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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee
46th meeting
Strasbourg, 7-11 December 2026

Bureau of the Standing Committee
17-18 June 2026
Strasbourg

Complaint on stand-by: 2021/07

**Alleged threat to fauna species and protected sites due to
the proposed construction of a lithium mine in the Jadar
River Valley (Serbia)**

- COMPLAINANT REPORT -

*Document prepared by Earth Thrive & Earth Law Center
and Zaštitimo Jadar i Rađevinu / Protect Jadar & Rađevina*

FAO Bern Convention Bureau

22nd April 2026

Dear Bureau of the Bern Convention,

Bern Convention Complaint No. 2021/07 - Serbia
Lithium mine in the Jadar Valley
Sixth report

Thank you for the opportunity to contribute with our Report on the latest status of the Jadar lithium mine project in Serbia.

Please find below our respective Earth Thrive & Earth Law Center and Zaštitimo Jadar i Rađevinu / Protect Jadar & Rađevina combined reports for the Summer 2026 meeting of the Bureau:

Earth Thrive & Earth Law Center Report

SUMMARY:

As is evident from our Report, the government backed Jadar project is replete with legal irregularities, governmental and institutional inaction, obfuscation, numerous failures to respond to requests and inquiries, creation of intentional legal confusion and uncertainty, continuation of illegal continuation of EIA... to name but a few.

Long standing questions, queries, FOIs and demands from our previous Reports and even directions by the Bureau itself, have not been addressed, clarified, responded to or acted upon by the government.

There are clear breaches of domestic law as well as provisions and Articles under the Bern Convention such as the Articles 1.2, 3.2, Article 4 in the whole, 6.c and potentially others.

REPORT:

I Allowance of exploration activities in protected and endangered species habitats

The project is planned in an area surrounded on one side by the protected Area of Outstanding Characteristics "Tršić Tronoša" and on the other side by the protected Area of Outstanding Characteristics "Cer", which is an internationally significant area for birds and biodiversity (IBA) Cer RS024IBA. Within the boundaries of the spatial plan of the planned project are the Natural Monument "Pedunculate Oak tree - Debeli grm - Runjani" and the Natural Monument "Kovačevića Pećina" (Cave - habitat of strictly protected species of bats), while the northern part of the plan is included in the ecologically significant area "Cer" (number 31) and the potential Natura 2000 area "Cer"

"The chapter¹ "Jadarite and the living world" of the recently published "Project Jadar - Lithium and bor catastrophe" authored by 26 independent experts, indicates that lithium and boron pose a serious threat to Nature, because their removal from the environment is considered practically impossible. More in Annex I (New Scientific research)

We would argue, therefore, that this entire region is an important natural corridor because of the ecological connectivity of the habitats and should be accordingly. More in Annex I

II Emerald /NATURA 2000 Network

The fact that the project would be supplied with water from the alluvium of the Drina river, as well as the fact that the main recipient of treated wastewater would be the Jadar river, which also flows into the Drina river, is of particular concern.

¹ [Predstavljena monografija o projektu Jadar: Ekološki neizvestan, ekonomski neisplativ za Srbiju, društveno i pravno neprihvatljiv - Ekonomija - Dnevni list Danas](#) 02.03.2026. 09:02h

River Drina² is identified as one of the most important sites for the protection of freshwater species and habitats, **and it must be included in the Emerald Network in its entirety!**

Drina river is part of the ecological corridors of international importance in the Republic of Serbia, according to the Decree on the Ecological Network ("Official Gazette of the Republic of Serbia", no. 102/10). More in Annex I about this important area.

The Drina River Gorge is a protected area that contributes to the biodiversity conservation goals of the Bern Convention and this should be taken into account when making decisions with reward to the Jadar project.

"Weak enforcement, competing development priorities, and insufficient institutional commitment continue to undermine biodiversity protection.

Many existing and potential **Emerald sites remain under severe threat from large infrastructure and mining projects**, which are being **prioritised over environmental protection and sustainable development.**

Urgent action is needed to ensure that Emerald Network sites are not merely symbolic designations" (Bankwatch 2025)³ More in Annex II

III Protection measures

The state, through normative and planning solutions, does not ensure the effective implementation of Nature protection measures. More in Annex IV

IV Unresolved legal issues and lack of response

To date, authorities have failed to provide any explanations or clarification on issues we have been raising in our previous submissions regarding :

1. **The existence and content of document no. 353-02-1167/2021-03, which was cited in the Government's Report to the Standing Committee of 18 January 2023 and further addressed in our August 2023 report. It concerns the Ministry of Environmental Protection's decision annulling the decision on the scope and content of the EIA for the Jadar project.**

2. **The reported removal of approximately 60 protected species from the official Nature Protection Conditions issued by the Institute for Nature Conservation of Serbia to Rio Tinto, as reported by investigative journalists at CINS. This issue was already raised in our report to the Bureau of the Bern Convention dated 30 May 2025; however, to date, the authorities have failed to provide any explanation or clarification regarding these very serious allegations!**

V Unlawful EIA scoping procedure and pending appeals

² Drina is included in a [shadow list](#) 02.04.2026. 12:53h

³ [Expanding the Emerald Network: Progress and gaps in the Western Balkans - Bankwatch](#)

The decision on the scope and content of the Environmental Impact Assessment, adopted on 15 November 2024, was conducted unlawfully. Thousands of objections have been submitted against this decision and are currently pending before the Administrative Commission of the Government, for the reasons set out below... More in Annex VI

VI Delegating Environmental Compliance to project proponents

Environmental protection is effectively reduced to self-certification by the very actors who seek to carry out the project.

