

VIRPAZAR, 03-06-2016

Dear Sirs,

On behalf of an informal group of citizens from Virpazar, local entrepreneurs, civil society organizations and on behalf of Skadar Lake local population, we provide the following

OPINION ON SPECIAL PURPOSE SPATIAL PLAN DRAFT

NP SKADARSKO JEZERO - as a part of the Integral Study for Tourism Valorisation of Skadar Lake

Given the fact that Skadar Lake is:

- ✓ A national park;
- ✓ An area of high cultural features;
- ✓ An area of high environmental value;
- ✓ RAMSAR area;
- ✓ EMERALD locality;
- ✓ An important bird area – IBA;
- ✓ An important plant area – IPA;
- ✓ A Natura 2000 habitat;
- ✓ A potential UNESCO area under the Man and Biosphere Programme;
- ✓ An area in which numerous illegal activities are going on (poaching, illegal building activities, grey economy within tourism industry, etc.) but with poor protection capacities (NP Skadar Lake, Inspection administration) unable to eliminate them in a sufficient way during the implementation period of the Skadar Lake Special Purpose Spatial Plan (SLSPSP) until 2025;
- ✓ An area with exceptional biodiversity values but the records of which are kept in an extremely poor way (out-dated data, lack of information for micro locations, unsystematic way of data recording, etc.);
- ✓ An area for which there is no institutional, legal and operational basis for a well-balanced and sustainable tourist valorisation, new tourist capacities and additionally increased tourist inflow than the current one;

Therefore, we from the abovementioned organisations and the local community stand firmly behind the view that: **Scenario 1 - Natural tourism, proposed as a part of the Integral Study for Tourism Valorisation of Skadar Lake is the only acceptable one for the Skadar Lake National Park tourist valorisation.**

We believe that SLSPSP in this drafting stage and in the process of insufficient transparency with its all 3 scenarios, and especially with the scenarios 2 and 3 will favour private investments through so called "EKO" tourism infrastructure to the detriment of a real sustainability of the National park (e.g. potentially dangerous project Porto Skadar Lake which should be excluded from the Plan). If the SLSPSP envisages

(scenarios 2 and 3) any new construction activity, 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 destruction of the National Park and degradation of its environmental and biodiversity distinctions based on which the area was promoted into the Park.

This type of development is contrary to the Constitution of Montenegro in which it is proclaimed as an ecological state, contrary to the statements of Montenegro Government given in its Decision on drafting SKSPSP saying: *"Skadar Lake region as a special value area of nature represents a national wealth and preservation of this phenomena, in other words, preservation of natural features (northern wet land, in particular) and building heritage, and controlled use on resources and development based on principles of sustainability and good practices of similar areas in Europe and USA are set as priorities . "*

Plans from the scenarios 2 and 3 of the Integral Study Draft are in direct opposition to the obligations Montenegro has taken over by proclaiming Skadar Lake National Park a RAMSAR area. Also, it is contrary to the obligations taken over in the EU accession process and our commitment to protect habitats and species of importance for European Community. We believe that this SLSPSP draft will bring about serious issues and delays in Montenegro negotiations with European Union regarding the Chapter 27, remaining still unopened.

GENERAL NOTES WITH RECOMMENDATIONS:

"A fairy-tale story ... about Skadar lake, Bojana, the lake and many more things... "

THE VALUE OF SKADAR LAKE AS A KEY FRESH WATER BIODIVERSITY OF CULTURAL AREA NOURISHING TRADITIONAL ECONOMY MUST BE BROUGHT TO A FOCUS AND NO SCENARIO SHOULD PUT THESE VALUES AT RISK

In our opinion, there is no need to say more about the importance and values of Skadar Lake National Park. It is of a priceless value not only for Montenegro and the neighbouring Republic of Albania, but also, it makes a part of cultural and scientific heritage, globally. The National Park is the major part of Montenegro strategic plans nominated for UNESCO's "Man and Biosphere" programme. Many countries throughout the world wish they had a national park with such natural, cultural, historic and geomorphological character.

ANY PROPOSED SCENARIO AND DEVELOPMENT ALTERNATIVE MUST BE APPROVED BY RAMSAR SECRETARIAT. ANY SCENARIO MUST CONSIDER REAL ISSUES AND PRESSURES ON THE LAKE AS A STARTING POINT RATHER THAN IDEALISTIC AND THEORETICAL VISIONS.

