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AND NATURAL HABITATS

Standing Committee

41st meeting
Strasbourg, 29 November – 3 December 2021

Independent Advisory Mission
in the framework of the Bern Convention Open File no. 2013/1:
Hydropower development within the territory of Mavrovo National Park
(North Macedonia)
taking into account Complaint on stand-by no. 2017/2:
Alleged negative impacts to Lake Ohrid and Galichica National Park
candidate Emerald Sites due to infrastructure developments

- REPORT OF THE ONLINE ADVISORY MISSION -

25th & 28th May 2021

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List of Abbreviations

BLRP	Balkan Lynx Recovery Programme
Bern Convention	Convention on the Conservation of European Wildlife and Natural Habitats
CBD	Convention on Biological Diversity
EIA	Environmental Impact Assessment
EEP	Elaborate for Environmental Protection
EBRD	European Bank for Reconstruction and Development
EU	European Union
HPPs	Hydropower projects
IHA	International Hydropower Association
IUCN	International Union for Conservation of Nature
MOEPP	Ministry of Environment and Physical Planning (MOEPP)
MoU	Memorandum of Understanding
MDB	Multilateral development bank
MPNCHOR 2020-2029	Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029
NGO	Non-governmental organisation
NP	National Park
OUV	Outstanding Universal Value
PA	Protected Area
RMM	Reactive Monitoring Mission
SDG	Sustainable Development Goals
SEA	Strategic Environmental Assessment
sHPPs	Small Hydro Power projects
WB	World Bank

1. INTRODUCTION

Mavrovo NP is one of the oldest national parks in Europe, established in 1949 due to its “exceptional natural beauty, historical and scientific importance of forests and forest areas” surrounding Mavrovsko Pole. In 1952, the territory of Mavrovo NP was increased by a factor of six, i.e. from 11,750 ha to approximately 73,088 ha. In terms of biodiversity, Mavrovo NP is one of the richest national parks in the Republic of North Macedonia. It is home to about 50 mammal species including wolf, brown bear, fox, wild cat and Balkan lynx; 129 bird species, 11 species of amphibians, 24 species of reptiles and 924 species of invertebrates, as well as 1,435 plant species. Some of the species (14 species of mammals, 45 species of birds, 5 amphibians and 18 species of reptiles) are listed in Appendix II of the Bern Convention on the Conservation of European Wildlife and Natural Habitats, 65 species are listed in Annex I or II of the European Union Habitats Directive and 19 species are under the EU Birds Directive.¹

In 2021, the World Heritage property [Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe](#) site was extended to include a beech forest within [Mavrovo National Park](#); the site is shared with 17 European countries.

Mavrovo NP is one of the last reproductive areas of the Balkan lynx (*Lynx lynx balcanicus*), a subspecies of the Eurasian lynx classified as Critically Endangered by the International Union for Conservation of Nature (IUCN). Mavrovo NP has been identified as a/an: Important bird area; Important plant area; Prime butterfly area. It is part of the Macedonian Ecological Network and a candidate Emerald Network site (predefined to become a Natura 2000 site if and when North Macedonia's gains admission to the EU).

Lake Ohrid and Galichica National Park candidate Emerald Network Sites are also the subject of pending proceedings under the Bern and World Heritage Conventions. An aspect of this mission was also to collect information on the state of protection of both these sites.

2. HYDROPOWER DEVELOPMENT IN MAVROVO NP

Only a few years after the establishment of the Mavrovo NP, the Mavrovsko Pole field was flooded because of the development of a hydropower system “Mavrovo”. This system affects a total catchment area of 946km² which furthermore adds pressure onto the NP's ecosystems as 414km² of the affected catchment area is situated inside the NP's borders.²

In 2010, the Government confirmed the plan to implement two hydropower projects (HPPs) on accumulation lakes inside Mavrovo NP: HPP Crn Kamen and accumulation Lukovo Pole (also called “HPP Lukovo Pole”), and HPP Boskov Most. Both projects depended on funds from multilateral development banks (MDBs), i.e. World Bank (HPP Lukovo Pole) and European Bank for Reconstruction and Development (HPP Boskov Most). Following a complaint filed to the Bern Convention, the World Bank dropped HPP Lukovo Pole from their plans in 2015 and the European Bank for Reconstruction and Development cancelled the financing of the project HPP Boskov most in 2017.

However, both projects were still listed in the National Strategy for Energy Development and the National Plan for Utilisation of Renewable Energy Sources, which made them eligible for new investors.

Apart from the two HPPs Lukovo Pole and Boskov Most, the Government has approved or granted concessions for several “small” HPP (sHPPs) in Mavrovo NP, other protected areas and in other candidate Emerald Network sites. At present, four sHPPs inside the territory of Mavrovo NP are already constructed and operational, and others are in the pipeline to be built.

¹ Bujaroska A, Colovic Lesoska A 2019: Practice your environmental rights - legal tools and mechanisms. Get inspired by the Story of Mavrovo National Park and save your rivers. Environmental Law Citizens' Association “Front 21/42”, Eko-svest, North Macedonia.

² Ibid

3. BACKGROUND OF OPEN CASE-FILE 2013/1

According to the complainant, the Center for environmental research and information ‘Eko-svest’, the construction of several hydropower plants (HPPs), large, small and micro and supporting infrastructures (roads, bridges and transmission lines) would result in the direct destruction of forests, severe disturbance of water sources and fragmentation of wildlife habitats – the home of numerous strictly protected species of plants, mammals, birds, amphibians and reptiles listed in Appendix I and II³ of the Bern Convention. In addition to the provisions of the Convention, Recommendations [No. 162 \(2012\)](#) on the conservation of large carnivore populations in Europe requesting special conservation action and [No. 157 \(2011, revised in 2019\)](#) on the status of candidate Emerald Network sites and guidelines on the criteria for their nomination were pointed out as of relevance to the case.

The Standing Committee decided to open a case file and mandate an on-the-spot appraisal based on the concerns expressed by a number of international organisations and delegates over the negative impact of **hydropower developments** on the biodiversity of the area. The Committee further noted the **pending adoption of a Management Plan** for the Mavrovo NP, **the pending lawsuit on the Environmental Impact Assessment** for one of the large hydropower plants as well as the expected finalisation of the assessment for the second one (Lukovo Pole HPP, Boskov most HPP).

The on-the-spot appraisal to the area took place in June 2015, with the objective of collecting more information and data for the preparation of a draft recommendation to be submitted to the next Standing Committee meeting. The mission produced a report and a draft recommendation.⁴

At its 35th meeting in December 2015, the Standing Committee adopted [Recommendation No. 184 \(2015\)](#) on the planned hydropower plants on the territory of the Mavrovo NP, inviting North Macedonia to suspend the implementation of the hydropower plants foreseen and related infrastructure until a Strategic Environmental Assessment (SEA) is completed and to keep the Standing Committee regularly informed about the progress in the implementation of this Recommendation.

As mentioned above, in 2015 the World Bank had dropped one of the questioned HPP projects (Lukovo Pole) and later the European Bank for Reconstruction and Development abandoned plans for financing of the Boskov Most HPP.

The pending lawsuit on the EIA for the Boskov Most HPP thus became irrelevant at the moment of its abandonment, however the pending adoption of the management plan for the Mavrovo NP remained a relevant issue. In 2017, the national authorities informed that the management plan of Mavrovo NP would be completed once the Law for the Re-Proclamation of the NP is adopted in Parliament. The outcomes of the recommended SEA would be reflected in the Management Plan.

The Bureau of the Standing Committee stressed that, according to Recommendation No. 184 (2015), the building of small HPPs is part of the required suspension of the hydropower construction in the Park. In 2016 and 2017, the complainant organisation warned that the number of approval or plans to grant concessions to private investors of sHPPs in the area of the Mavrovo NP was increasing. The national authorities also reminded on several occasions that the implementation of privately funded small/micro hydro plants in development before December 2015 were not subject to the Recommendation but that confirmed concessions for the remaining planned small/micro plants within the territory of the NP are suspended. Later, in 2018, according to the information provided by the Government, the Standing Committee noted that further promotion of concessions of small and micro HPPs in the area of the Mavrovo NP had ceased.

In summer 2019, the national authorities of North Macedonia contacted the Secretariat of the Bern Convention with a request for Terms of Reference for an additional advisory mission, which should be broadened with the following themes:

³ Since 2018, the *Lynx lynx balcanicus*, present in the area of the National Park, is also included in the Convention’s Appendix II.

