

Possible file 2001/4 - Bulgaria: Motorway through the Kresna Gorge

The NGOs are requesting opening of the case file because:

1. Bulgaria started the construction of the motorway lane through the Kresna Gorge (the direction of travel from Sofia to Greece, north-south), specifically the southernmost 5 km of this lane, so-called "bypass" of the town of Kresna. The start of construction (access roads and geological studies) was based on a decision by the Ministry of Environment and Water from June 2024. This violated:

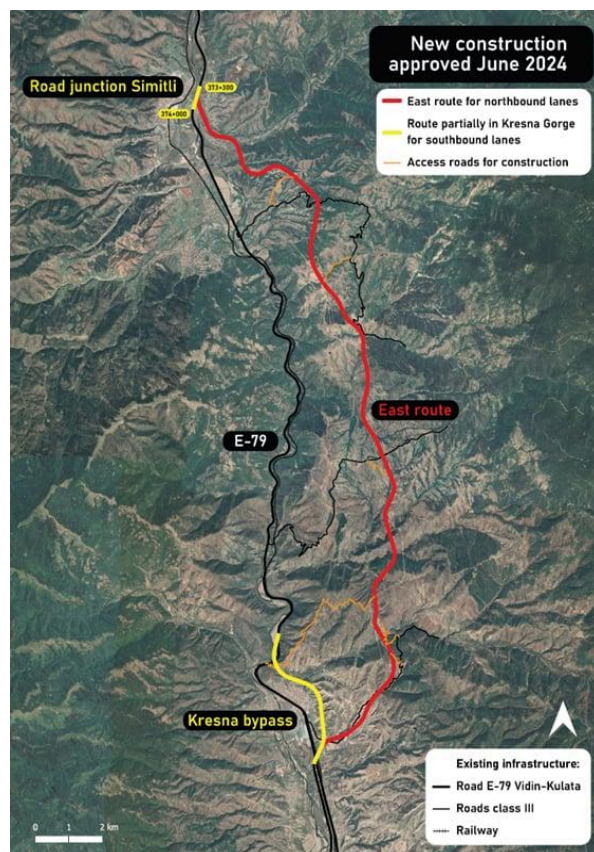
- the Committee's [Recommendation 98/2002](#), which pointed out the need to search for a motorway route outside the Kresna Gorge;
- the [42nd Committee's 2022 decision](#), which required a revision of the 2017 EIA before any construction began;
- the agreement of the Bulgarian government with the European Commission from February 2024 (the so-called "Way Forward") - see below).

2. There are serious risks arising from the "Way Forward" agreement between the Bulgarian government and the European Commission from February 2024. It allows the start of construction of the south-north lane (Greece to Sofia) ASAP in line with the 2017 EIA and requires the lane north-south to be subject to new EIA/AA. Unfortunately, the agreement leaves the possibility for half of the motorway to be built in the gorge: "If the Authorities decide that the Sofia to Kulata lane of the Struma Motorway Lot 3.2 should be implemented on the existing E79 road...". Moreover, it lacks guarantees for a meaningful solution - the wording is wishful and optional, there are no deadlines for planning, assessment and construction of the second lane. This ignores:

- Recommendation 98/2002 and the 42nd Committee decision by excluding all fundamentally different alternatives, those which do not include one lane from the 2017 EIA (red line above). For example - the long tunnel option approved in the 2008 EIA as not damaging Natura 2000 and [ignored since 2014](#);
- the findings made by the European Commission in 2019 that this 2017 EIA/AA violates the Habitats Directive. The findings were that a motorway using the current road in the gorge has negative impact on the priority role of the area for the protection of reptiles, and that there are no mitigation measures of proven effectiveness for this impact.

