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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

42<sup>nd</sup> meeting

Strasbourg, 28 November – 2 December 2022

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**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 Ecology, Spatial Planning and Urbanism of Montenegro*

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- November 2022 -

## **I) INTRODUCTION**

At the 39th session of the Standing Committee of the Bern Convention held on 02-06.12.2019, 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 recommendation and will inform the Bureau of the Standing Committee of the Bern Convention on a regular basis about progress.

At a meeting held in April 2020, the Bureau of the Standing Committee of the Bern Convention inspected the reports submitted by both the national authorities and the complainants.

The Bureau is grateful for the timely and detailed reports. It welcomed the progress in certain areas made by the Government of Montenegro, such as the mapping of Skadar Lake, bird counting, the development of the Habitats Reference List and the establishment of the Working Group for the development of the Ulcinj Salina Nature Park Management Plan. However, the Bureau is concerned about the new plans regarding the proposed highway through the Crnojevića River, the road infrastructure upgrade, which is contrary to the provisions of Recommendation no. 201 (2018).

At the 40th session of the Standing Committee of the Bern Convention, held in December 2020, the Standing Committee of the Bern Convention encouraged the Government to report regularly on the implementation of Recommendation no. 201 (2018), focusing on the issues stated in the Decision from the First Session of the Bureau.

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

### **1. Construction works at Porto Skadar Lake and White village**

The management body of Skadar Lake National Park, is in charge to inform the Urban Planning and Construction Inspectorate if any construction works of investors "MJ PROPERTY" Podgorica and LLC "Montenegro resort company MRC" Podgorica on the site is in the process. In the report period, according to the mentioned Inspectorate, no construction work is underway.

### **2. Defining measures to prevent habitat endangerment and mitigate the negative impact on the ecosystem of the Skadar Lake National Park**

Skadar Lake and the Bojana River are, along with the Cijevna and Grnčar rivers, the common waters of Montenegro and the Republic of Albania. The Academy of Sciences of Albania and the Montenegrin Academy of Sciences and Arts, which launched the project "Regulation of the water regime of Skadar Lake and the flow of the river Bojana" in 2005, also stated that the problem is common. According to the academics, the unfavorable hydrological regime of the lake and Bojana river has become the main obstacle for the rational use of the potential of the entire area.

The Government of Montenegro, in accordance with the Framework Agreement signed in Shkodra on July 3, 2018, within the activities of the joint meeting of the two governments, formed the Commission for Cooperation in the field of water management.

The third joint meeting of the Water Management Commission between Montenegro and the Republic of Albania was held on February 22, 2022, in Podgorica. The meeting was chaired by the director general of the Directorate for Water Management, who is also the president of the Montenegrin Commission, and the president of the Albanian Commission.

Representatives of UNDP in Montenegro and the CeS.TRA project team from Belgrade presented technical solutions for the reconstruction of the embankment system on the right bank of the Bojana River in Montenegrin territory, which is being implemented through the regional project "Integral Flood Risk Management in the Extended Drim River Basin". The general conclusion is that the planned works on the embankments on the right bank will not have a significant impact on the flow regime in the bed, as well as in the flooding zone on the left bank.

The President of the Montenegrin Commission sent a request to the Albanian Party, if there is a possibility to measure the leveling loops Bar-Durra, as one of the preconditions for determining a common zero level of high accuracy, where they could accurately define benchmarks on the Bojana River, in order to be fully uniform. The measurement activity would mean measuring the part from Bar to the border with Albania. Also Albania would be obliged to do the same on its territory. This activity would be implemented through the mentioned project.

The result of the initiated advisory process for resolving disputes regarding the construction of the mHPP on the Cijevna River is the establishment of expert working groups which, as agreed, will meet as soon as possible, review the situation, and inform the Commission with a proposal for measures regarding the possible impact on the water level, water quality and biodiversity.

Also representatives of the Working Group, within the framework of the Agreement between Montenegro and the Republic of Albania on the management of waters of common interest, met on May 26, 2022 in the Tamare in Albania, with the aim of resolving disputes regarding the construction of the mHPP on the Cijevna River in the territory of the Republic of Albania.

Since this was the first meeting of the Working Group, the representatives discussed the specific role and tasks that the Working Group will have in the coming period, as well as the next steps to be taken.

At the meeting, the study "Optimized design of hydrometeorological monitoring networks" was presented within the framework of the Drim project, by representatives of UNDP from Albania.

Representatives of the Working Group toured the field in order to familiarize themselves with the current situation and discuss proposals and suggestions that include management, communication and the development process in this area.