⁴ Galland P. 2015. Hydro power development within the territory of Mavrovo National Park (“The former Yugoslav Republic of Macedonia”). On-the-spot appraisal report 24-25 June 2015 on behalf of the Standing Committee, 19 pp. [T-PVS_Files\(2015\)36E](#)

- the issue of the management and conservation of the Balkan Lynx,
- the negative impacts of infrastructure developments to Lake Ohrid and Galichica National park,
- collection of information on all Emerald Network and case-file sites in the country.

During 2020, due to the Covid-19 pandemic resulting in severe travel and work disruptions, the mission could not take place. Nevertheless, the Secretariat and national authorities continued to develop the Terms of Reference, with the Bureau of the Standing Committee following up on progress. The latter at its Spring meeting advised that the mission should consider the recently adopted [Recommendation No. 208 \(2019\)](#) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites when drafting the conclusions of the evaluation.

The mission was undertaken by the two independent experts Dr. Urs Breitenmoser and Dr. Andrej Sovinc. The mission finally took place on 25 and 28 May 2021 in the form of online meetings organised by the Secretariat of the Bern Convention, moderated by the independent experts, and with the participation of all concerned stakeholders (i.e. national and local authorities of North Macedonia, complainant and other NGOs, scientists and international organisations).⁵

4. OBJECTIVES OF THE MISSION

On the basis of the instructions of both the Standing Committee and its Bureau, and information provided by the national authorities and the NGOs, the objectives of the mission⁶ were to:

- 1) review the progress made so far by the Government of North Macedonia in response to Recommendation No. 184 (2015) of the Standing Committee on the planned hydropower plants on the territory of the Mavrovo NP and corroborate the information provided by the authorities and the complainant in their respective reports;
- 2) collect information on the state of development of the Law for the Re-Proclamation of the Mavrovo NP;
- 3) look at the SEA standards in North Macedonia and understand procedures, relevant actors and responsibilities in the development of SEAs and assess the extent to which it complies with [Recommendation No. 208 \(2019\)](#) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.
- 4) collect information on the state of protection of the Mavrovo NP in the field, including possible threats from energy production installations, the enforcement of the legal protection status, the boundaries and zoning of the NP, how supervision and warding is organised, the state of conservation of the main species and their habitats, the effectiveness of existing protective regulations vis-à-vis internal and external threats, and land-use planning;
- 5) collect information on the state of conservation of the *Lynx lynx balcanicus* and on the measures put in place by the national authorities for ensuring the species' long-term conservation;
- 6) collect information on the state of protection of Lake Ohrid and Galichica NP candidate Emerald Sites, which are subject to a pending case-file under the Convention;
- 7) discuss with relevant competent authorities at national and local levels, including the NGOs, local stakeholders and citizens' groups;
- 8) prepare recommendations to the national authorities of North Macedonia on actions to undertake to:
 - a. further enhance the conservation of Mavrovo NP,
 - b. develop a SEA with specific emphasis on the cumulative impacts from all planned development activities in Mavrovo NP

⁵ See list of participants under Annex III.

⁶ Hydro power development within the territory of Mavrovo National Park (North Macedonia) – Terms of reference for a Bern Convention Advisory Mission: [T-PVS/Files\(2020\)18](#)

- c. ensure the successful conservation of *Lynx lynx balcanicus*,
 - d. ensure the necessary safeguards are in place to avoid clashing with biodiversity priorities when developing hydropower or other infrastructure projects;
- 9) draft recommendations for the overall setting-up of the Emerald Network at national level, for the protection and implementation of management measures for the candidate Emerald sites in the country, including for the Lake Ohrid and Galichica NP; these recommendations should be grounded on [Recommendation No. 208 \(2019\)](#) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

The Covid-19 pandemic made a visit to Mavrovo NP impossible. Therefore, desk research and online discussions were the best alternative. However, communication during the online sessions was sometimes hampered by technical problems and interpretation difficulties.

The list of invited and present participants in the online sessions is attached (Annex III). It should be noted that several of the senior officials of relevant national authorities who had been invited to participate in the online discussions did not attend. As a result, the two independent experts prepared a set of follow-up questions requesting more detailed information from the national authorities. By the deadline for submission of the report, no replies to the questions had been received.

5. INFORMATION GATHERED BY THE EXPERTS

5.1. PROGRESS IN RESPONSE TO RECOMMENDATION NO.184 – PLANNED HPPS INSIDE THE MAVROVO NP

In Recommendation No. 184 (2015) addressed to North Macedonia, it is recommended to “*suspend the implementation of all government projects, in particular the hydropower plants foreseen and related infrastructure, within the territory of the Mavrovo National Park, until a Strategic Environmental Assessment will be completed...*” and furthermore “*putting specific emphasis on cumulative effects of all planned development activities on the territory of the Park...*”.

The International Hydropower Association (IHA) announced a ban on hydropower plants in World Heritage Sites and new due diligence requirements for other protected areas at the IUCN Congress in Marseille in September 2021. This new international standard is particularly relevant for Mavrovo NP, a protected area and also part of the Ancient and Primeval Beech Forests of the Carpathians and Other Regions of Europe serial World Heritage Site. Under the Protected Areas Due Diligence, IHA members must meet high performance and transparency standards when affecting protected areas, as well as candidate protected areas and corridors between protected areas.⁷

5.1.1. SITUATION REGARDING THE LARGE HPPS INSIDE THE MAVROVO NP

In December 2018, the Standing Committee welcomed the statement made by the national authorities that the development of both large HPPs (Lukovo pole and Boskov most) is stopped.

The new Energy Strategy states that hydropower projects planned in protected areas (both Lukovo Pole and Boskov Most are specifically mentioned) will not be elaborated.

This is the main document adopted by the new government, replacing the National Strategy for Energy Development and the National Plan for Renewable Energy Sources use, which specifically mentioned the two planned HPPs within the Mavrovo NP. At the time of the online mission in May, top government officials confirmed that plans to build these two HPPs had been abandoned.

⁷ <https://whc.unesco.org/en/news/2335>

5.1.2. SITUATION REGARDING THE SMALL HPPS INSIDE THE MAVROVO NP

At present, there are 19 sHPPs planned in the territory of the Mavrovo National Park, out of which there are four already built and operational and an additional four already in different phases of construction (Zhirovnicka 1 and 2, Ribnicka and Jadovska).

The concession contracts for these four sHPPs were signed after the adoption of Bern Convention Recommendation No. 184 in January 2015, which is in contrast with the statement sent by the national authorities to the Standing Committee in December 2018, that further promotion of the small and micro HPPs inside the territory of the Mavrovo National Park had ceased. The Mavrovo NP authorities noted in November 2019 that the above-mentioned four planned sHPPs inside the park's territory (Zhirovnicka 1 & 2, Ribnicka and Jadovska) are in conflict with the protection zone regimes of the national park.

The Standing Committee urged the Government of North Macedonia in December 2019 to suspend all developments, concessions and permitting processes for new hydropower projects until the expert mission delivers its recommendations (by September 2021).

No new construction of small HPPs inside the territory of the park has been detected (as of October 2020), however concession contracts for planned sHPPs have been extended, which is in contradiction with the 4-year Programme of the new Government; this programme opts for abolition of the construction of sHPPs inside protected areas.

The Energy Strategy is clear in the point that no large HPPs will be continued inside the Mavrovo NP, however, further development of small and micro HPPs in protected areas remains in this strategic document. This is also in contradiction with the new Government's programme. According to the information provided by the Ministry of Environment at the online mission, the new spatial plan for North Macedonia, currently under preparation, will prevent construction of the HPPs in the National Parks.

The Ministry of Environment also announced (at the online mission in May 2021), that the Government had decided already in 2019 that Jadovska sHPP will not be constructed. For the other three planned sHPPs (Zhirovnicka 1 & 2, Ribnicka), the permissions for use of water for hydropower energy production have been issued, but the construction works have not started yet. For Zhirovnicka 5 and 6, sHPPs concessions were issued in 2015 and continuously re-issued since then, despite strongly objections by the local communities.

5.1.3. PROGRESS WITH THE STRATEGIC ENVIRONMENTAL ASSESSMENT ON THE HPPS

From December 2015 onwards, the Standing Committee and its Bureau reminded the authorities of North Macedonia of the urgent need to assess the cumulative impact of the sHPPs currently under construction or planned for construction on the territory of the Park. This is the core content of Recommendation 184 (2015), expressing the expectation that the development of the Strategic Environment Assessment (SEA) for the area of the Mavrovo NP should put specific emphasis on cumulative effects of all planned development activities on the territory of the Park.