The NGOs believe that given the violations in the 2017 EIA and AA, the solution is to conduct a comprehensive new EIA/AA of all alternatives, as the Committee decided in 2022. But we also understand the need to start construction of the first motorway lane outside the Gorge as soon as possible, as indicated in the "Way Forward". Hence, as an alternative compromise solution, we propose the following solutions to the Committee to enter the final decision and we hope the government will accept them:

1. Irreversibly exclude the option in which the current road through the Kresna Gorge remains part of the motorway, with entered into force and irreversible legal and political decisions of the government, coordinated and approved by the EC.
2. Immediate start of a new EIA of the option for the construction of both lanes/directions of the motorway outside the Kresna Gorge simultaneously with the technical design and start of construction of the first lane south-north (Greece towards Sofia), which is the strategic vision of the "Way Forward".
3. Implementation of effective and integrated defragmentation and other mitigation measures for both motorway lanes/directions of traffic, in line with the 2024 Kresna Technical Workshop results.
4. Official adoption of a project roadmap with November 2025 deadline for completion of the new EIA and technical design of both lanes, and 2030 deadline for construction of the whole motorway (TEN-T requirement).



5. Bulgaria to show progress in implementing these measures by the April 2025 Bureau meeting.

Open file 2020/09 - Bosnia and Herzegovina: Possible negative impact of hydro-power plant development on the Neretva river

The Neretva River is one of the European rivers with the highest number of endemic species. With about 70 hydropower projects planned in the entire basin, it's also one of the most threatened. Following the decision by the 42nd Standing Committee of the Bern Convention in December 2022, and on-the-spot-appraisal (OSA) mission in October 2022, **Recommendations No. 217 (2022)** were adopted and sent to B&H.

Current status:

- **HPP Ulog dam is constructed, reservoir is filled**, intensified works continue (Recommendation possibly obsolete);
- Throughout the construction period **negative impacts from HPP Ulog were observed**, however **the Inspectorate failed to assess real impacts**, no effective measures and/or sanctions were imposed so far;
- **Permitting of the EIA for HES Upper Neretva projects (7 SHPPs) was temporarily suspended – but the protected area proposal procedure is also effectively suspended since 2021;**
- Emerald Network site (BA0000002) **protection is uncertain as concessions remain in place;**
- Three large **HPPs in FBiH dormant** but remain in place;
- The realisation of the **HPP Dabar (HES Upper Horizons) has intensified**, expected **impact on 4 Emerald sites** (Nevesinjsko, Dabarsko, Fatničko, Popovo polje) and Neretva Delta in Croatia (Natura 2000);
- **14 out of 15 recommendations still pending;**
- Neretva Science Week **findings still not utilised** for protection purposes;
- **New complaint** in relation to Upper Horizons projects filed to the Bern Convention in September 2024.

The Complainants call upon the Standing Committee to urge the authorities to: ensure real capacities for better implementation, follow up implementation in a coherent and diligent manner, ensure meaningful cooperation of all stakeholders, and to add the new complaint (HPP Dabar) to the 2025 Committee agenda.



HPP Ulog dam and reservoir, October 2024

Open file 2016/5 - Albania: Presumed negative impact of developments on the Vjosa river including hydro-power plant development and Vlora International Airport

Updates on the Vlora airport: Although there has been a clear [recommendation](#) from the Standing Committee to suspend the construction of Vlora International Airport until a new and sufficient EIA is conducted, the construction work goes on unbothered. Based on the self monitoring reports, provided to PPNEA from the state authority, there is no wildlife monitoring conducted. Moreover, PPNEA experts were not allowed to conduct the International Waterfowl Census in mid January. Meanwhile, species like Dalmatian pelican and red kite tagged with GPS transmitters, show that such soaring birds are flying over and around the airport construction site, contradicting the information provided in the first EIA. 70% of calandra lark population (EU Birds Directive Annex I species) is lost, mainly due to the construction work.

Updates on the Protected Areas law: the airport has attracted other infrastructure projects inside the Protected Landscape and other Protected Areas close by, which led to changes in the legislation for Protected Areas. The decision whether an urbanization or infrastructure project qualifies as a 5-star project is with the National Territory Council (NTC) - chaired by the Prime Minister and grants it the authority to overrule the protection regime within protected areas. The law makes all protected areas vulnerable to potential urbanization projects. In addition, for some categories, such as National Monuments (Category III – IUCN) and Protected Landscapes (Category V - IUCN) the subzones and buffer zones were removed at all as provisions, allowing all kind of developments to be implemented within their borders, be those intensively economic, urban or even industrial ones. These amendments pave the way to violate nature protection in all Protected Areas of Albania. These changes were followed by new Decision of the Council of Ministers in September with several new activities and infrastructure allowed inside protected areas (energy industry, urban areas, etc.). A project that fulfills the criteria to be constructed inside Vjosa Narta after the law amendments and new decisions, is the project published from Affinity Partners, which foresees 10.000 rooms along the shoreline in Zvernec peninsula, which together with the airport and their supporting infrastructure will totally transform the candidate Emerald site. This construction will irreversibly affect Natural Monuments such as the Sand Dunes and Limpuo lagoon, both having the highest status of protection in Albania.

