the latter is valid until 2020, but respective building permits shall be issued within a</b>	- The State Location Study (SLS) Mihailovići is valid until 2020, and drafting of a new study has not been planned.	Done	MSDT

	<b>three-year period only. In addition, the validity of SSL Mihailovići should not be renewed and the provisions of article 4 of the above mentioned Decision should be applied in a way that through amendments the remaining facilities such as the landing place in front of UP1 shall be deleted;</b>	<ul style="list-style-type: none"> <li>- after October 2017, MSDT has not issued any building permits in the area within the scope of the State Location Study "Mihailovići";</li> <li>- At the UP1 location, a permit for the construction of a berth was not issued.</li> </ul>		
14.	<b>Carefully examines the procedure which led to the issuing of a landing place in the case of the White Village development and if necessary revise or revoke the respective building permit. Pursuant to the provisions of SSL Mihailovići such a landing place must be subject to a separate environmental impact assessment;</b>	<ul style="list-style-type: none"> <li>- It is stipulated that the berth permit is issued in a special procedure and it requires development of an Environmental Impact Assessment Study;</li> <li>- Building permits for UP1, UP2 and UP3 are issued for the preliminary design;</li> <li>- A license for a berth in the White Village case has not been issued;</li> </ul>	Done	MSDT / Directorate for Spatial Planning / Directorate for construction
15.	<b>Provides and determines clear basic technical specifications and requirements in the appropriate planning documents which are related to the construction of any landing place or waste water treatment inside the protected area. Those specifications and requirements must fully consider the integrity and dynamics of the sensitive ecosystem of Skadar Lake National Park, Ramsar Site and Candidate Emerald Site;</b>	<ul style="list-style-type: none"> <li>- The Law on Strategic Environmental Impact Assessment ("Official Gazette of Montenegro" No. 59/11 and 52/16) stipulates the conditions, manner and procedure for carrying out an assessment of the impact of certain plans and programmes on the environment;</li> <li>- With regard to the technical specifications and conditions for the construction of berths, it is necessary to prepare an Environmental Impact Assessment Study;</li> </ul>		MSDT / Directorate for Spatial Planning / Directorate for construction

16.	<p><b>The floating vegetation with large carpets of white water-lily and water chestnut is a special habitat on Skadar Lake. It is the very sheer size of theses habitat complexes that makes them representative on European level. Any reduction of those habitats shall be prohibited;</b></p>	<ul style="list-style-type: none"> <li>- control of the waterway;</li> <li>- control fishing networks;</li> <li>- by adopting the Law on Amendments to the Law on Safety of Navigation, the use of vessels with an engine of more than 10 horsepower (ships, powerboats, scooters, etc.) is prohibited;</li> <li>- In addition, Paragraph 30 of the Order on fishing bans, restrictions and measures for the protection of fish (“Official Gazette of Montenegro”, No 21/12) of 21<sup>st</sup> February 2019, stipulates that the catch of all fish species and other aquatic organisms is prohibited in the fishing area of “Lake Skadar” until 15<sup>th</sup> May 2025;</li> <li>- The protection of floating vegetation will also be considered during the development of the General Regulation Plan of Montenegro, under which, the area of the NP Skadar Lake will be elaborated, as one of the segments of the plan;</li> </ul>	On continuous basis	MSDT - Directorate for Environment / Public enterprise for national parks / NEPA
17.	<p><b>Establishes an effective dialogue mechanism with and participatory approach to all stakeholders in order to ensure information exchange as well as to consider any biodiversity data gathered by NGOs and the scientific community;</b></p>	<ul style="list-style-type: none"> <li>- The dialogue additionally gains importance through the communication that has been achieved through the work of four Aarhus Centres (two at the state level and two at the NGO level);</li> </ul>	On continuous basis	MSDT