### **3. Planning documents – Special purpose spatial plan for Lake Skadar NP and the General Regulation Plan of Montenegro**

As the Proposal of the Spatial Plan of Special Purpose has not been adopted yet, the old Spatial Plan of the Special Purpose Area for the Skadar Lake National Park ("Official Gazette of Montenegro" No. 46/01) is in force.

Protected area revision study of the Skadar Lake National Park has been initiated by the Ministry of Ecology, Spatial Planning and Urbanism and the Draft of the protected area revision study (Revision study) has been prepared by the Environmental Protection Agency (Article 28, "Official Journal of Montenegro, № 54/16 and 18/19). Public Hearing for this Revision study will be organized in the coming months. The Revision study will include the existing state of resources, spatial distribution of the most important habitats and species, so as the proposal of possible new boundaries and zonation. This study will be the basis for the development of a new Spatial Plan for Special Purposes for Skadar Lake National Park, given that the current SPSP is from 2001.

#### **4. 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

Ulcinj Salina is the most important wintering, nesting and bird feeding ground on the eastern coast of the Adriatic Sea, it could soon become the second place in Montenegro where Dalmatian pelican nest.

The monitoring of birds in Ulcinj Salina Nature Park is conducted on the regular basis by the non-governmental organization Center for the Bird Protection and Research (NGO CZIP). According to the last bird ringing conducted in September 2022, 287 birds were ringed or 23 different species. Out of the total number, night ringing of shorebirds was done for the first time, when 21 birds (7 species) were ringed.

With the support of NGO CZIP, two important documents were prepared in the last few months: a Study of the hydrology of Ulcinj Salina Nature Park and a geodetic survey of the whole area in a 1:5000 scale (cadastre). These documents are key in preparing reconstruction and restoration works.

Due to a changing hydrology, caused by erosion and collapsing of several key dikes, the ecological key process is under pressure. A Working Group established in April 2022 by the Ministry which consists of representatives of the relevant institutions and organizations is actively working on this issue: reconstruction works on 6.6 km of key dikes are about to start.

Ulcinj Saline Nature Park has been temporarily managed by the Public Enterprise National Parks of Montenegro since 2016, and according to the last lease agreement, the Enterprise will manage this area until 01.02.2023. However, with the aim of ensuring adequate management of this protected area, the Ministry of Ecology, Spatial Planning and urbanism has organized from July 2022 onwards several meetings with relevant decision-makers. As a result, it is decided that the most convenient and effective management structure would be a Ulcinj Saline Nature Park Ltd. with the Municipality of Ulcinj and the Government of Montenegro as co-founders. The plan of the Government is to establish the Ltd. by the end of 2022.

##### Tara River

The Ecological Inspectorate determined that the condition of the Tara riverbed in the area of the Tara 2 bridge is significantly better, but not satisfactory, so a new monitoring will be done to determine the final condition and whether all the requirements for repairing the damage that the Chinese company CRBC was supposed to do have been met.

Due to the identified irregularities, at the end of 2021, the Environmental Inspectorate submitted two requests for initiating misdemeanor proceedings against a Chinese company that is a contractor on the highway.

To the Environmental Inspectorate, the Environmental Protection Agency submitted a request to initiate a procedure to determine the damage or imminent danger of damage to the environment for the location of the Tara2 bridge in accordance with the Law on Liability for Environmental Damage.

The Agency issued a decision on August 2, 2021, approving the CRBC's proposal for remediation measures and the environmental monitoring program after the implementation of remediation measures in the Tara riverbed in the area of Tara Bridge 2. According to the remediation plan, it was agreed that part of the measures will be implemented during the construction of the highway, while part of the measures will be implemented after the completion of construction works on the construction of the highway. For the purpose of drafting the remediation plan in the area of the Tara 2 bridge for CRBC, monitoring was conducted on the Tara River and the situation in the Tara River was found to be significantly better, due to better water quality and biocenosis monitoring must continue.

Pursuant to the Agreement on Zero Status Research, which was conducted in 2016, a survey was conducted for the purpose of regular monitoring of the living world in 2021. This is the fifth monitoring of the Tara River biodiversity under the highway construction project.

The Institute of Public Health performed sampling and testing of Tara River water quality at several locations. Based on the results of the analytical parameters, the tested samples are harmonized with the conditions for good ecological status of the Ordinance on the manner and deadlines for determining the status of surface waters. Geodetic observation of the alignment of the bottom of the riverbed is performed, in order to determine whether natural remediation has occurred. After the completion of construction works on the construction of the highway, according to the measures from the plan, landscaping is planned - grassed areas along the road and surrounding areas, restocking of the river Tara and protection of slopes.