Updates on diversion project from the Vjosa tributary Shushica: the operation phase is expected to have a significant and irreversible impact on the Shushica waterflow and its sediment regime that may impact the ecological integrity of the entire Vjosa Wild River National Park. The diversion of 104 l/s, where the annual average waterflow is estimated to be 139 l/s, is expected to leave the riverbed dry during the summer period. Given the fact that Shushica river is flowing mostly on karstic geological formation, where typically the water would sink underground, any diversion of water will have a significant impact on the longitudinal connectivity of the riverine ecosystem. In this regard, the diversion in the frame of the water supply system of Himara Municipality is expected to have a severe negative impact in the first 10-12 km of the river from the intake and downstream as well as in the last 10 km of the Shushica flow close to the confluence with Vjosa. Thus, the diversion project is likely to impact the functionality of the river and will show its negative impact for the aquatic and riparian flora and fauna of the river. This will also severely impact the integrity of the Vjosa National Park as less water will reach the main river.

We ask the Standing Committee:

1. **To repeat the request to the Albanian Government to follow the Recommendation No. 219 (2023) of the Standing Committee and suspend the construction of the Vlora Airport within the Protected Area.**
2. **To consider conducting an on-the-spot appraisal for the Shushica river project in order to have more clarity on the dimensions of concerns and irreversible expected negative impact that this project may have in the entire Vjosa River System.**
3. **Urge the Albanian authorities to withdraw the New Decision of the Council of Ministers as well as the law 21/2024 "On some additions and changes to law no. 81/2017 on Protected Areas", to ensure the integrity of the protected areas and Emerald Network in Albania.**

Open file 2013/1 - North Macedonia: Hydro power development within the territory of the Mavrovo National Park

There is limited progress with implementation of previous recommendations.

- No ban on hydropower has been adopted. The draft Water Law (not yet adopted) does not prescribe a ban on hydropower.
- The new Nature Law is under preparation and consultations are expected in 2025.
- In November 2024 the Government extended the concession contract for several SHPP, one of them is located in the newly proclaimed Shar Mountain NP (SHPP Vejacka). The extension for the Shar Mountain SHPP Pena 84 which was previously extended, is expiring in November 2024.
- Although the 2 SHPP concessions in Mavrovo NP- Zhirovnica 5 and 6 have been cancelled with a decision by the Government in February 2023 the decision is still not in effect as the contracts have not been cancelled.
- Concession for SHPP Ribnicka located in Mavrovo has not been revoked. No process has been initiated for this SHPP
- In April 2023 the process of reclamation of Mavrovo NP was started. Study for valorization has been prepared and a public hearing was held in June 2024. Zoning has not been finalised yet and there is no work started on the Management plan.
- No progress has been made on the Balkan Lynx Action Plan. Limited funding was available for protected areas in 2024 through the Ministerial investment programme aimed at protected areas-national parks.

Recommendations to the Standing Committee

Based on the progress achieved and the status of implementation of each recommendation point, we propose to the Standing Committee to adopt the following proposal for conclusions:

