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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

41<sup>st</sup> meeting  
Strasbourg, 29 November – 3 December 2021

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**Open File: 2016/04**

**Development of a commercial project in Skadar  
Lake National Park and candidate Emerald site  
(Montenegro)**

**- REPORT BY THE COMPLAINANT -**

*Document prepared by  
the Informal Citizens Group from Virpazar, Montenegro*

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- October 2021 -

To:

**Mr Eoghan Kelly**  
Secretariat of the Bern Convention  
Democratic Participation Directorate  
Agora Building, A4.53V  
1 Quai Jacoutot  
F-67075 Strasbourg Cedex, France

Virpazar 21.10.2021

## REPORT

The Informal Citizens Group from Virpazar would like to thank The Standings Committee for keeping file 4/2016 open.

This document covers the latest update, and follows up on those previously submitted.

### Key updates

- **No meaningful progress from Montenegrin government on recommendations 201.**
- **Case of hotel “Vir” in Virpazar – a negative example of building practices and lack of rule of law.**

Hotel Vir (previously “13 Jul”) was built in 1981, architecturally inspired by traditional house building in the region of Crmnica. The proposal for its reconstruction has been twice rejected by the main Architect of Montenegro, only to be approved in February this year directly by Mr Ratko Mitrovic, Minister of Ecology, Spatial Planning and Urbanism. Note that this is a Minister who has been known to be involved in illegal building practices himself.

<https://www.cdm.me/english/minister-mitrovic-owned-illegal-house-in-budva-until-recently/>



Above - previous hotel, below - current structure.

This project:

- violates the urban/technical condition set by the current plan- state location study for Virpazar 2015.
- ignores the guidelines issued by the Directorate for the Protection of cultural heritage for the protected cultural environment of the settlement of Virpazar.
- has become an eyesore in the middle of the Virpazar and National Park Skadar Lake.
- Sets a precedent that any building activity in the location of Mihalovici, including within planned Porto Skadar lake and White Village, would likely follow a similar scenario and would have irreversible and highly damaging consequences for the future of the NP Skadar Lake.

All the above has come with the blessing of the accountable Ministry, and without any input of the Inspectorate in charge of controlling compliance with the current regulations. Authorities' continuous concessions towards private investors, lack of rule of law have highly damaging consequences for not only cultural heritage but also visual protection of the park.

### Comments

In our view, the lack of progress in the implementation of the recommendations 201/2018 and general lack of protection in the National Park are largely due to the political crisis in Montenegro. Decisions regarding the case of SLS Mihalovici and revocation of associated building permits is a political decision that will need to be made on the level of the National government.

Furthermore some controversial practices – suggestive of chronic corruption – seem to be adopted by the current administration. Many of the challenges are acknowledged in the EU Commission's recent Progress Report 2021.

[https://ec.europa.eu/neighbourhood-enlargement/montenegro-report-2021\\_en](https://ec.europa.eu/neighbourhood-enlargement/montenegro-report-2021_en)

**This complaint has ambitions to prevent irreversible damage to NP Skadar Lake.**

**Reiterating our key positions:**

**1. Abandoning SLS Mihalovici entirely** (validity expired in 2020) and, in the light of current evidence, **revoking all building permits for Porto Skadar Lake and White Village**. This will ensure that most of the Recommendations 201 are respected. It will send a strong message that sustainable development and conservation takes priority over private sector profit.

**2. As the highest priority, the development and delivery of a new spatial plan for the National Park, as previously committed to by the Montenegrin authorities. Ensuring that the new Spatial Plan is rezoned** according to Recommendations 201, the Shore Functionality Index study and recent biodiversity mapping.

- a. Zone I and II with their buffer zones are treated as nature reserves and fully protected from **ANY AND ALL** developments.
- b. any further new tourist developments be sustainable, based in areas that are already currently occupied, be of small scale, and be eco and village tourism based. This as per 3.4.2 Recommendations for Montenegro (page 66 of SFI Study).
- c. existing road infrastructure is maintained and not upgraded. We maintain that the new motorway route (Bar-Boljare) over Rijeka Crnojevica should be abandoned, and a more sustainable/less damaging alternative is found.
- d. waterways follow Recommendations 201. Exceptions to the recent law limiting boat engine sizes to be abandoned and law to be enforced.

**3. Protection as a priority.** Finally, initiate and establish efficient and effective methods of monitoring implementation of existing laws, executed in a manner that is visible on the lake.

Thank you for your time. We aim to compile a more detailed report for the upcoming annual meeting of the Standing Committee. We appreciate your ongoing efforts and support, and we make ourselves available to you to answer any questions or clarifications needed.