The Recommendation invites North Macedonia to suspend the implementation of the hydropower plants foreseen, including related infrastructure, until an SEA, implemented according to the national legislation and international standards (European SEA Directive), is completed. Outcomes of the SEA should be reflected in the new Management plan for the Mavrovo NP.

According to the national legislation, two processes are running in parallel to create the new essential legislative and administrative background for Mavrovo NP:

- the **Valorisation study**, which serves as the basis for the **re-proclamation of the Law on Mavrovo NP** and;
- the **Management Plan**, which serves as a planning document and is the subject of an **SEA**.

However, it should be noted that the SEA of the Management Plan is not the same as the SEA required for the assessment of the cumulative impacts of the proposed HPPs on the Mavrovo NP area (this is a requirement of Recommendation No. 184 (2015)).

At its meeting in December 2020, the Standing Committee established that no progress on the preparation of the SEA for the HPPs had been done. It also noted that the Government plans to abolish small HPPs in Protected areas, but it is unclear whether already existing contracts will be revoked. The Standing Committee also reiterated the urge to the national authorities to suspend all the developments, concession and permitting processes for new HPP projects of all type, to ensure elaboration of a comprehensive and transparent SEA.

The mission in May 2021 has not detected any significant progress in relation to the conclusion of the SEA procedures so far.

5.1.4. DEVELOPMENT OF THE NEW LAW FOR THE RE-PROCLAMATION OF THE MAVROVO NP

Mavrovo NP was first proclaimed by the Parliament of the People's Republic of Macedonia at Parliament Session on 19th April 1949 by the "Law for the Proclamation of the Forest Area around Mavrovo Field as National Park" - making it one of the oldest national parks in Europe - and was proclaimed again as a National Park by the Law for the Re-Proclamation at Parliament Session on 3rd April 1952. The current status of Mavrovo NP is based on the Law on the Protection of Nature of the Republic of North Macedonia. According to the World Database on Protected Areas, Mavrovo NP is listed as an IUCN protected area category II site (national park); the park was nominated as a candidate Emerald Site in 2011.

Re-proclamation of the law of the NP is required by the Nature Conservation Act (2004)⁸ and applies to all national parks in North Macedonia. Currently, the process of re-proclamation of Mavrovo NP is underway.

5.1.5. DEVELOPMENT OF THE NEW VALORISATION STUDY FOR THE MAVROVO NP

In April 2021, the park administration submitted a draft study for the valorisation of the NP, which is based on the existing valorisation study from 2011. The Ministry of Environment and Physical Planning (MOEPP) issued a comment on improvement of the valorisation study or, respectively, the preparation of a new study including updated information on the natural heritage and distribution of species and habitats considering national and EU importance. With regard to Article 92, Paragraph 5 of the Law on Nature Protection, it is now foreseen that "in order to determine the real situation and provide an expert basis for the preparation of the act for declaration of [the] protected area, a study for the valorisation or revaluation of the protected area is prepared".⁹ Representatives of the Ministry stated at the mission that once the valorisation study is of sufficient quality, the Ministry will initiate the procedures for the Mavrovo NP re-proclamation.

5.1.6. DEVELOPMENT OF THE NEW MANAGEMENT PLAN – STATUS REPORT

The future direction, management objectives, extent of the management zones, and proposed management rules, regulations, and provisions for each of the zones in the draft management plan were briefly presented at the May 2021 online mission by representatives of the Mavrovo NP. Members of the advisory mission are of the opinion that neither the extent of the presented more stringent protection zones nor the management objectives and rules for the proposed zoning concept in the draft management plan (under preparation) meet the international standards for the IUCN protected area category II.¹⁰ The

⁸https://www.moep.gov.mk/wp-content/uploads/2014/09/SV%2047_08.04.2011%20ID_Zakon_za_Zashtita_na_prirodna.pdf

⁹ *ibid*

¹⁰ <https://www.iucn.org/content/guidelines-applying-protected-area-management-categories-including-iucn-wcpa-best-practice-guidance-recognising-protected-areas-and-assigning-management-categories-and->

primary management objective of any national park, which must be achieved over at least 75% of the protected area, should be consistent with the objectives of protecting natural biodiversity and the associated natural processes that underlie ecological conditions.

The Ministry of Environment is of the opinion that the new Management plan could be approved six months after the Re-proclamation process of the Mavrovo NP is finalised, but emphasises that the current draft new Management Plan is already outdated and needs to be upgraded with effective zoning proposals (by the National Park Authorities).

5.2. STATE OF PROTECTION OF THE MAVROVO NP

Mavrovo NP current zoning plan includes¹¹ (Annex I, Fig.3): 84 km² (11.6%) of strictly protected zone, 235 km² (32.1%) of active management zone and 408 km² (56.3%) of sustainable use zone. According to the law on Nature Protection, these zones are defined as follows:¹²

Strict Protection Zone is the area of highest conservation interest characterised by authentic, unaltered ecosystem features or slightly modified by traditional management practices;

Active Management Zone is the zone of highest conservation interest where some major management intervention is required to restore, revitalise or rehabilitate habitats, ecosystems and other landscape features;

Sustainable Use Zone is a significant part of the NP without exceptionally high conservation values, with infrastructure facilities, cultural heritage objects and types of forest plantations that are not characteristic of the area, as well as inhabited places with the surrounding agricultural land. In this zone, construction of buildings, facilities, weekend houses, tourism buildings/infrastructure, camping places with lodges, and other infrastructure developments are allowed. This zone should better be classified as the buffer zone to the NP as very few limitations to the use of natural resources and activities are introduced.

In view of the future process of identification of potential Natura 2000 sites in North Macedonia, the zoning plan for Mavrovo NP is currently being revised. Three potential Natura 2000 areas have been identified within the park.¹³ An expansion of the strictly protected areas is expected.

The national park has a population of 8,618. Traditional livelihoods include sheep farming, cheese production and beekeeping. However, the main source of income for the park administration is currently tourism, based on the natural and cultural heritage and the (rather limited) range of sporting activities such as skiing. The way nature-based tourism development is perceived in Mavrovo NP is often wrong, as it is based on unsustainable forms of development (weekend homes, urbanisation, mass tourism...). An ongoing process for the development of large touristic zones and residential complexes was registered.

Several activities that are primarily not oriented towards passive forms of recreation (sports instead of experiencing and appreciating nature, motorised activities, e.g. 4-wheel off-road driving, etc.) negatively contribute to the achievement of the conservation goals in the Park.

Financial resources for the park management came from self-financing and donations, but only very recently in a limited part also from entrance fees. The mission was told that plans exist to introduce environmental taxes to be paid by contractors (hotels, restaurants, etc.). However, there is no regular state budget contribution to the Park's budget, which leads to generation of income from the unsustainable harvesting of natural resources. The park draws income from forest management and

governance-types

¹¹ Public Institution National Park Mavrovo. 2011. Mavrovo Protected Area Management Plan for the period 2012–2021. Draft document developed by Oxfam Italia, 140 pp.: <ENG- Management Plan-Mavrovo-21-last - Copy.pdf>

¹² Mavrovo National Park Administration. 2021. Power Point presentation on the park, 64 slides.

¹³ MOEPP. 2021. Independent Advisory Mission in the framework of the Bern Convention Open File no. 2013/1: Hydro power development within the territory of Mavrovo National Park. Power Point presentation prepared and given by Aleksandar Janevski, Bern Convention Focal Point, during the online meeting on 25 May 2021.

logging, respectively, which is in contradiction to the primary management objective of the IUCN category II protected area standards; no exact data on this aspect was available.

The forest of Mavrovo NP – a habitat of specific importance for the conservation of the Balkan lynx – consists mainly of beech (*Fagus sylvatica*). There is a continuous and considerable increase in both the extension of the forest and the stock, but on the other hand, the extension and intensification of the urbanisation areas inside the Park's territory is noticed.

The hydropower system “Mavrovo” affects a wider catchment area. The negative consequences of the disregard of the biological minimum discharge in the streams and rivers are particularly noticeable in the spruce-fir forests along the river Adzhina Reka. Although no new construction of HPPs was observed, concession contracts for sHPPs were nevertheless renewed and local communities were put under pressure from investors. The new government's four-year programme announced the abolition of small HPPs, but it is feared that this would not affect the concessions already granted.

On the occasion of the May 2021 mission, the evaluators were informed that there are only two environmental inspectors in the whole of North Macedonia. Enforcement of the law and administrative regulations in the park are weak, as best evidenced by the number of illegal constructions. New weekend homes are being built, although such developments do not contribute to sustainable tourism and biodiversity conservation. The spatial plan that would determine the carrying capacity of the area for tourism is not available. Although the number of employees in the park is relatively high, they are not well trained and for several of the employees the main task is logging.