The current state of the national park is not of a desirable level. This kind of level reflects the situation across the whole territory of Montenegro, characterised by uncontrolled urbanisation and illegal building activities, especially on the coast. There is no system established adequately for illegal construction works control in Skadar Lake National Park, and over years, the situation has become worse and worse, due to

lack of financial and human capacities, expertise, lack of law enforcement and absence of political will to tackle the problems. Cases of illegal construction, exploitation of mineral raw materials, illegal fishing, wood cutting, the issue of solid waste and waste water disposal are piling up. The crisis in the public company Montenegro National Parks which is responsible for taking care of the park is obvious in the field, while building and other interest lobbies plan to build inadequate tourist facilities and related infrastructure within the park through line ministries, thus threatening to devastate natural and environmental values, forever. This critical issue has been considered by RAMSAR's 2005 report, indicating in its section 13 the following:

"The authorities can promote the National Park and implement a coherent policy of land use in compliance with what has been agreed on in the Park Spatial Plan and 2005-2010 Management Plan. Motel Plavnica, an important tourist facility, along with a marina and a special lake access, approved by the Ministry of Tourism and Environmental Protection, right in the centre of the National Park area, should not serve as a precedent for future examples of unregulated development (or to be legalized after construction). If continued, such development can threaten the recognition process of the National Park and RAMSAR areas on international level. "

THE WAY THE DEVELOPER AND THE WORKING GROUP ORGANIZED DISSEMINATION OF INFORMATION REGARDING INTENTIONS TOWARDS TOURIST VALORISATION OF THE LAKE AND THE DEVELOPMENT PLAN TO THE LOCAL POPULATION IS UNACCEPTABLE. THE GROUP'S STANDPOINT THAT THE SCENARIO 3 IS THE MOST FAVOURED SOLUTION IS UNACCEPTABLE, WITHOUT INFORMING THE LOCAL POPULATION AND INTERNATIONAL EXPERT ORGANISATIONS ACCORDINGLY AND ASKING FOR A FEEDBACK.

The current Skadar Lake Special Purpose Spatial Plan draft (SLSPSP) until 2025 represent the most important document for regional development planning and it contains a decision on a future development direction of the whole National Park territory. The Spatial Plan draft contains several development options, most of which envisaging some sort of construction of tourist facilities and related infrastructures, including so called "EKO" structures within the National Park territory boundaries, extensions of the existing nautical and tourist facilities and infrastructures etc. The local population is very poorly informed about this Plan's intentions. International stakeholders (UNESCO-IUCN, European Union, RAMSAR Secretariat, EUROPARK) whose expertise could contribute greatly are not familiar with the plan development process, which is unacceptable since it is about a cross-border and international and protected area.

Your company CAU (Centre for urbanism and architecture), which was commissioned by the Government to develop the Plan, created an inefficient and unadjusted electronic polling mechanism through internet for collection of opinions, while 90 % of the population, directly covered by the future plan, do not use the internet, are not familiar with the purpose of the Survey, nor do they understand the content of the said questionnaire. In the largest settlement Virpazar, which is situated in the midst of the SLNP, no local entrepreneur knows anything about the SLSPSP draft. The survey was carried out in the form, shape and within a time frame not available to most of the citizens and under considering that, we fear that it serves only as an excuse for various solutions to the benefit of interest lobbies. The local population living close to the lake are not familiar with the survey content, and are not informed about future plans to be

implemented on the lake. The survey has to be repeated by using “door-to-door” approach. The survey is in direct opposition to the requirements contained in the Decision on drafting SLSPSP, delegated to you by Montenegro Government as a duty which you failed to perform. We wish to remind you of your commitments:

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.”*

WE ARE OF THE OPINION THAT THE FOLLOWING OBSERVATION CANNOT SERVE AS A JUSTIFICATION OR BE CONSIDERED AS A BASIS FOR THE FORTHCOMING PARTICIPATION CYCLES AND THE PUBLIC INVOLVEMENT PROCESS MUST BE REPEATED.

Extract from the introductory section of the Integral Strategy 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.”

EVALUATION AND SELECTION OF SCENARIOS SHOULD NOT HAVE BEEN DONE WITHOUT ADEQUATE INPUT PARAMETERS WITHIN ENVIRONMENTAL, CULTURAL AND NATURAL VALUES AND BIODIVERSITY AND ENVIRONMENT CARRYING CAPACITY

- ✓ According to the EC20/30 Landscape Convention and the Law on the Landscape Convention Ratification Convention, a landscape management plan should have been made, the existence of which we are not aware, and it should have been an input parameter for a scenario selection, especially in the field of a high environmental value as underlined by the Study;
- ✓ Also, in the course of 2014 - 2015 period, Ministry of sustainable development and tourism (MORT) drafted a Study on: Revitalization of rural heritage, which defined the localities of rural heritage of special national importance. This Study should have equally been taken into consideration during analysis of assessments and giving opinion regarding tourist valorisation scenarios of Skadar Lake NP;
- ✓ In accordance with the Law on Protection of Cultural Wealth, the Special Purpose Spatial Plan draft should have included the Study on Protection of Cultural Wealth which should have been finalized before the analyses and assessments of different tourism development scenarios on the lake. The locality well known by its numerous historic monuments must integrate a protection and impact analysis for the cultural monuments since it is about a potential UNESCO area.