Many thanks,

Informal Citizens group from Virpazar

Montenegro



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CC

Mrs. Ursula Sticker

Mr. Tobias Salathe

EU delegation in Montenegro

- July 2021 -

To:  
**Mr Eoghan Kelly**  
Secretariat of the Bern Convention  
Democratic Participation Directorate  
Agora Building, A4.53V  
1 Quai Jacoutot  
F-67075 Strasbourg Cedex, France

Virpazar 21.02.2021

The Informal Citizens Group from Virpazar would like to thank The Standings Committee for keeping file 4/2016 open.

This document covers off the latest update, and follows up on those previously submitted.

#### **Key updates**

**- No meaningful progress from Montenegrin government on recommendations 201.**

**- First direct communication between complainant and authorities.**

Panel discussion “**Developmental pressures with focus on commercial construction in Skadar Lake National Park and Recommendation of the Council of Europe**” was held in Virpazar, Montenegro on 18th of May 2021. This event was organised by NGO Green home as a part of ARTEMIS project: “**Improvement towards dedicated and concrete application of environmental standards**”. The project was financially supported by The Balkan Trust for Democracy (German Marshall Plan) and implemented by NGOs Green Home, CZIP, Young ecologists from Niksic and North Country.

Participants of the meeting from the authorities included:

Prof Danilo Mrdak - State Secretary for Ecology in the Ministry for Ecology, Spatial planning and Urbanisation

Aleksandar Bulatovic, director of the NP Skadar Lake

Complainant:

Milan Knezevic - Informal Citizens Group from Virpazar,

Natasa Kovacevic - NGO Green home

Numerous local NGOs and local citizens of Virpazar

Special attention was paid to the assessment of the engagement of public institutions and authorities in relation to fulfillment of recommendations 201/2018 of the Standing Committee of the Bern Convention, European Parliament's Resolution (2018) and European commission recommendation to meet the final benchmarks in chapter 27.

**Brief conclusion of the meeting:**

General consensus was that SLS Mihalovici, including within planned Porto Skadar lake and White Village, would have irreversible and highly damaging consequences for the future of the NP Skadar Lake.

It was also acknowledged that recommendations 201/2018 from the Standing Committee of the Bern convention are here to stay and will be a test for the authorities on their commitment to implement European standards in nature preservation especially in context of chapter 27 negotiations.

Unfortunately, there was a lack of commitment from the authorities' representatives to revoke existing permits for Porto Skadar Lake and White Village, citing deficits in the current legal framework.

Speed boat limitations included in the recommendation 201/2018 were also disputed by representatives citing passenger safety.

## Comments

In our view, the lack of progress in the implementation of the recommendations 201/2018 and general lack of protection in the National Park are largely due to the political crisis in Montenegro. Decisions regarding the case of SLS Mihalovici and revocation of associated building permits is a political decision that will need to be made on the level of government.

Recent transfer of the ownership of Ulcinj Salina to government hands and its associated protection give us hope the government will make the right decision regarding complete abandonment of project Mihalovici and incorporate its protection in the future spatial plan, according to recommendations 201/2018.

In this regard, we see our meeting with Prof Danilo Mrdak and director of NP Skadar Lake Mr. Aleksandar Bulatovic as very positive.

**This complaint has ambitions to prevent irreversible damage to NP Skadar Lake.**

### Reiterating our key positions:

**1. Abandoning SLS Mihalovici entirely** (validity expired in 2020) and, in the light of current evidence, **revoking all building permits for Porto Skadar Lake and White Village**. This will ensure that most of the Recommendations 201 are respected. It will send a strong message that sustainable development and conservation takes priority over private sector profit.

**2. As the highest priority, the development and delivery of a new spatial plan for the National Park, as previously committed to by the Montenegrin authorities. Ensuring that the new Spatial Plan is rezoned** according to Recommendations 201, the Shore Functionality Index study and recent biodiversity mapping.

- a. Zone I and II with their buffer zones are treated as nature reserves and fully protected from **ANY AND ALL** developments.
- b. any further new tourist developments be sustainable, based in areas that are already currently occupied, be of small scale, and be eco and village tourism based. This as per 3.4.2 Recommendations for Montenegro (page 66 of SFI Study).
- c. existing road infrastructure is maintained and not upgraded. We maintain that the new motorway route (Bar-Boljare) over Rijeka Crnojevica should be abandoned, and a more sustainable/less damaging alternative is found.

- d. waterways follow Recommendations 201. Exceptions to the recent law limiting boat engine sizes to be abandoned and law to be enforced.

**3. Protection as a priority.** Finally, initiate and establish efficient and effective methods of monitoring implementation of existing laws, executed in a manner that is visible on the lake.

Thank you for your time. We aim for a more detailed report for the upcoming annual meeting of the Standing Committee. We appreciate your ongoing efforts and support, and we make ourselves available to you to answer any questions or clarifications needed.