1. Immediately cancel SHPP Ribnicka in Mavrovo NP.
2. Revoke all other SHPP concessions in Shar Mountain National park and do not extend any other contracts in future.
3. Speed up the proclamation of Mavrovo and ensure proper public consultations in all phases of the process. Speed up the preparation of the Management plan for the protected area.
4. Accelerate the adoption of the proposed Law on Water and Law on nature, which would:
 - a. Ensure developing a methodology for ecological flow (in cooperation with CSOs and other stakeholders), and
 - b. Effectuate a ban hydropower plants and other infrastructure projects in protected areas
5. Establish regular coordination and consultation between State authorities and CSO Complainant.
6. Without delay, initiate the implementation of the following Recommendation 211 points:
 - Point 2. Implement the new international standards on the prohibition of hydropower plants in World Heritage Sites 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.
 - Point 5. Strengthen the process for all forms of impact assessments in national legislation to ensure they meet EU standards
 - Point 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.
 - Point 10. Facilitate an independent review of the entire legislation framework related to spatial and urban planning, construction, environment and nature protection.
 - Point 11. Review, endorse and re-implement the Conservation Action Plan for Balkan Lynx.

Open file 2017/2 - North Macedonia: Alleged negative impacts to Lake Ohrid and Galichica National Park candidate Emerald sites due to infrastructure and urbanisation developments

Following the unanimous adoption of the Recommendation 221 (2023), North Macedonia had an obligation to implement, or at least to implementing 15 points (of the Recommendation) in order to address the alarming state of the candidate Emerald sites Lake Ohrid and NP Galichica. **None of the 15 points has been addressed and:**

- **the situation in relation to point 2 is worse than in 2023:** the new WH Management Commission doesn't have a CSO representative, nor a representative of the Biology Institute; also previously established expert consultancy body doesn't exist anymore;
- **the situation in relation to point 4 is significantly worse:** old urban plans were confirmed and new ones initiated - for urbanisation of all villages in the NP Galichica and Gorica area (part of the Ramsar site); new constructions continued to emerge in the national park and on the lake shore; Municipality of Ohrid issued 157 new building permits;
- **The situation in relation to point 5 is significantly worse:** amendments to the Law on Urban Planning were adopted without any public consultations; the new law brings back old form of urban plans - General Acts for villages, which were adopted without SEA, this opens the door for realisation of unlawful constructions on Lake Ohrid shore and in the national park;
- **The situation in relation to point 6 is significantly worse:** new illegal constructions continued to emerge, including a large hotel in NP Galichica, illegal urban complex in Studenchsihte Marsh continued to develop, etc.; Municipality of Ohrid legalised 87 illegal constructions (18 within NP Galichica, 19 close to the lake); our initiatives to the State Environmental Inspectorate resulted with favourable outcomes for the illegal constructions and other legal violations by various institutions.

We ask the Standing Committee to urge the Government of North Macedonia:

- To start the implementation of the Recommendation 221 (2023) as a matter of urgency, especially:
 - to put in place an immediate effective moratorium on all constructions, except for essential basic needs like wastewater infrastructure and emergency services (point 4b of Recommendation 221 (2023));
 - to remove all illegal constructions on the territory of the National Park Galichica, Studenchishte Marsh and Gorica area as a matter of urgency, prioritising the illegal hotels and urban complexes; and to ensure that no decisions or urban plans will be adopted for legalisation of these buildings (point 6 of Recommendation 221 (2023));
 - to cancel all urban plans for further urbanisation of whole Gorica area, which is part of the Ramsar site (point 5 of Recommendation 221 ((2023));
 - to immediately revise the Valorisation Studies for Lake Ohrid and Studenchishte Marsh and ensure their effective legal protection in line with international standards.

We also ask the Standing Committee to express a serious concern for the role the State Environmental Inspectorate plays in the conservation of Lake Ohrid, NP Galichica and the World Heritage as a whole.



Possible file 2020/04 - The Amulsar gold mine project and its impacts on Emerald Network sites

The complainants would like to ask the Standing Committee to:

1. Open the file
2. Mandate an on-the-spot appraisal (OSA) mission in 2025
3. Call on the Eurasian Development Bank (EDB) to cancel the loan to the mine
4. Ask the Secretariat to coordinate with the Aarhus Convention to protect activists in Armenia
5. Inform the EU4Environment project financier (the European Commission) and implementing partners (OECD, UNECE, UNEP, UNIDO, the World Bank) about the problems with reducing Emerald Network
6. The government as a shareholder to initiate a new Environmental and Social Impact Assessment
7. The government to resume the declaration process of Jermuk National Park.