		<ul style="list-style-type: none"><li>- Until 26<sup>th</sup> March 2019, four calls for NGOs to participate in the drafting of laws and by-laws were announced, whereas for three no candidates applied and for one of the calls two NGOs applied. During 2019, three public discussions were held;</li> <li>- In 2018, out of a total of nine calls for NGOs, for five no candidates applied, while four representatives applied for four calls, i.e. three, because a representative of one NGO applied for two calls. During 2018, nine public discussions were organized;</li> <li>- in order to strengthen the capacities at both the Government and NGO levels, trainings, supported by the OSCE Mission to Montenegro, have been conducted for years in a row to strengthen the dialogue of both sectors;</li> <li>- Since June 2018, approximately 250 representatives of the interested public have attended public discussions for EIA studies;</li> <li>- The NGO sector participated in evaluation of impact assessment studies based on the Public Call announced by the Agency and their representatives were selected as members of the Evaluation Commission;</li></ul>		
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		- A representative of the NGO sector - NGO Green Home, took part in preparation of the new Law on Environmental Impact Assessment, which was adopted in November 2018;		
18.	<b>Considers hosting the upcoming biogeographical seminar on Emerald sites in SEE;</b>	<p>- the book "CONSERVING WILD BIRDS IN MONTENEGRO - a first inventory of potential Special Protection Areas" was published;</p> <p>- 32 potential SPA areas have been identified so far by Bird Directive;</p> <p>- Continuation of the research in 2020 regarding the establishment of the Natura 2000 network, with funds from the Government budget, and funds through the IPA 2016 project, "Technical Support for Monitoring and Implementation of Environmental and Climate Action Policies."</p> <p>- Ministry of Sustainable Development and Tourism is with great enthusiasm ready to be the host of the biogeographical seminar;</p>	On continuous basis	MSDT/ Directorate for Environment
19.	<b>Identifies and defines appropriate mitigation measures</b>	- Appropriate guidelines and measures have been identified through the process of Strategic Environmental Impact Assessment and Environmental Impact Assessment;	On continuous basis	MSDT

		- Through the development of planned documentation, the rules for constructing facilities in national parks will be respected, and will be developed the Plan of management, administration, hunting and protection of the fishing stock (through the development of the Fishery Base);		
20.	<b>Takes measures to preserve and improve the ecological value of protected areas and potential Natura 2000 and Emerald Network sites such as Ulcinj Salina, Lake Skadar and river courses, as stated in the recommendations of the latest EC Montenegro 2018 Report of April 2018. Better coordination is needed with the 'appropriate assessment' procedure under the Habitats Directive. Implementation of EIA and public consultations need to improve, especially at the local level. Potential investments in hydropower and touristic developments need to comply with nature protection requirements;</b>	<p>- In accordance with Article 8 of the Law on Environmental Impact Assessment (Official Gazette of Montenegro, No. 075/18 of 23 November 2018), the obligation to obtain an approval for an impact assessment has been established;</p> <p>- It also stipulates that when for the impact assessment process it is necessary to conduct an acceptability assessment procedure, such procedure shall be carried out within the environmental impact assessment process in accordance with the Law on Nature Protection;</p> <p>- Article 18 of the Law on Nature Protection prescribes that strategies, spatial plans, plans for the erection of temporary facilities, plans and programs for the management and use of natural resources (mining, energy, transport, maritime, water management, agriculture, forestry, hunting, fishing, tourism and other activities which may have an impact on</p>	On continuous basis	MSDT, NEPA

		<p>nature), must contain guidelines and requirements for nature protection;</p> <ul style="list-style-type: none"> <li>- The Ministry of Sustainable Development and Tourism has adopted a Rulebook on the contents of Acceptability Assessment Study for the ecological network area (“Official Gazette of Montenegro” no. 45/17);</li> <li>- In line with the National Strategy With Action Plan For Transposition Implementation And Enforcement Of The Eu Acquis On Environment And Climate Change 2016-2020, in late March 2019, with a focus on the local level, where experts presented experiences in the context of conducting strategic and environmental impact assessment, as well as disseminating information and public consultation;</li> <li>- At the session held on June 24, the Ulcinj Municipality Assembly passed the Decision on the declaration of Ulcinj Salina a Nature Park;</li> <li>- Ulcinj Salina was declared on June 24<sup>th</sup>, as a Nature Park on national level and a wetland of international importance on July 1<sup>th</sup>, 2019 and is included on the Ramsar List;</li> </ul>		
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		<p>- With regard to Lake Skadar, the implementation of the Berne Convention recommendations is underway;</p> <p>- In general, in respect of investments in hydropower and tourism development, the Law on Strategic Environmental Impact Assessment (SEA), Law on Environmental Impact Assessment (EIA) and Law on Nature Protection (Article 18, and Articles 45, 46 and 48 in particular);</p> <p>- The Environmental Protection Agency provides guidelines and rules for nature protection upon request. In addition, all the above mentioned procedures for issuing permits or approvals (EIA, SEA, permits for actions, activities and services in protected areas) are carried out in accordance with the prescribed legal procedures;</p>		
21.	<b>Prepares a schedule and programme of work to implement the above recommendations, including details of the person/actors responsible, along with the timetable with clear milestones and deadline for each recommended action;</b>	- The draft of Working plan is prepared in this table;	Done	MSDT/Directorate for Environment
22.	<b>Regularly reports on progress in the implementation of the Recommendation, as requested by the Bureau to the Standing Committee to the Convention and the Committee itself.</b>	- Regularly report to the Bureau of the Bern Convention in accordance with the request of the Standing Committee;	- February 2020;	MSDT / Directorate for Environment