- ✓ Currently, the lake is visited by an annual average of 76,000 of registered tourists and it is estimated that when unregistered tourists are added up, this number exceeds 100,000. The doubled number of tourists, as foreseen by the Scenario 3, is absolutely unnecessary, especially under circumstances of inability to perform an adequate control on a wider belt of the lake and of absence of capacities for controlling and balancing the number of tourists on the lake. Investments in the National Parks Public Company originating from the budget amount to 24% with a tendency to lower down. In the last four years, even three protection services have been discontinued, as a result, there are only 12 rangers employed now, which is not enough for performance of any protection activity on the lake.
- ✓ Development of resorts which is supported by positive opinions regarding strategic environmental impact assessment (Mihailovici), resulting from lack of any sort of data about the biodiversity, threaten RAMSAR status of the lake which it has deserved to get ever since 1995 and that was confirmed by RAMSAR 2005 Report, Section 13 indicating that: *"The authorities can promote the National Park and implement a coherent policy of land use in compliance with what has been agreed on in the Park Spatial Plan and 2005-2010 Management Plan. Motel Plavnica, an important tourist facility, along with a marina and a special lake access, approved by the Ministry of Tourism and Environmental Protection, right in the centre of the National Park area, should not serve as a precedent for future examples of unregulated development (or to be legalized after construction). **If continued, such developments can pose a serious threat for the recognition process of the National Park status and RAMSAR areas on the international level.**"*

PORTO SKADAR LAKE – THIS IS AN ALARMING EXAMPLE OF POTENTIALLY DANGEROUS INVESTMENTS WHICH SHOULD BE EXCLUDED FROM SKADAR LAKE SPECIAL PURPOSE SPATIAL PLAN. SOME 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.

- ✓ Ministry of Sustainable Development and Tourism issued a construction permit for Mihailovići national project within the zone III of the very National Park. The whole complex of as many as 30 villas, 50 apartments and 600 tourist accommodation units and 30 boat births represents the largest tourist infrastructure that has ever been built on the lake. Although the project specifies that the AREA has both IPA and IBA designations and high biodiversity values, the study indicates that there are no biodiversity data concerning flora and fauna. The investor uses the advantages of the location, while, in the meanwhile, deteriorating it. In order to attract more buyers, its internet presentation goes as it follows: *"Possessing an own villa on this exclusive location, actively protected from a mass tourism, is an exquisite privilege: only 2 years from now, the park will be under UNESCO protection. That means that those 30 villas are the first and last ones to be built and offered for sale in Skadar Lake Park. "*

- ✓ Furthermore, in order to make the project alive, a whole accompanying infrastructure needs to be constructed including: road, water and electricity supply and communication infrastructure from Virpazar to Rijeka Crnojevica. Underdeveloped infrastructure is the only reason why this part of Montenegro territory, despite of being under protection, remain not devastated by illegal activities and poor planning.
- ✓ We get an impression that the whole project has been developed to satisfy short-term intentions of private investors 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.
- ✓ In addition to the abovementioned, we express a special fear when it comes to investor credibility investing in Skadar Lake National Park natural resource use, presenting a high risk of devastation within the project scope. Montenegro Resort Company from Podgorica was established by an investor Mr Lionel Sonigo only with an aim to buy the land and build on Mihailovići locality only for the sake of profit gain. That project has had a media promotion to Montenegro public as an ecological project, while their claim of possessing an UN Green Globe Certificate has been proved by a Washington certifying house to be faulty. Mr Sonigo represents himself as a serious investor having a many year experience in exclusive hotels management, mentioning Crystal Resort in Zanzibar, Tanzania as an example. The said resort used to be a subject of dispute regarding ownership rights of Mr Deva Mehrez before local courts in Zanzibar and in the past he was a subject of several armed robberies in which six persons got shot!
- ✓ Previously, Mr Sonigo owned several retail companies in Poland, Serbia and Florida, which, in the meantime, have been closed down. This information is available after only a couple of hours of Internet search! Concurrently, we wish to know how we got in such a situation in which the future of the National Park is in hands of a disputable investor. The Plan must ensure preconditions for future investors to take more care of the Park and take actions to protect nature rather than of their own profit gaining.

EXCLUSIVE AND CONGRESS MODE OF TOURISM IS NOT A DESIRABLE PATTERN OF TOURISM DEVELOPMENT ON THE LAKE BUT A TOURISM BASED ON TRADITION AND CULTURE

The slogan "Wild beauty", mentioned several times in the Strategy, is not compatible with villas, golf courses and yachting. It is for sure that it will bring about a bad image not only to the slogan, but also to the natural space values.