5.3. PROGRESS IN APPLICATION OF THE SEA STANDARDS IN NORTH MACEDONIA

North Macedonia is an accession country to the European Union and has already transposed both the EU EIA Directive (2006)¹⁴ and SEA Directive (2018)¹⁵ in the national legislation, however the transposition – after amendments in 2013 - is still not fully aligned with the requirements of the EIA Directive.

In the national legislation, Elaborate for Environmental Protection (EEP) is an equivalent of the Environmental Impact Assessment document. The legislation on appropriate assessment is divided into the “complex” projects, where big environmental impacts are expected and where full EIA assessment has to be carried out, and “simple” projects where only the EEP is required. Extension of the existing project, which was already a subject of appropriate assessment, requires repetition of the entire assessment procedure for the extended part of the project.

According to this division, all sHPPs are subject only to an approved Elaborate for Environmental Protection (EEP). In the EEP procedure, the involvement of public consultation is not required and the final decision about the development project is given to the Ministry of Environment, which decides upon the EEP outcomes. In the context of construction of some new sHPPs, for example for the Zhirovnicka sHPP, the local community and general public organised several public events against the construction, however their voice has not been heard in the permitting procedure, since public participation is not a prerequisite in the EEP procedures.

The Ministry of Environment has the role to evaluate if a project subject to an appropriate assessment should undergo only an EEP or the more comprehensive EIA procedure. However, in no case of construction of the sHPP inside the territory of the Mavrovo NP (but also in other projects for construction of the sHPPs outside the protected area territory), did the Ministry decide to list the project as “comprehensive” implying a full EIA procedure. The EIA procedure is also stricter in assessing the cumulative impacts of the project than the EEP.

The representatives of the Government of North Macedonia made it clear during the May 2021 mission that the legal basis would not oblige investors to carry out an SEA for a hydropower project, as - according to them - SEAs are only applied for plans and programmes. Such a plan or programme does not currently exist for the Mavrovo hydropower plants. However, such an interpretation is wrong, as the

¹⁴ <https://ec.europa.eu/environment/eia/eia-legalcontext.htm>

¹⁵ <https://ec.europa.eu/environment/eia/sea-legalcontext.htm>

construction of one or more HPPs should be based on the decision recorded in the national planning documents.

Participants of the online mission also highlighted the low quality of several SEA studies undertaken in North Macedonia and the lack of proper socio-economic analyses as part of the assessment.

5.4. STATE OF CONSERVATION OF THE BALKAN LYNX AND CONSERVATION MEASURES

5.4.1. SITUATION OF THE BALKAN LYNX

The Balkan lynx *Lynx lynx balcanicus*¹⁶ is a subspecies of the Eurasian lynx that was historically restricted to the southern and western Balkan Peninsula. The population (reproducing females) is today restricted to western North Macedonia and eastern Albania, with stray animals observed in Kosovo.¹⁷ It was assessed as Critically Endangered in the 2015 assessment in the IUCN Red List of Threatened Species¹⁸ with an estimation of 27–52 independent (adult and subadult) individuals based on camera trapping, and a total population of mature individuals of not more than 20–39 lynx.

For a very long time, the scientifically robust evaluation of the status of the Balkan lynx was not only impeded by the lack of a consistent monitoring in the range countries, but by the lack of any information in general. But already the first report on the status of the lynx in Europe on behalf of the Council of Europe's Bern Convention in 1990 revealed that the distribution range of the Balkan lynx was very restricted and its population size was then obviously over-estimated¹⁹. With the establishment of the Balkan Lynx Recovery Programme (BLRP) in 2005²⁰, a range-wide survey demonstrated how restricted the recent distribution is, and the application of camera trapping (capture-recapture estimations) and of radio-telemetry allowed robust density estimations and provided information on the social system and ecology of the Balkan lynx.

Indeed, the situation is bleak. Although, over the past decades, observations of “Balkan lynx” have been reported from southern Bosnia-Herzegovina to northern Greece, the intensive surveys of the BLRP demonstrated that regular reproduction of lynx occurred only in north-western North Macedonia, mainly in Mavrovo NP. In recent years, only two additional spots with reproduction were discovered, namely in the Munella Mountains and in Bjeshkët e Nemuna NP in Albania. But these two occurrences consist only of very few lynx and reproduction seems not to occur regularly.

The situation of the lynx in Mavrovo NP and its vicinity has been monitored by means of camera trapping since 2008 (Annex I, Fig. 1). The observed density of independent individuals²¹ has increased from 0.8/100 km² in 2010 to 2.02/100 km² in 2015 and then decreased to 1.77/100 km² in 2018 and even to 1.07/100 km² in the latest survey in February to May 2021. In this latest camera trapping session in Mavrovo NP and vicinity, only 4 lynx (and one additional outside the survey period) were identified, and no juveniles. Compared to other studies of Eurasian lynx in temperate zone Europe, estimations of 1/100 km² or below must be considered low densities, whereas 2/100 km² are moderate to good densities. The reported decrease of the population density in the Mavrovo study area is alarming, especially

¹⁶ Buresh I. 1941. Risove v Makedonija (Lynx in Macedonia). Priroda 42(3): 51-52.

¹⁷ All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

¹⁸ Melovski D, Breitenmoser U, von Arx M, Breitenmoser-Würsten C, Lanz T. 2015. *Lynx lynx ssp. balcanicus*. The IUCN Red List of Threatened Species 2015: e.T68986842A87999432. <http://dx.doi.org/10.2305/IUCN.UK.2015-4.RLTS.T68986842A68986849.en>

¹⁹ Breitenmoser U, Breitenmoser-Würsten Ch. 1990. Status, conservation needs and reintroduction of the lynx (*Lynx lynx*) in Europe. Nature and Environment Series No. 45, Council of Europe, Strasbourg, 47 pp.

²⁰ Melovski D, Trajçe A, Von Arx M, Stojanov A, Hoxha B, Pavlov A, Brix M, Schwaderer G, Spangenberg A, Shyti I, Lama O, Avukatov V, Koçi K, Ivanov G, Xherri X, Sanaja B, Breitenmoser-Würsten Ch, Breitenmoser U. 2021. Balkan lynx and the Balkan Lynx Recovery Programme. Cat News Special Issue 14, 16-18.

²¹ “Independent individuals” (hence excluding juveniles of the year still following their mothers) is the standard measure for counting lynx by means of camera trapping. IUCN uses “mature individuals” as a parameter for population assessment, but subadult and adult (= mature) animals are difficult to tell from photos.

because it comes along with the observation that the three radio-tagged female lynx observed in Mavrovo and vicinity have all not reproduced in the season 2020/21.

Lynx populations generally fluctuate, mostly as a response to prey availability and/or human caused losses. Fluctuations in the only remaining source population are specifically a reason to worry. There is no obvious explanation for the observed fluctuation or decrease of Lynx in Mavrovo, but no consistent monitoring data on prey or co-predators are available. The qualitative conclusion based on by-catches from the Lynx camera trapping however indicates that presence of prey animals (roe deer, chamois, hare) and co-predators is good. In particular, wild boar and brown bear observations have increased compared to earlier sessions (D. Melovski, pers. comm.). Data compiled by the Balkan Lynx Recovery Programme (BLRP) over the past 15 years indicate that illegal killing is the biggest cause of mortality (Annex I, Fig. 2). But there is no indication for a recent increase in human-caused losses in Mavrovo NP or its vicinity. As an additional hypothesis for the observed decrease, an intrinsic factor such as an inbreeding depression or disease is being discussed. Again, there is no objective indication for such an assumption, but considering that the total population size of the Balkan lynx is very low and has been so over many decades, genetic problems cannot be ruled out at this moment and need to be carefully observed.

5.4.2. CONSERVATION MEASURES PUT IN PLACE BY THE NATIONAL AUTHORITIES

The Balkan lynx is a well-known and popular animal in North Macedonia, portrayed on stamps and the five Denar coin. It has repeatedly served as a flagship species in the implementation of conservation projects, e.g. recently during the proclamation process for the Shar Mountains National Park.²² Gazetting this park was indeed an important event with regard to the conservation of the Balkan lynx, as it closed a gap between two important protected areas, namely Mavrovo NP (Annex I, Fig. 4) to the south and Shar Mountains National Park in Kosovo to the north of the new protected area. Gazetting a protected area is however only the first step; its effect on conservation subsequently depends on the implementation of an adequate management plan (see discussion on Mavrovo NP).

