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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

37<sup>th</sup> meeting  
Strasbourg, 5-8 December 2017

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**Specific Sites - Files open**

**Hydro power development within the territory of  
Mavrovo National Park  
("the former Yugoslav Republic of Macedonia")**

**- REPORT BY THE GOVERNMENT -**

*Document prepared by  
the Case File Working Group, "The former Yugoslav Republic of Macedonia"*

*The report has been tabled in the form it has been submitted by the national authorities, who are  
responsible for its content*



## Report of the Government of Republic of Macedonia

### Government Report in relation to Complaint No. 2013/1: Development of hydro-power projects within the territory of Mavrovo National Park in Republic of Macedonia

Date: 10/03/2017

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#### List of Acronyms

EIA – Environmental Impact Assessment

IUCN – International Union for Conservation of Nature

MNP – Mavrovo National Park

MoEPP – Ministry of Environment and Physical Planning of Republic of Macedonia

NGO – Non-Governmental Organisation

PIMNP – Public Institution Mavrovo National Park

SC – Standing Committee of the Bern Convention

## **1. Background**

Refer to the July 2016 and October 2016 reports to the Bern Convention by Macedonia for detailed background and analysis of the open case file.

The Government's position has continuously been that the claims in the Complaint were exaggerated, contain inaccurate and often misleading information put forward by the complainant, and that discussions on the case file must be based on accepted scientific evidence.

Even though in 2015 the Government reported significant issues with the on-site appraisal report and expressed serious concerns with regards to the proposed open-case file recommendations, as a responsible party Macedonia accepted Recommendation 184 (2015) and expected the Bern Convention to subsequently apply due focus on the substance of the issues as well as the form.

This report is in response to the Secretariat's letter dated 10 January 2017 seeking update on the progress with the Recommendation. The report also highlights the activities of the Government since the Standing Committee meeting in November 2016.

## **2. Update on Implementation of Recommendation No. 184 (2015)**

No progress on the Recommendation to be reported since the previous report.

## **3. Other issues**

### ***Additional information from the Complainant***

In light of the additional information provided to the Bern Convention since the case file was opened, the Government requested the Secretariat in October 2016 to seek further information from the complainant on the impact of the hydro projects, particularly Boshkov Most and Lukovo Pole, on the following:

- direct destruction of forests
- fragmentation of wildlife habitats, and
- severe disturbance of water sources

Specific explanation on the claim that the hydro power developments in MNP will endanger the *Lynx lynx balcanicus* and other large mammals was also requested as part of the additional information to be provided by the complainant.

The Secretariat had decided not to act on this request and ignored follow up requests by the Government, while avoiding to inform the Government of such decision. Granted the Secretariat's autonomy in its operations and decision making, the Government expressed its belief that it is entitled to receive the rationale behind this decision, but no response has been received.

### ***Open case follow-up process***

The Government has also raised its concerns with regards to the open-case file follow-up process. Follow-up on case files is conducted through monitoring of the implementation of the Recommendation, however in this case:

1. Macedonia received through the Secretariat multiple additional information requests from the Complainant since the Recommendation was adopted.
2. The Secretariat has allowed lengthy discussions to take place during the 2016 Standing Committee meeting, resulting in changes to the original Recommendation, while to our disappointment there was absence of discussion on the substance of the complaint.

### ***Additional consultations with national and international NGOs***

We have emphasized in our July 2016 report that the relevant Macedonian institutions including MoEPP and PIMNP have not received verified and convincing scientific evidence that implementation of the projects will have unmitigatable impacts to the natural values of the park, including the Balkan Lynx.

Lacking a pro-active approach from the NGO community and the SC with regards to the scientific aspects of the complaint, additional consultation was conducted by the Government with several competent national and international NGOs, including Euronatur, Macedonian Ecological Society, IUCN, Pronatur.

Euronatur has been strongly and publically supporting the Complainant in Macedonia and internationally regarding the Mavrovo case. As the leader of the lynx conservation projects in Macedonia 2005-2015 and the current lynx investigations in Macedonia, Euronatur was considered very well placed to contribute with its knowledge. Unfortunately Euronatur did not respond to any of Government's correspondence.

Macedonian Ecological Society was engaged by Euronatur on the lynx projects 2005-2015, and is engaged by Euronatur on the current lynx project in Macedonia. While MES provided a response, which was highly appreciated, it did not address the specific questions of concern. The Government is looking forward to further consultations.

The Government is thankful to IUCN for its response however it was a general comment on the case file and did not provide any commentary on the specific issues in question. We note that IUCN adopted a recommendation regarding the Mavrovo hydro power developments at its 2012 congress and was considered well placed to contribute with the expertise and prior knowledge on this case.

Pronatur was unable to provide a response within 2 months due to other commitments.

#### ***Media coverage***

Despite the concerns raised by the Government the complainant has continued to exploit the lynx issue in the Macedonian and international media. This attitude is not helpful and does not contribute to resolving the issues in this complaint.

#### ***EC Subcommittee for Transport, Energy, Environment and Regional Development***

The above issues and concerns were discussed at the EC STEERD for Macedonia in February 2017.

#### **4. Conclusions**

The information available since the case file was opened confirms Government's position that the claims in the Complaint are exaggerated.

The Government expects the Bern Convention to recognize this at the next SC Meeting in 2017 as well as call on NGOs to cease dissemination of inaccurate and misleading information.

The SC must adhere to the prescribed case file follow-up process and refrain from suggesting or accepting modifications of Recommendations.

Finally, while we recognize that networking and lobbying are inherent to the Bern Convention and broadly in the environment industry, these practices should not be abused by any party.