Development of an exclusive type of tourism is not acceptable, and the Strategy does not specify which part of Skadar Lake is planned to be used for this kind of structures like golf courses, yachting, villas etc. despite the fact the Lake abounds with Natura 2000 habitats, including the following:

- ✓ **OLIGOTROPHIC AND MESOTROPHIC STANDING WATERS WITH AMPHIBIOUS VEGETATION OF *LITTORALLETEA UNIFLORAE* AND/OR *ISOËTO-NANOJUNCETEA*** – the stands present in the northern part of Skadar Lake;

- ✓ **HARD OLIGO-MESOTROPHIC WATERS WITH BOTTOMS COVERED BY CHARAS (*CHARACEAE* - genus of Chara, Nitella I Nitellopsis** making underwater carpets. The most important stand in Skadar Lake;
- ✓ **NATURAL EUTROPHIC WATERS WITH A VEGETATION OF EUTROFNE *MAGNOPOTAMION* and *HYDROCHARITION*;**
- ✓ **HIGH LAUREL BUSHES (*LAURUS NOBILIS*)** - High formations of laurels (*Laurus nobilis*) on wet habitat in the Mediterranean. **Plants:** *Arbutus unedo*, *Ceratonia siliqua*, *Fraxinus ornus*, *Laurus nobilis*, *Olea europaea* var. *sylvestris*, *Phillyrea latifolia*, *Quercus ilex*, *Rubia peregrina* ssp. *longifolia*, *Smilax aspera* var. *altissima*, *Viburnum tinus*. **Note: typical WOODS of laurel are very rare nowadays in the whole Mediterranean. They are normally replaced by high bushes (5230) or underbrush of laurel (5310):**
- ✓ **ŠIKARE LOVORA (*LAURUS NOBILIS*)** - These formations represent remains of once developed laurel and holm oak (*Quercus ilex*) WOODS. A strong negative impact of humans resulted in a fragmented character of the vegetation. Special climate conditions including closeness to lake waters enabled the elements of evergreen Mediterranean vegetation to survive in the region of Skadar Lake, being otherwise of sub-Mediterranean character. Laurel underbrush is spread over islands on Skadar Lake (Velika Čakovica, Mala Čakovica, Kamenik, Liponjak, Kom);
- ✓ **ALPINE AND SUBALPINE SILICATE GRASSLANDS** - Mountains surrounding of Skadar Lake;
- ✓ **ALPINE AND SUBALPINE CALCALEORUS GRASSLANDS** - Mountains surrounding Skadar Lake;
- ✓ **EASTERN SUB-MEDITERRANEAN DRY GRASSLANDS (*SCORZONERATALIA VILLOSAE*)** - Skadar Lake surroundings, Virpazar and Podgorica surrounding areas;
- ✓ **91M0 PANNONIA AND BALCAN WOODS OF BITTER OAK AND SESSILE OAK**-Skadar Lake surroundings;
- ✓ **91BA MEZIAN FIR WOODS** - Skadar Lake surroundings;
- ✓ **9250 MACEDONIAN OAK WOODS** - Skadar Lake surroundings;
- ✓ **9260 SWEET CHESTNUT WOODS** - Skadar Lake surroundings (Bojevići, Limljani, Krajina, Livari)
- ✓ **9280 MEDITERRANEAN HUNGARIAN OAK WOODS A - Natura 2000: 9280** *Quercus frainetto* woods, - Skadar Lake;
- ✓ **92A0 WHITE WILLOWS AND WHITE POPLARS GALLERIES** - Skadar Lake;
- ✓ **92D0 SOUTHERN COAST TAMARIX GALLERIES AND SHRUBBERY (*NERIO-TAMARICETEA*)** - Skadar Lake surroundings.

The opinion submitted by representatives of the organization and citizens:

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2. Nataša Kovačević, Milica Kandić, NGO Green Home
3. Patricija Pobrić, NGO Our Action
4. Milan Mijajlović, a squad of scouts Njegoš
5. Vlatko Kadić, coordinator of the volunteering network the Non-Aligned
6. Valentina Velimirovic, vvelimirovic@yahoo.com
7. Dalibor Dobrovic, NGO AgroEko
8. Radovan Pobor, Balkan Tour
9. Enes Efovic, Volunteering Initiative of Podgorica
10. Mirsad Kurgas, NGO "number 19"
11. Miomir Abovic, Tivat Action
12. Boris Djerkovic, councillor
13. Jovana Djuriscic, NVO "9th Decemebr"
14. Ljubica Gojkovic, Freedom to Peoplr, a member
15. Davor Obradovic, Green Power