Lynx lynx balcanicus is protected by law in North Macedonia (as well as in all other range states) and the species hence profits from generic protection. After the Balkan Lynx Recovery Programme²³ was established, national institutions from North Macedonia and Albania joined the BLRP in several workshops in order to develop a Conservation Strategy for the Balkan lynx (2008) and matching National Action Plans (2009). These documents were adopted by the Standing Committee of the Bern Convention at the 31st meeting in December 2011, but never endorsed by the national authorities.

The Balkan lynx would probably not have survived without the establishment of Mavrovo NP in 1949. Although the decline of the Balkan lynx in the second half of the 20th century is not well documented, it is likely that since its establishment more than seventy years ago, Mavrovo NP has been the core of the Balkan lynx population. For the past 30 years, the park and its immediate vicinity have clearly been the only source population of the Balkan lynx. Today, all confirmed observations in other parts of North Macedonia or in other range countries lie within dispersal distance of lynx from Mavrovo NP.

5.5. INFORMATION ON THE STATE OF PROTECTION OF LAKE OHRID AND GALICHICA NATIONAL PARK CANDIDATE EMERALD SITES (COMPLAINT ON STAND-BY NO. 2017/2)

The collection of information on the status of protection of Lake Ohrid and Galichica National Park candidate Emerald Sites, which are the subject of pending proceedings under the Convention, was based on the 2017 Reactive Monitoring Mission (RMM) carried out by the World Heritage Centre, ICOMOS and IUCN and the 2017 Nature and Cultural Heritage visit to Ohrid Region. This mission resulted in

²² <https://northmacedonia.un.org/en/134108-missing-piece-puzzle-opening-shar-mountain-national-park-creates-one-largest-transboundary>

²³ The Balkan Lynx Recovery Programme (BLRP) is a coalition between several national and international conservation NGOs with the aim to stop the further decline of the Balkan lynx and to recover a viable population in the south-western Balkan Peninsula.

nineteen recommendations. The state of conservation was briefly assessed against these recommendations.

Both Emerald candidates (Lake Ohrid and Galichica National Park) are protected areas; Lake Ohrid is a World Natural and Cultural Heritage Site (and is currently in the process of designation as a National Protected Area) and Galichica is a National Park, listed in the World Database of Protected Areas as an IUCN category II protected area.

However, neither area is managed according to international standards for UNESCO World Heritage (Ohrid) or IUCN Protected Area standards (Galichica). In both areas, not only are development projects being carried out that are detrimental to conservation objectives and protected area standards, but several planning documents exist for future developments.

The UNESCO RMM in 2017 warned of several unacceptable interventions and developments that threaten the area. Due to these negative interventions, the area could be classified as a World Heritage Site in danger. At the 44th session of the World Heritage Committee of UNESCO in Fuzhou, China, in 2021, North Macedonia was given two more years to take action to adequately protect the heritage of the lakeside city of Ohrid and its surroundings - or be added to the list of World Heritage Sites in Danger.²⁴

Implementation of the 19 RMM recommendations made by the World Heritage Centre, ICOMOS and IUCN in 2017²⁵ on the Natural and Cultural Heritage of the Ohrid Region is slow, in many cases no action is being taken and several development projects are continuing without adequately addressing the UNESCO recommendations. Among the few recommendations fulfilled is the abandonment of the plans for the construction of the Galichica Ski Centre and the abandonment of the plans for the construction of sections (a) and (e) of the A3 road.

The threats can be classified under several headings:

5.5.1. LARGE SCALE DEVELOPMENT PROJECTS

- The European Corridor VIII railway is planned to pass in close vicinity to the Lake Ohrid shores, and to cross one of the last well-preserved stretches of the lakeshore on the Albanian-North Macedonian border. The authorities' position is that changing the route would be time-consuming, inconvenient and costly, but at the same time they do not put sufficient consideration on the ecological and conservation impacts of such a project.
- The corridor for the construction of highway A2 is already confirmed; in order to mitigate the damage to the environment, some technical measures (passages for people and wildlife) and modification of the stretches of the route (Struga – Albanian border) should be implemented and particular care should be given in case of new archaeological findings during the construction works.
- The cumulative impacts of the railway and highway A2 on the Outstanding Universal Value (OUV) of the World Heritage property has not been properly assessed, nor have alignments of these transport infrastructures been considered in order to bring them closer to the northern part of the property.
- A moratorium on any coastal and urban transformation within the World Heritage property, at least until all relevant planning documents (Management Plan, OUV based Urban/Coastal Master Plans etc.), effective protective juridical regulations have been approved, and effective control mechanisms are established, was not put in place until 2019, which allowed for further developments. The Commission for Management of the Natural and Cultural Heritage of the Ohrid Region had given positive opinions for construction of a 3,800m² poultry farm; a 400kw cable; 2 residential plans for 4,000m² of construction in the Municipality of Struga; buildings at Grashnica, Municipality of Ohrid, involving 2,492m² of residences over 9,762m²; a shopping mall set in 9.47 hectares at the exit of Struga City (SOS Ohrid, pers.comm.); coastal and urban

²⁴ <https://whc.unesco.org/archive/2021/whc21-44com-7B.Add-en.pdf>

²⁵ <https://whc.unesco.org/en/documents/158740>

transformation continued at several locations in both the Municipalities of Ohrid and Struga, including for a large hotel at Sveti Stefan; extension of the west-coast village of Radozhda, where new constructions are even breaking the Law on Waters, which forbids permanent objects within 50m of Lake Ohrid's highest water level. These are just some of the most evident examples.

- In August 2019, moratorium decisions were finally issued for the Municipalities of Ohrid and Struga. However, the text of the decisions revealed exceptions for sports facilities and activities; educational facilities and activities; scientific facilities and activities; cultural facilities and activities; health facilities and activities; facilities and activities for social protection; tracks for trams; power-lines up to 35kV and substations up to 10kV; wastewater infrastructure; sports stadiums with capacity up to 10,000 people; multi-storey and other car-parking facilities; municipal roads, parks, squares, markets and graveyards; monuments and memorials; conversions to allow property use changes, i.e. from residential buildings to hotels; extensions; continuation of existing construction projects; and processing of applications for received building permits in the normal manner. A dramatic amount of urban and coastal transformation has taken place in the Natural and Cultural Heritage of the Ohrid Region over the ensuing four years to the present. Almost any kind of coastal and urban transformation was able to proceed under these conditions and initiated applications could move forwards as planned.
- In addition to plans for the high voltage transmission line, gas pipeline, and A2 highway, transformation of Studenchishte Marsh and Railroad Corridor VIII that was mentioned by project in the cumulative impact assessment are small hydropower plants; a 44-hectare hotel and holiday home project at Gorica; a 12-hectare tourism and holiday home space at North Gorica; 2 tourism development zones at Kalishta and Gradishte; the Ohrid Quay project; a 400-boat marina in the north of Lake Ohrid; port upgrades at several locations including Saint Naum in the south and one possible new port at Gorica; 3 industrial zones in/between the cities of Ohrid and Struga; four ten-storey apartment blocks in Struga City; a road in National Park Galichica; and several relatively large hotels (SOS Ohrid, pers.comm.).

5.5.2. RELEVANT MANAGEMENT AND PLANNING DOCUMENTS

- The Management Plan for the Natural and Cultural Heritage of the Ohrid Region 2020-2029 (MPNCHOR 2020-2029) had been adopted; it is considered as an upgrade on having no plan at all, though it yet contains serious deficiencies, including: barely comprehensible zoning; permission for construction over a large area of National Park Galichica; provisions that would allow urban sprawl; no consistent mechanism to prevent construction outside urban areas; amalgamation of Nature Zones 1B and 1V into an indistinguishable whole; poorly defined restrictions for Culture Zone Lakeshore in urban areas; the placement of recognised biodiversity hotspot Studenchishte Marsh in the lowest level of nature zoning, where construction is not prohibited; an arbitrary extension to the urban area of Ohrid, entirely surrounding Studenchishte Marsh and terminating in a marina-shaped extension into Lake Ohrid; the draft Law on Proclamation of Studenchishte Marsh as a Nature Park (IUCN Category IV) has been recently prepared but the mission was not in a position to review it. The Plan failed to incorporate upgrades to Shorezone Functionality in its zoning policy. The OUV-based Urban/Coastal Master Plans and Tourism Strategy are still missing.
- Draft Lake Ohrid Watershed Management Plan which contains relevant and important information that could serve as a basis for improved practices has not been adopted.
- The “Spatial Plan for the Republic of North Macedonia” and the “Spatial Plan for the Ohrid-Prespa Region” have expired, so the entire planning framework that cascades down from this point has no present orientation. OUV-based urban and master plans are not complete. Detailed Urban Plans for the 19 complexes in the Nucleus of the Old Town Core of Ohrid have not been finished. Coastal Urban Plans of State Importance for the Lake Ohrid shore are not ready either.
- A recent draft for the new General Urban Plan for the Municipality of Ohrid concerning Studenchishte Marsh, dated March 2021, indicates that its coast will be put into the service of recreational beaches and perhaps even part of its proposed Zone of Strict Protection given over

to commercial and sports facilities. There is no Buffer Zone either. This is important, because the location is being considered for construction of a 400-boat marina either to the north (in Studenchishte Canal) or south alongside other developments at Biljanini Springs and North Gorica. Tourism Development Zones are still foreseen for Kalishta and Gradishte too.