- May 2022 -

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

### **II) INTRODUCTION**

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The Bureau is grateful for the timely and detailed reports. It welcomed the progress in certain areas made by the Government of Montenegro, such as the mapping of Skadar Lake, bird counting, the development of the Habitats Reference List and the establishment of the Working Group for the development of the Ulcinj Salina Nature Park Management Plan. However, the Bureau is concerned about the new plans regarding the proposed highway through the Crnojevića River, the road infrastructure upgrade, which is contrary to the provisions of Recommendation no. 201 (2018).

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

#### **1. Construction works at Porto Skadar Lake and White village**

The Urban Planning and Construction Inspectorate, which regularly performs inspections, with the last inspection carried out at the locations in question, determined on the spot that the works of investors "MJ PROPERTY" Podgorica and LLC "Montenegro resort company MRC" Podgorica at KO Mihajlovići are underway. DSL "Mihajlovići" Skadarsko Jezero is still in the phase of preparatory works, i.e. the construction of facilities has not started.

#### **2. Defining measures to prevent habitat endangerment and mitigate the negative impact on the ecosystem of the Skadar Lake National Park**

Skadar Lake and the Bojana River are, along with the Cijevna and Grnčar rivers, the common waters of Montenegro and the Republic of Albania. The Academy of Sciences of Albania and the Montenegrin Academy of Sciences and Arts, which launched the project "Regulation of the water regime of Skadar Lake and the flow of the river Bojana" in 2005, also stated that the problem is common. According to the academics, the unfavorable hydrological regime of the lake and Bojana river has become the main obstacle for the rational use of the potential of the entire area.

The Government of Montenegro, in accordance with the Framework Agreement signed in Shkodra on July 3, 2018, within the activities of the joint meeting of the two governments, formed the Commission for Cooperation in the field of water management. The Montenegrin Commission has met 13 times so far to analyze the situation in the joint waters of Montenegro and Albania.

Also, two joint meetings of the Montenegrin-Albanian Commission have been held so far, but there have been no concrete agreements on issues related to Skadar Lake.

It is expected that conditions will be created as soon as possible for organizing a direct meeting in order to implement joint activities and solve problems in this area. Among other things, the meeting will discuss issues related to activities to preserve water quality, flood protection, regulation of watercourses, as well as finding funds to finance these activities.

### **3. Planning documents – Special purpose spatial plan for Lake Skadar NP and the General Regulation Plan of Montenegro**

As the Proposal of the Spatial Plan of Special Purpose has not been adopted yet, the old Spatial Plan of the Special Purpose Area for the Skadar Lake National Park (“Official Gazette of Montenegro” No. 46/01) is in force.

A revision of the protection of the Skadar Lake National Park has been initiated, which will clearly define the importance of the Park. The revision of protection will be the basis for the development of a new Spatial Plan for Special Purposes for Skadar Lake National Park, given that the current SPSP is from 2001.

### **4. 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

Ulcinjaska Salina is the most important wintering, nesting and bird feeding ground on the eastern coast of the Adriatic Sea, it could soon become the second place in Montenegro where pelicans nest.

Namely, in the last few years, ornithologists from the non-governmental organization Center for the Bird Protection and Research have registered up to 150 pelicans as part of regular monitoring conducted in this area. The number is an indicator that the conditions at Solana are very suitable for them and that their nesting can be expected with the implementation of certain conservation measures. A similar situation was realized on Skadar Lake, where excellent results and an increase in the number of nesting pairs have been recorded in the past few years, which is obviously reflected in the number of pelicans in the Ulcinj Salina.

For these reasons, one nesting raft was set up and thus provided the conditions for the return of pelicans as nesting birds on the Solana. Having in mind the literature data from the 19th century which show that pelicans nested on Zoganjsko blato, i.e. the current Solana, and encouraging data on their current numbers, we hope that the pelicans will accept the rafts and that in the coming years we will count the young from this area.

## Skadar Lake

Although the monitoring of pelicans in the previous years provided the encouraging results, in April 2022 due to the spread of avian flu and illegal fishing, pelicans had two unsuccessful nesting. In order to combat the threats, more inter-institutional meetings with non-governmental were held and logistical and other assistance was provided to the national park administration. It is expected for the pelicans to have more attempts to nest till the July of this year, and the relevant institutions and organizations are continuing their effort to provide best conditions for pelicans.

## Tara River

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Due to the identified irregularities, at the end of 2021, the Environmental Inspectorate submitted two requests for initiating misdemeanor proceedings against a Chinese company that is a contractor on the highway.

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