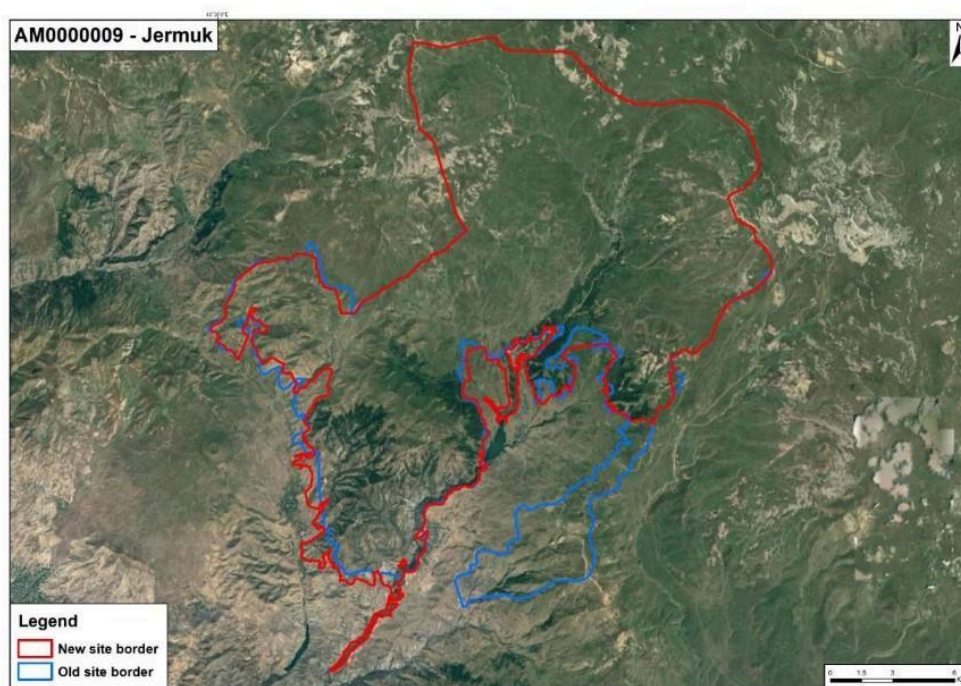
Updates from Amulsar Gold Mine:

In January 2024 the [Armenian government announced getting a stake](#) in the Amulsar project. The [Eurasian Development Bank \(EDB\)](#) expects that the mine could start operation in 2025. The [preparation for reopening of the gold mine](#) has continued. On 1 November the [Minister of Economy officially announced](#) that the exploitation of the **Amulsar mine should start operation at the beginning of 2025** and extraction and export by the end of the year. A smear campaign was initiated in 2024, in addition to all the SLAPP cases against activists. [Ecolur](#) and [Centre for Community Mobilization and Support NGO](#) have been targeted in the media and accused of being “a threat to national security”. The lack of reaction from the government is a very serious violation of Art. 3(8) of the Aarhus Convention.

Updates from the revision of the candidate Emerald sites in Armenia:

The government confirmed that the revision is done as part of the EU-financed project EU4Environment. In summer 2024, the document '[Recommendations for review of the Candidate Emerald sites in Armenia](#)' was published and circulated for comments among authorities. None of the complainants were consulted. **The proposed reduction of the Emerald Network for the whole territory of Armenia is by 31.5%!** The Jermuk Emerald site was reduced to exclude the whole Amulsar mountain (all Southeastern part of the site, also included in the national park proposal):

Figure 10. Map of Emerald site 'Jermuk' - AM0000009 with proposed and previous (2016) boundaries



Source: Developed by kartECO for the World Bank

Sevan lake Emerald site was reduced more than 3 times from 489.000 ha to 156.000 ha, reducing the number of protected natural habitats from 32 to 27. Lake Arpi, Lori Lakes and Metsamor sites are significantly reduced - excluding important wetlands and grassland habitats. The revised Emerald Network will lead to **Insufficiency**

assessment for many species and habitats that were assessed as **Sufficient** during the last two biogeographical seminars.