- The proposed new Law on the Management of the Natural and Cultural Heritage of the Ohrid Region was withdrawn from parliament on 23rd July 2019, shortly after it had been exhibited to the World Heritage Committee's 43rd Session.
- UNESCO's recommendation for defining and establishing a buffer zone for the Ohrid Lake World Heritage property, in order to strengthen its protection, which should ideally include Prespa Lake, as an important part of the connected Ohrid-Prespa ecosystem, as well as the remaining part of Galichica National Park has still not been fulfilled. There remains no Buffer Zone for the World Heritage property as a whole.

5.5.3. OTHER DETECTED THREATS TO THE OHRID LAKE

- Illegal constructions: From reports issued by the State Audit Office for the Municipalities of Ohrid and Struga, 6,400 objects have been refused legal status after applying for legalization. An additional 14,000 have not received a decision on whether they will be legalized yet. These figures do not include any other structures that have not applied for legalization, a category that would incorporate more recent buildings and other objects. Almost no illegal constructions were removed since the UNESCO mission in 2017; some of the removed buildings and constructions were later rebuilt. Since 2017, illegal construction has proceeded in at least the Old Town Core of Ohrid, Radozhda, Gradishte, National Park Galichica and Sveti Stefan.
- No fishing quota has been agreed; quotas must also be accompanied by enforcement of laws to prevent illegal fishing, which is a regular occurrence particularly affecting *Salmo letnica*.
- More pressures are constantly being added to the watershed from hotels and residences (phosphorous inputs) while concerns about the functioning and capacity of the wastewater system persist. Leaks and other mishaps still occur.
- Uncontrolled discharges of the lake waters into Crn Drim by the North Macedonian power plants company ELEM causes deaths of water organisms.
- The Bukovo landfill and all illegal waste dumping sites within the property.
- The number of non-native species in Lake Ohrid is of concern.

5.5.4. GALICHICA NATIONAL PARK MANAGEMENT PLAN

Draft Strategic Environmental Assessment Report the Management Plan for National Park Galichica for the period 2021 - 2030²⁶ was prepared in September 2020 and is in the process of adoption by the competent authorities.

The National Park Galichica was designated in 1958 for the protection of flora and fauna and natural values of the Galichica Mountain with a total area of 24,151.4 hectares. Most of the land within the boundaries of the park is state owned, about 19,502 ha or 79%. The area of privately owned land is about 5,180 ha.

The strict protection zone covers 2,117 ha (9% of the park) and represents a part of the protected area with the highest conservation interest, characterized by original, unaltered ecosystem features or with very little alteration as a result of traditional management practices. Only scientific research activities are allowed in this zone, provided they do not conflict with the primary conservation objectives of the area.

²⁶ [http://galichica.org.mk/wp-content/uploads/documents/Draft%20SEA%20of%20the%20MP%20for%20GNP%20\(2021-2030\).pdf](http://galichica.org.mk/wp-content/uploads/documents/Draft%20SEA%20of%20the%20MP%20for%20GNP%20(2021-2030).pdf)

The Active Management Zone covers 12,275 ha (51% of the park) and is a zone of high conservation interest where major management interventions are required to restore, revitalize or rehabilitate habitats, ecosystems and other elements of the site. In the active management zone, activities are allowed that do not negatively impact the primary conservation objective, such as ecotourism or traditional extensive agriculture.

The zone of sustainable use covers 9,612 ha (40% of the park) and represents a significant part of the protected area that does not have high protection values, where infrastructure facilities, cultural heritage facilities, types of forest plantations that are not characteristic of the region, as well as populated places with surrounding agricultural land are located.

The protected belt covers 47 ha (1%) and surrounds the borders of National Park from the outside.

With the establishment of the new zoning in the park, about 60% of the territory of the park will be covered by the natural zone, which includes both the Strict Protection Zone and the Active Management Zone. It should be noted that according to the international standards, at least 75% of the protected area must be managed under the primary management objective; for the National Park, this objective is the protection of natural biodiversity together with the natural processes. It must be noted that some of the permitted activities, headed under the title “ecotourism” are not really a contribution to the conservation goals. In short, the active management zone does not fully meet the above mentioned international protected area standards.

Although the new zoning and management concept as presented in the new Management Plan is a major step forward in achieving more effective conservation objectives, the distribution of zones and their extent, as well as some of the permitted activities, contradict the international IUCN standards for protected areas. These include the construction of legal (and illegal) buildings, especially as second homes, the planning of tourism development, and some land use practices in contradiction to the management objectives in the different zones of the National Parks.

6. MISSION RECOMMENDATIONS

To the Government of North Macedonia

1. Suspend and cancel approved concessions and those planned for construction and implement a ban on hydropower plants (large, medium and small) both a) in national parks, protected areas, World Heritage Sites and other candidate Emerald sites (potential future Natura 2000 sites) as their implementation will cause problems with compliance with the Bern Convention and b) that will impact on these locations if constructed outside their boundaries.
2. Implement the new international standards on the prohibition of hydropower plants in World Heritage Sites (beech forests in Mavrovo National Park are part of serial Beech Forests World Heritage property) and ensure due diligence for protected areas, candidate protected areas and corridors between protected areas which require the implementation of high standards of performance and transparency.
3. Ensure proper implementation of the EU Water Framework Directive National Law regarding environmental flow of streams and prevent excessive withdrawal of water in streams within or impacting upon Mavrovo National Park, other protected areas, World Heritage Sites and Emerald candidate areas.
4. Ensure that core funding for the operation and management of national parks in North Macedonia comes from the state budget and not from the excessive harvesting of natural resources and other unsustainable sources of funding (complying with IUCN cat. II protected area standards).
5. Strengthen the process for all forms of impact assessments in national legislation to ensure they meet EU standards for robust quantification of potential impacts, including (but not limited to) revision of the process for conducting, reviewing and auditing Strategic Environmental Assessments, Environmental Impact Assessments and Environmental Elaborates as well as implementing and monitoring the recommendations of these documents; this should be achieved at a minimum via a) heightened licencing standards and responsibility mechanisms for assessment proponents; and b) improvements to the relevant laws and regulations.
6. Accelerate the process of preparation of the valorisation study for Mavrovo National Park, taking into account all international and national standards for nature conservation and protected areas, including IUCN protected area and World Heritage Sites standards. Increase efforts to complete the process of re-proclamation and adoption of a new law for Mavrovo National Park and prepare an effective and comprehensive management plan for the park.
7. Ensure that there are no further extensions for applications for legalisation of objects that were built without permission in Mavrovo National Park, other protected areas and World Heritage Sites.
8. Improve and maintain the capacity of protected area management and monitoring structures in accordance with international methodologies and IUCN standards, including the principles of implementing the primary management objective for the protected area over at least 75% of its territory. Ensure that expert staff are deployed in all management unit positions to enforce legislation, carry out proper wildlife and habitat management, and carry out inspections and monitoring.
9. Harmonise spatial and sectoral plans, especially on tourism and urban settlements in order to prevent further urbanisation and degradation inside national parks and protected areas. Encourage sustainable, environmentally friendly forms of tourism, which are based on the IUCN standards for tourism in protected areas.