Many thanks,

Informal Citizens group from Virpazar

Montenegro



Milan Knezevic, The Informal Citizens Group from Virpazar: [cracatau@hotmail.com](mailto:cracatau@hotmail.com)

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Mrs. Ursula Sticker

Mr. Tobias Salathe

EU delegation in Montenegro

- February 2021 -

To:

**Mr Eoghan Kelly**

Secretariat of the Bern Convention

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Virpazar 21.02.2021

## REPORT

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### Key updates

#### **- No meaningful progress from Montenegrin government on recommendations 201.**

As a positive step we would see the continuation of mapping and recent monitoring of the otter (*Lutra lutra*) in August 2020. The findings of the monitoring efforts have confirmed the presence of the otter at the location Biski Rep, which is subject to this complaint - strengthening the case of recommendations 201 (2018). It's very clear from the map submitted by the government that the whole north west area of the park including the Mihalovici location is valuable otter habitat, and as such should have the highest level of protection and any developments in the area would be highly destructive.

Further, replacement of the previous highly damaging Spatial Plan for NP Skadar Lake, as previously committed to by the Montenegrin authorities is still in its infancy. The latest government report clearly shows its nationwide brutal treatment of the internationally valuable and protected areas such as River Tara and NP Durmitor (UNESCO). This is a highly embarrassing moment for any government.

This complaint has ambitions to prevent anything like that happening in NP Skadar Lake.

#### **- Breach of the recommendations 201 regarding speed of boats.**

The new law on maritime safety (77/2020) came into effect last year. In its Article 10, paragraph 3 regarding boat speeds it says: *"four knots at the locations of Skadar Lake: the Crnojević River canal, the Karatuna River canal, both branches of the Morača River belonging to the Skadar Lake National Park, the Mihailovići area, Poseljanski zaliv, Biški rep, the Crnojevića Rijeka estuary, the Bazagurska matica estuary, the Liponjak island area areas where fishing is prohibited. On Skadar Lake, it is forbidden to navigate with water jet propulsion vessels and to use vessels with an engine power over 7.35 kW, without the approval of the administrative body responsible for nature protection."*



However, local fishermen have been already applying for exceptions to this law citing poor weather conditions on the lake preventing them from fishing. We fear our operators will be next. By granting these exceptions to fishermen and others, it's our fear that this will see lawlessness in the park only worsen. There is a complete lack of education and communication between locals and authorities on this matter.

This is a direct breach of recommendations 201 stating that speed boats should be limited to police, border police, ranger service and other authorities.

### **- Positive changes in the Government and National Parks of Montenegro public enterprise.**

As you must be aware, after recent elections in Montenegro the new parliamentary majority has been given a chance to form a new government after 30 years of one party rule. Our hopes are high for the new government, in particular from the aspect of the reform of current institutions, freeing them from the current culture of corruption and unprofessionalism.

For a very positive development we see naming Prof Danilo Mrdak for a state secretary for ecology in the newly formed Ministry of ecology, urbanisation and spatial planning (previously MORIT). His early expert contribution to this complaint and to the joint Bern convention and Ramsars fact-finding mission to Montenegro in 2018 was very much appreciated.

We also welcome the conclusions of the recent meeting at National Parks Of Montenegro organised by its newly appointed head Ms Marina Jovic calling for changes in organisational structure of the company and future memorandum with national NGOs involved in nature conservation.

And, lastly, the Ministry of agriculture and rural development has allocated funds in this year's budget for Skadar Lake's fish stock study, data used so far were dating back to 1978. This will hopefully help in better protection of fish stock in the lake.

### **Reiterating our key concern:**

As we have stated in our previous reports, our major concern is that SLS Mihalovici, including within planned Porto Skadar lake and White Village, is just the beginning of more unsustainable development on the lake that is currently under extreme pressure and is lacking even minimal levels of protection.

1. **As the highest priority, the development and delivery of a new spatial plan for the National Park, as previously committed to by the Montenegrin authorities. Ensuring that the new Spatial Plan is rezoned** according to Recommendations 201, the Shore Functionality Index study and recent biodiversity mapping.
  - a. Zone I and II with their buffer zones be treated as nature reserves and fully protected from ANY developments.
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  - c. existing road infrastructure is maintained and not upgraded. We maintain that the new motorway route (Bar-Boljare) over Rijeka Crnojevica should be abandoned, and a more sustainable/less damaging alternative is found.

- d. waterways follow Recommendations 201. Exceptions to the recent law limiting boat engine sizes to be abandoned and law to be enforced.
2. **Abandoning SLS Mihalovici entirely** (currently valid until 2020) and, in the light of current evidence, **revoking all building permits for Porto Skadar Lake and White Village**. This will ensure that most of the Recommendations 201 are respected. It will send a strong message that sustainable development and conservation takes priority over private sector profit.
3. **Protection as a priority**. Finally, initiate and establish efficient and effective methods of monitoring implementation of existing laws, executed in a manner that is visible on the lake.

Thank you for your time. We appreciate your ongoing efforts and support, and we make ourselves available to you to answer any questions or clarifications needed.

Many thanks,

Informal Citizens group from Virpazar

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