Case file on stand-by 2011/5 - France/Suisse



[Recommendation No. 169 \(2013\)](#) on the Rhone streber (*Zingel asper*) in the Doubs (France) and in the canton of Jura (Switzerland) in the frame of case-file on stand-by 2011/5: France / Switzerland.

Pro Natura, WWF Switzerland and the Swiss Fishing Federation handed in a complaint in 2011 because of the bad state of the river on the border of Switzerland and France. After discussions at the standing Committee and a comprehensive on the spot appraisal, the Standing Committee adopted recommendation No. 169 (2013). A national action plan was adopted and a working group composed of national and cantonal authorities and the NGOs was installed, which meets regularly in September to discuss progress.

At the Standing Committee meeting in 2022,

“The Committee expressed its concern about the imminent extinction of the Rhone Streber population in the Doubs in Switzerland and welcomed the joint reflections to identify the best option for the future conservation strategy for the Rhone Streber. The Committee also welcomed the adoption of the new Rhone Streber action plan 2020-2030 and the "Plan rivières karstiques 2022-2027" in France. It noted the need to continue the follow-up of previous recommendations, in particular with regard to the collaboration between the French and Swiss authorities (binational working group on water quality) to combat pollution and the establishment of on-the-ground measures concerning agricultural pollution.”

Developments since 2022:

- Swiss Authorities slowly but steadily continue to implement the action plan for the Doubs. Key elements of progress include the successful modernisation of one of the 2 largest sewage treatment plans in the area and the establishment of a buffer zone along the river.
- The Swiss national **action plan may not be prolonged**, and the agreed dedicated agricultural seminar is also suspended due to **budget cuts**.
- The **binational working group on water quality still hasn't met. Cross-border collaboration with the French administration** is still lacking to the concern of both NGOs and Swiss authorities.
- Despite systematic search for the Rhône streber, **not a single one was found in 2024 (0)**. The female which was found in 2023 is now kept in an aquarium where it has successfully interbred with males from the Durance river. The authorities haven't decided what to do with the juveniles.
- 2 NGO Assessments were presented, on the main causes of streber decline and on algal development. The former recommends establishing a **Pan-European action plan for Zingel spp.**

NGO demands for the conclusion in the report:

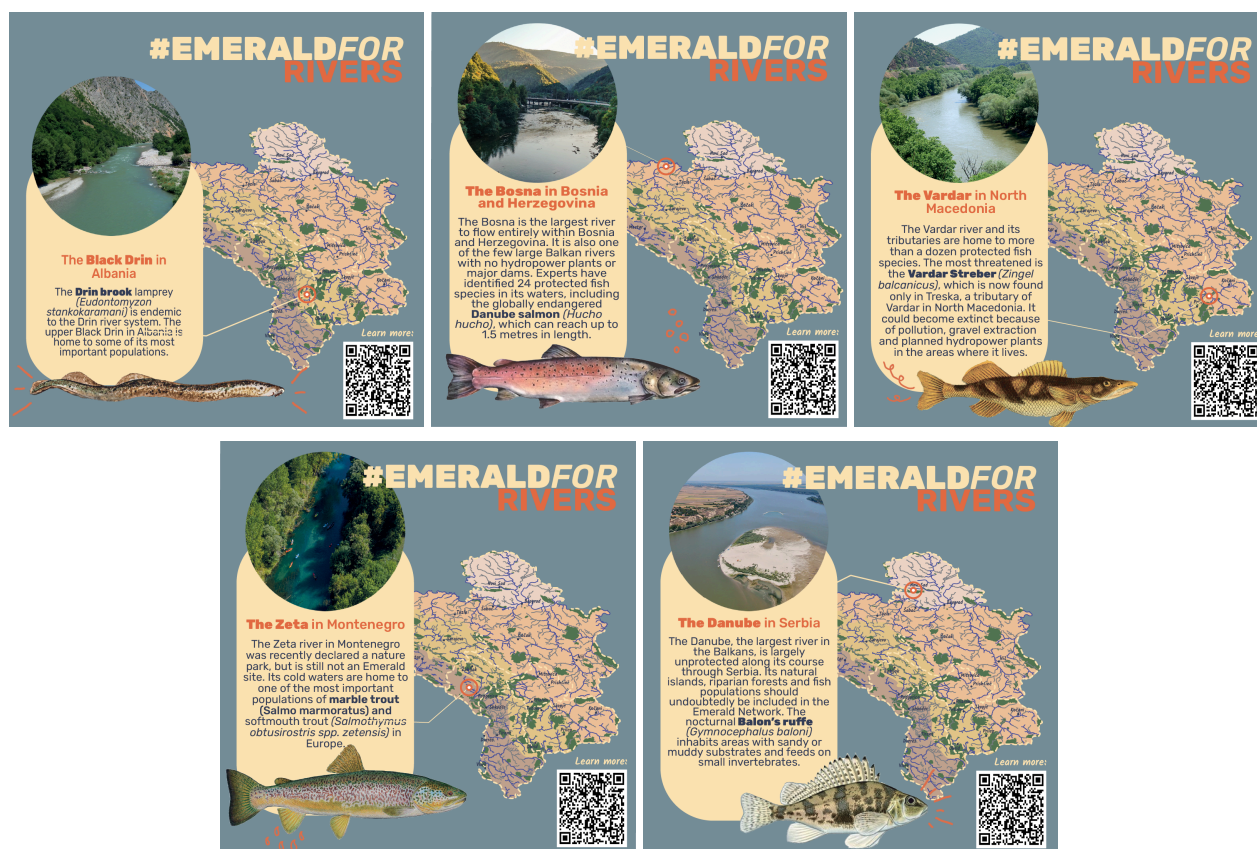
The Standing Committee welcomes the progress presented in the implementation of Recommendation 169 (2013) and thanks the authorities and NGOs for their commitment. However, it notes with great concern that to date, the measures implemented have not enabled the Apron population to recover. It calls on the authorities to pursue their actions, and in particular :