10. Facilitate an independent review of the entire legislation framework related to spatial and urban planning, construction, environment and nature protection in order to eliminate any weaknesses for protected area and UNESCO World Heritage objectives, conducted by a team of specialised experts.
11. Review, endorse and re-implement the *Conservation Action Plan for Balkan Lynx in National Park Mavrovo* developed in cooperation with the Balkan Lynx Recovery Programme in 2013 and ensure funding for the implementation of the plan.
12. Improve the cooperation between Mavrovo National Park, neighbouring national parks in North Macedonia, the adjacent communities and extant or potential lynx areas in neighbouring countries with regard to wildlife and habitat conservation and management to ensure the connectivity of these sites and the expansion of the lynx population. In this respect, consider the development and implementation of a National Lynx Action Plan.
13. Better collaboration is needed among government agencies, complainants, NGOs, scientists, and stakeholder groups to expedite the process of effective protection and management of Mavrovo National Park, Ohrid Lake, and Galichica National Park. This collaboration has improved greatly in recent years, but more efforts are needed to achieve protection and development goals. There is also an urgent need to involve Albanian decision makers and other relevant stakeholders and to promote transboundary cooperation between the two countries.

To the Standing Committee of the Bern Convention

14. A separate Bern Convention mission is needed for the Ohrid Lake and Galichica National Park, potentially in collaboration with the other involved international organisations; efforts must be made to push for the immediate implementation of the UNESCO World Heritage recommendations for the area.

7. Annexes

Annex I: Figures and Tables

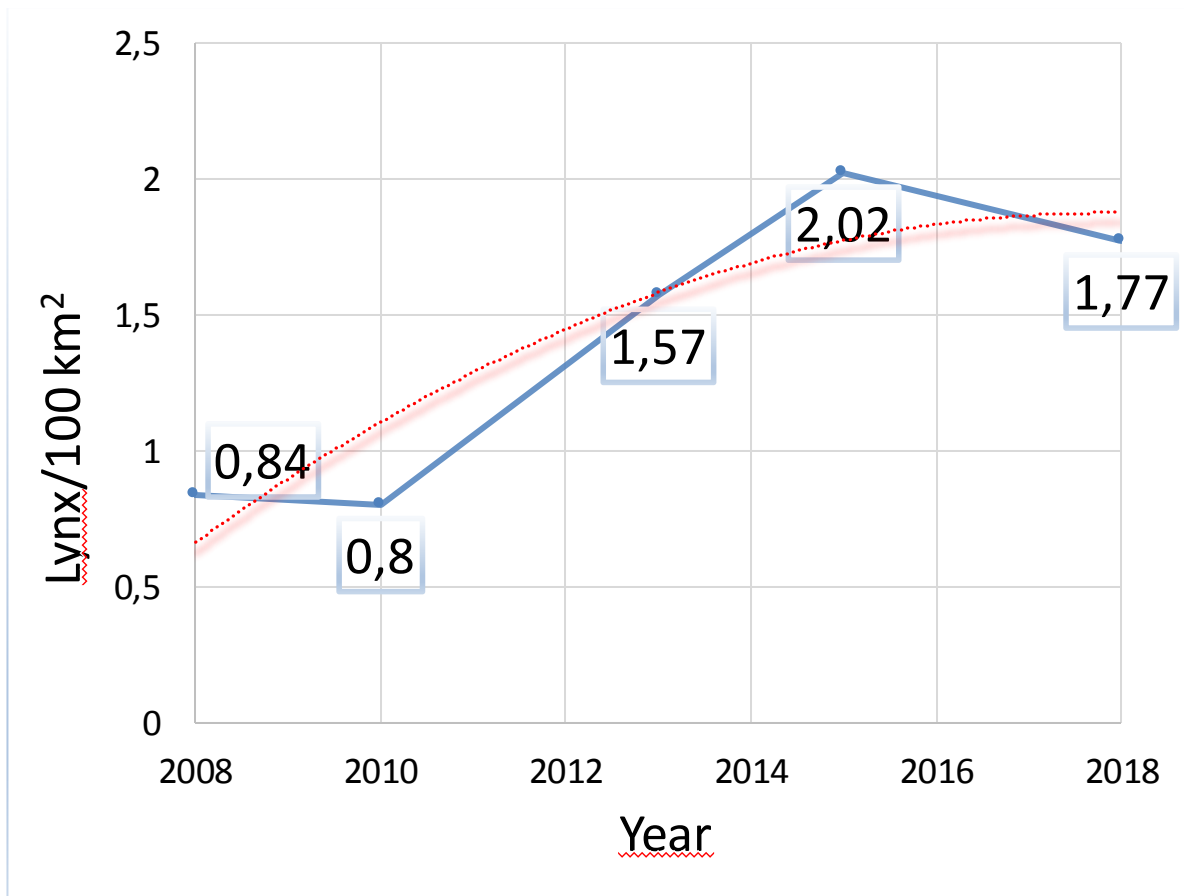


Fig. 1. Density estimation of Balkan lynx in the Mavrovo NP, North Macedonia, based on capture-recapture models from camera trapping. Data generated by the Macedonian Ecological Society in the frame of the Balkan Lynx Recovery Programme (pers. comm. D. Melovski).

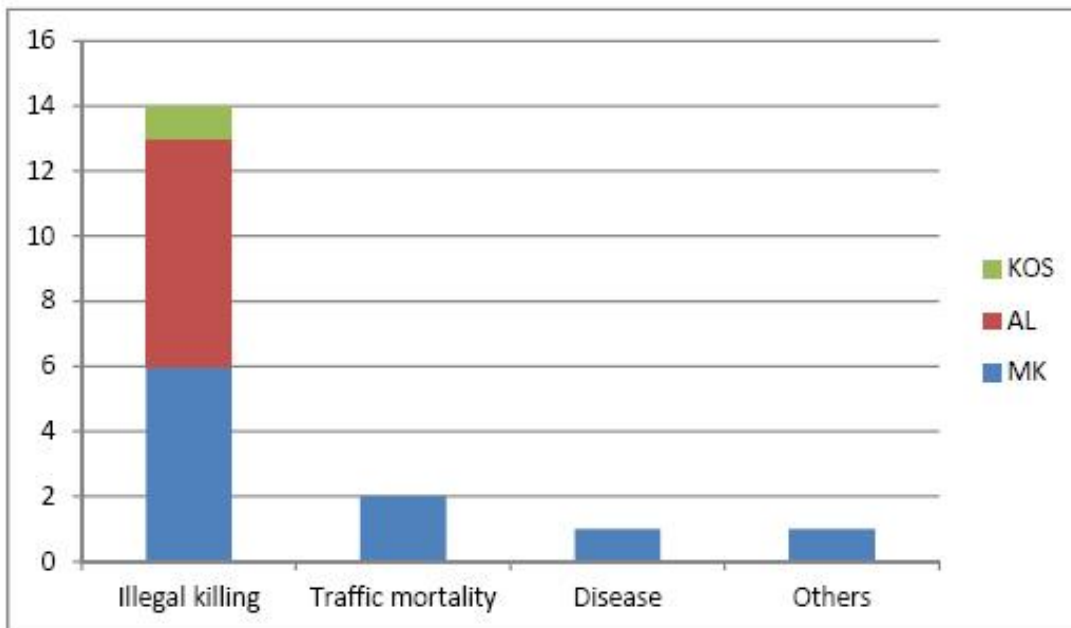


Fig. 2. Number of known dead Balkan lynx in the period 2006–2020 in North Macedonia (MK), Albania (AL) and Kosovo (KOS). Data compiled by the Balkan Lynx Recovery Programme.

