

Virpazar, Montenegro, 27.09.2016

Dear Mr Salathe,

In response to Mrs Miskovic – Spahic letter from Ministry of Sustainable Development and Tourism (MORiT) dated 26<sup>th</sup> of August 2016.

On behalf of an informal group of citizens from Virpazar, local entrepreneurs, civil society organizations and on behalf of Skadar Lake local population, we would like to state the following:

### **DECISION MAKING AND PUBLIC INVOLVEMENT**

Project Mihailovici has been developed to satisfy short-term intentions of private investor aimed at gaining profit at the cost of the National Park beauty, while a long-term development to the benefit of a wider community has been put aside. Decision making on the process has largely been kept behind the closed door and away from any expert opinion. Inviting public to take a part in the discussion via "Official Gazette of Montenegro" No 49/14 and 80/05 will of course lead to: "there were no interested parties". First time public became aware of the project was when its construction was announced in national media!?

Furthermore, current Spatial Plan for NP Skadar Lake is carried in the similar way by CAU (Centre for urbanism and architecture), the company who actively participated in creation of project Mihalovici (Conflict of interest?) Inefficient internet polling mechanism was set up, while 90 % of the population, directly affected by the future plan, do not use the internet, are not familiar with the purpose of the Survey, nor what are the current proposals in the Spatial Plan. Number of returned questionnaire was less than 300 and not 500 (population living in the area is estimated to 17.000). In the largest settlement Virpazar, which is situated in the midst of the NP, no local entrepreneur knows about the Spatial Draft. Today we were given final Spatial Draft with 5 day notice to attend Forum meeting and only one week to create a response to it?

Completely against Government recommendations:

**Extract from the Decision on obligations of the developers of the Section VIII:**  
*"Model of the public participative approach is based mostly on direct contacts, in other words, a network of "informal" thematic meetings with citizens and focus*

*groups along with participation of a large number of people, respectively. Additionally, an extensive survey is carried out, prepared by the plan developers with an active and considerable participation of the Forum and Work Group members."*

Spatial Plan for the NP is in its final draft. Scenario No 3 is favoured, as it stands at the moment, is foreseeing doubling of number of tourists throughout construction of so called "ECO" tourist infrastructure. Some areas like delta of river Moraca are now proposed to be removed from the NP all together. THIS DOCUMENT DOESN'T HAVE SEA or HERITAGE IMPACT ASSESSMENT. Also states clearly the following:

**Draft:** *"A major limitation of this strategy is the fact it has not been through a process of wide participation, collaboration and interdisciplinary practices and consequently, does not present a result of an interdisciplinary action and a basis for future participation and evaluation cycles at this moment, which its authors recommend strongly to responsible institutions and organizations."*

## **STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) AND ENVIRONMENTAL IMPACT ASSESSMENT STUDY (EIA) FOR MIHALOVICI LOCATION AND PORTO SKADAR LAKE RESORT**

Citing SEA Report:

*"As unfavourable variant, significant area of 59ha that will undermine the typical natural environment and would be contrary to planning and development documents."*

*"Proposed development, area of the part of the National Park is unexplored and requires detailed studies of wildlife, for the purpose of the overall valuation of the area and future protection measures. Studies need to be undertaken at locations designated for construction for exact mapping of the species and communities."*

*"The size and condition of the otter population on Skadar Lake is difficult to estimate on the basis of existing data, but the fact that the species is present in this area is of great importance. The otter is protected by the decision of the Republic Institute for Nature Protection on protection of certain plant and animal species ("Off. Gazette of RM" no. 76/06)."*

In fact, experts from Faculty of Sciences and Mathematics at University of Montenegro have conducted GAP assessment (2012) and identified the southwest part of the National Park (in the centre of which future development is planned) as likely habitat of protected otter *Lutra Lutra*.

EIA for Porto Skadar Lake – was undertaken without participation of experts - no biologist was part of the team. Leaves unresolved water supply and wastewater treatment. Critical assessment of EIA is included in the attachment and deals with these issues in detail.

## **NO BIODIVERSITY STUDIES HAS BEEN CONDUCTED**

Remains unclear on what grounds Environmental Assessment Agency granted its approval for both SEA and EIA. Clearly they were made "to order" and satisfy the form and not the content. They would not stand a chance should they be both reassessed independently by an expert body.

## **INVESTOR**

We express particular concern when it comes to the credibility of the investor and the high risks of devastation. Montenegro Resort Company Ltd, from Podgorica was formed by investor Mr. Lionel Sonigo, with the express purpose of purchasing land, and constructing on the site way before of Mihailovici study was formed.

This project was presented in the Montenegrin media as being environmentally friendly, drawing comparisons to similar developments, suggested as a model, in French National Parks. Claim that the development is Green Globe certified (indicating sustainable tourism and development practices) has been refuted by the Green Globe certification body themselves. Mr. Sonigo has been, up until now, owner of several businesses in Poland, Serbia and Florida, which have now since closed. He does not have expertise in running environmentally sustainable eco-hotels within the grounds of national parks.

## **CURRENT SITUATION**

Currently, the lake is visited by an annual average of 76,000 of registered tourists, this number exceeds 100,000 when unregistered tourists are added. Waste collection is inexistent. Illegal building, dynamite and electricity fishing, illegal mining and so on are common. There are no effective systems in place to combat and control the illegal activities in the National Park. Adding up improvement of the existing infrastructure, especially the road infrastructure, a surge of illegal construction and other forms of illegal activities, along with absence of any inspection and their measures of their prevention will result in a complete degradation of National Park and its environmental and biodiversity distinctions based on which the area was promoted into the Park. Construction of mentioned Resort

which was already given a permit despite not having basic issues of water supply or wastewater treatment resolved and what exact "ECO" standards is it going to be built on?

In the light of current lack of any system of control of illegal let legal activities it is very likely that Porto Skadar Development and all future developments planned in the National Park will have open hand on what is "ECO" and what not. Which will have detrimental effect on the environment and eco system of the National Park.

THIS IS UNSUSTAINABLE

## CONCLUSION

The whole process of State Project Mihailovici for the purpose of Porto Skadar Lake Development and the process in which Spatial Plan is Drafted, presented to the public and exclusion of wide debate with scientific and international community casts a shadow of doubt in any good intentions for Skadar Lake National Park, its protection and its preservation for the future generations.

This development is contrary to the commitment given by enrolling Skadar Lake National Park as a potential EMERALD and NATURA 2000 habitat and bird directive and the RAMSAR recommendations from 2005. It is contrary to the commitments undertaken in the accession process to the EU and will affect future talks regarding chapter 27.

**PORTO SKADAR LAKE – THIS IS AN ALARMING EXAMPLE OF POTENTIALLY DANGEROUS INVESTMENTS WHICH SHOULD BE EXCLUDED FROM SKADAR LAKE SPECIAL PURPOSE SPATIAL PLAN. FUTURE PLAN MUST NOT ALLOW ANY SORT OF A MEGA TOURIST CONSTRUCTION IN SKADAR LAKE NP AREA AND UNDER CIRCUMSTANCES OF INADEQUATE ASSESSMENT AND CONTROL OF INVESTMENT ORIGIN AND CREDIBILITY.**

The opinion submitted by:

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C.c Mrs.Iva Obretanova. Secretary of Bern Convention

MS Marina Miskovic-Spahic Ministry of Sustainable Development and Tourism