- **The Swiss authorities** to extend the National Action Plan for the Doubs and the related support group; to organise the planned agricultural seminar without further delay, and to implement other measures to reduce pollution and its negative effects, and to create suitable environmental conditions for the Apron.
- **The French authorities** to report and present the state and evolution of pollution in the Doubs to the Swiss authorities and to the Standing Committee in 2026.
- To convene **the binational “Water Quality” group at political level** and continue its work with the participation of NGOs.

The case file remains in stand-by mode, with the 2-year reporting requirement maintained.

The Standing Committee also decided to convene an expert meeting in order to develop a pan-European action plan for the conservation of the *Zingel* genus, and to present it at the next meeting of the Standing Committee for possible adoption.

Emerald Network in the Western Balkans



In 2011, Western Balkan countries proposed a small number of sites as part of the Europe-wide Emerald Network of protected natural areas. But despite this, too many of the region's stunning rivers have been left unprotected. [Now a proposal by scientists and NGOs aims to rectify this](#), by encouraging and supporting the region's governments in completing the Emerald Network. We see the practical application of the Emerald Network and recognise this process as an important step towards EU accession, when the Emerald sites will be candidate Natura 2000 sites.

The region's extensive mountains, rivers, lakes and coastlines are home to numerous endangered species and important habitats with many endemic species that can't be found anywhere else. Compared to the rest of Europe, most of the region's rivers are in good or pristine condition and many are ideal candidates for protection, like the five rivers shown above (and still threatened by destruction).

[A list of rivers](#) to be added to the Emerald Network was published in 2023 after the Emerald Green seminar organised by CEE Bankwatch Network, where participants provided scientific data on fish species and habitats. But none of the Balkan countries have since expanded their original list of sites. Most sites lack management, consistent data collection, resources and legal protection under national law, leaving most rivers and fish populations unprotected.

The Emerald Network is [agenda point 5.6.1](#) of the 2024 Standing Committee scheduled for Tuesday 3 December. The NGOs started the communication campaign **#EmeraldForRivers** and a video will be released on 28 November.

We ask the Standing Committee:

- To adopt the revisited targets for the Emerald Network for the period to 2030 - [T-PVS/PA\(2024\)05](#)
- To demand from Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia to include all important rivers in the Emerald Network, without which the countries cannot achieve a Sufficiency index and to involve the civil society in the process.
- To plan biogeographical seminar(s) in the Balkans in the next few years.