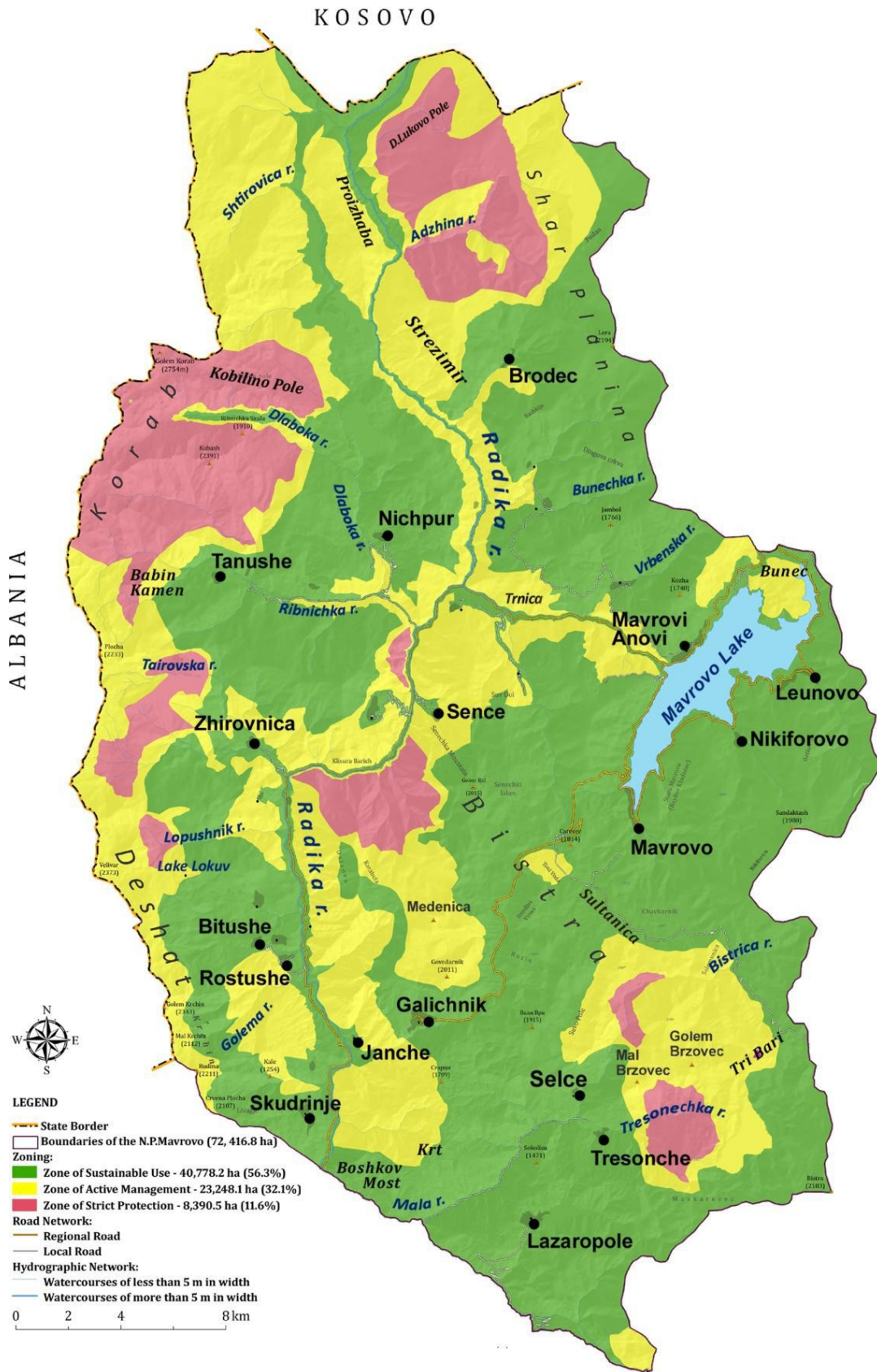


Fig. 3. Proposed Zonation Boundaries of the Mavrovo National Park.

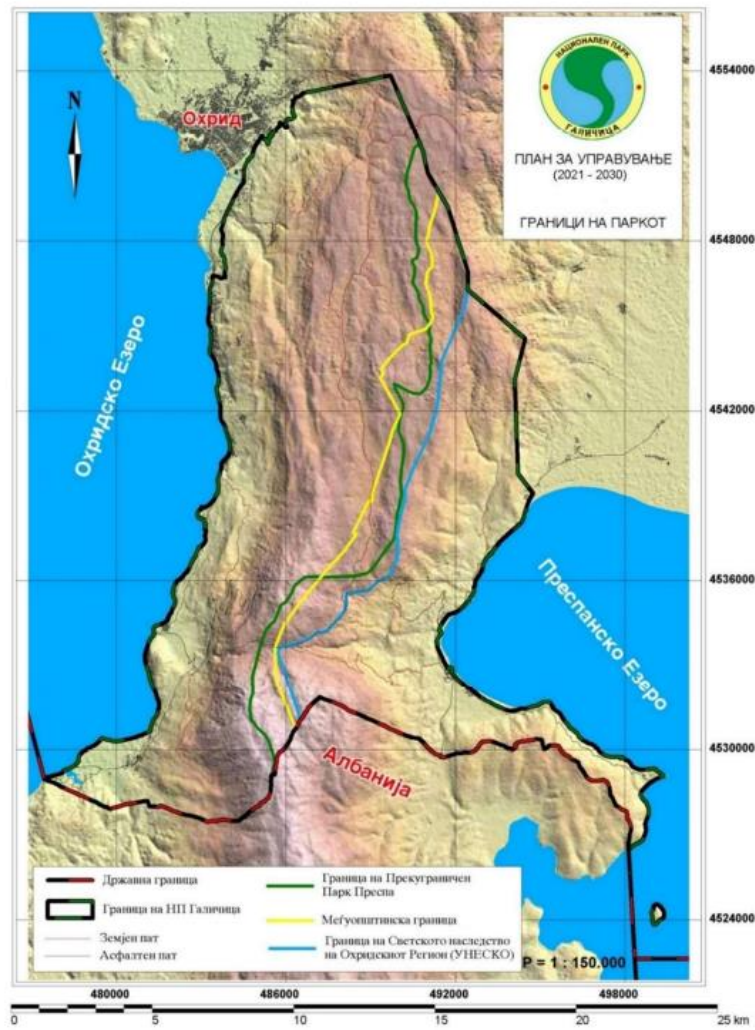


Fig. 4. General map – Ohrid and Galichica NP.

Annex II: Programme of online meetings**TUESDAY, 25TH MAY**

TIME (CET)	MEETING
9.00am – 10.30am	1) Review the progress made so far by the Government of North Macedonia in response to Recommendation No. 184 (2015) of the Standing Committee on the planned hydropower plants on the territory of the Mavrovo National Park and corroborate the information provided by the authorities and the complainant in their respective reports
10.30am – 11.00am	<i>Coffee Break</i>
11.00am – 1.00pm	2) Collect information on the state of development of the Law for the Re-Proclamation of the Mavrovo National Park 3) Collect information on the state of protection of the Mavrovo National Park in the field, including possible threats from energy production installations, the enforcement of the legal protection status, the boundaries and zoning of the National Park, how supervision and warding is organised, the state of conservation of the main species and their habitats, the effectiveness of existing protective regulations vis-à-vis internal and external threats, and land-use planning
1.00pm – 2.30pm	<i>Lunch Break</i>
2.30pm – 4.00pm	4) Look at the SEA standards in North Macedonia and understand procedures, relevant actors and responsibilities in the development of SEAs and assess the extent to which it complies with Recommendation No. 208 (2019) of the Standing Committee on detecting, reporting, assessing and responding to changes in the ecological character of Emerald Network sites.

FRIDAY, 28TH MAY

TIME (CET)	MEETING
9.00am – 10.30am	5) Collect information on the state of conservation of the <i>Lynx lynx balcanicus</i> and on the measures put in place by the national authorities for ensuring the species' long-term conservation
10.30am – 11.00am	<i>Coffee Break</i>
11.00am – 1.00pm	6) Collect information on the state of protection of Lake Ohrid and Galichica National Park candidate Emerald Sites, which are subject to a pending case-file under the Convention
4.00pm – 5.00pm	7) Concluding meeting

Annex III: List of participants**National authorities of North Macedonia**

Mr Arsim Fidani, Cabinet of Minister, Ministry of Environment and Physical Planning (MoEPP)

Mr Aleksandar Janevski, Department of Nature, MoEPP; Bern Convention national Focal Point

Mr Ylber Mirta, Head of the Department of Water, MoEPP

Ms Kaja Sukova, State Secretary of the MoEPP

Ms Smiljka Teneva, President of MB NP Mavrovo, MoEPP

Mr Vlatko Trpeski, Head of the Department of Nature, MoEPP

Local authorities / NGOs / other stakeholders of North Macedonia

Mr Kiril Arsovski Przo – DOMA; Macedonian Ecological Society

Mr Andon Bojadzi - Public institution Galichica National Park

Ms Robertina Brajanoska – Macedonian Ecological Society

Ms Ana Colovic Lesoska - Eko-svest (Complainant for case 2013/1)

Mr Adel Fejzuli - Faculty of Forestry-Skopje

Ms Anja Jovanova - Front 21/42

Mr Trpe Mateski – Mavrovo National Park management

Mr Dime Melovski – Macedonian Ecological Society

Mr Trajce Mitev - External consultant on SEA

Mr Cane Petrevski - Mavrovo National Park management

Ms Havza Redzep Kakel - Municipality of Ohrid

Ms Abdija Saliu - Representative from Zhirovnica community, Mavrovo

Mr Daniel Scarry - Ohrid SOS

Ms Tamara Slaveska Apostolovski - Front 21/42

Ms Menka Spirovska - External consultant on SEA

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