Namely, Article 135(1) of the Law on Planning and Construction provides that **compliance with environmental protection measures is confirmed by a statement of the investor and the responsible designer**, while Article 9(4) of the Law on Environmental Impact Assessment provides that such compliance is confirmed by statements of the project proponent and the designer.

It is difficult to overstate how deeply problematic and unacceptable such a legislative solution is!!

VII Frequent legislative changes undermining legal certainty

During 2024, a large number of laws, approximately 50 were adopted⁴, several of which are directly relevant to the project, including a new Law on Environmental Impact Assessment. Law on EIA was adopted without public debate, immediately before and during the reactivation of the project and was adopted during a session of the National Assembly in which Members of Parliament went into a physical fight. In such circumstances the law was adopted!! ...more in Annex VII

VIII Continuation of proceedings without a valid legal basis

It is important to clarify the legal background of the **procedure for the approval of the exploitation field** initiated by Rio Sava Exploration before the Ministry of Mining and Geological Explorations, particularly in light of the fact that the legal basis for this procedure had ceased to exist ... More in Annex VIII. **In this regard, we kindly request the Bureau to seek clarification from the Government of the Republic of Serbia as to the current status and legal basis of this procedure.**

Thank

you.

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<https://www.parlament.gov.rs/%D0%B0%D0%BA%D1%82%D0%B8/%D0%B4%D0%BE%D0%BD%D0%B5%D1%82%D0%B8-%D0%B7%D0%B0%D0%BA%D0%BE%D0%BD%D0%B8/%D0%B4%D0%BE%D0%BD%D0%B5%D1%82%D0%B8-%D0%B7%D0%B0%D0%BA%D0%BE%D0%BD%D0%B8.45.html>

Association Protect Jadar and Rađevina

REPORT ON INSTITUTIONAL IRREGULARITIES AND ENVIRONMENTAL RISKS OF THE "JADAR" PROJECT

April 2026

This report summarizes key evidence regarding violations of legal norms and procedural failures by the competent authorities of the Republic of Serbia, which directly threaten natural habitats and the biodiversity of the Jadar and Rađevina areas.

I Illegal On-site Activities and Lack of Supervision

Based on official documentation from the Agricultural Inspection (dated February 2026), it has been undisputedly established that the project proponent, Rio Sava Exploration d.o.o. Belgrade, conducted geological exploration on high-grade arable agricultural land (cadastral classes 1–5) without the mandatory consent of the Ministry of Agriculture.

This constitutes a direct violation of Article 22 of the Law on Agricultural Land, which prohibits the use of such land for non-agricultural purposes without explicit approval or consent from the competent ministry. The land where detailed geological exploration was performed had not been previously converted into construction land.

Inspection findings confirm that wastewater and hazardous substances were discharged in violation of the conditions prescribed by the Institute for Nature Conservation. This resulted in soil degradation and potential groundwater contamination; however, precise and accurate data remain unavailable because whenever the Ministry of Environmental Protection is petitioned to assess the damage to the nature of Jadar and Rađevina, they respond that they lack jurisdiction since they were not the ones who issued the geological exploration permits.

II Public Deception and Institutional Lack of Transparency

One of the most serious pieces of evidence regarding bad faith and institutional collapse is the finding of the Market Inspection, which was finally received in March 2026, despite the request for inspection being submitted in November 2025:

Requests for initiating misdemeanor proceedings have been filed against Rio Sava Exploration and Lotel Plus for "misleading advertising." The company used false claims to present the project as environmentally safe, thereby violating the Law on Advertising and misleading the public regarding the actual impact on the environment.

III From the Institute for Nature Conservation, as of the date of this Report, we have not received the requested information regarding the protected plant and animal species of Jadar and Rađevina. Instead, we received documentation proving that the Institute for Nature Conservation of Serbia continued to issue conditions and process the company's requests

throughout 2022—a period during which the Government of Serbia officially claimed, to both you and us, that the project had been "repealed." This proves that a substantive suspension never actually took place.

Furthermore, the Institute for Nature Conservation has been issuing conditions for detailed geological exploration to the company upon request since 2004, without ever verifying or receiving reports from the so-called supervisory body—whose identity and existence remain unknown—on whether the issued conditions were implemented and respected. For instance, there is no report anywhere regarding well-logging measurements (geophysical borehole testing) that were mandatory upon the completion of exploration.

As clearly shown in the attached Statement of Grounds for the Decision issued by the Institute for Nature Conservation of Serbia to Rio Sava Exploration d.o.o. Belgrade, the Institute consciously permitted detailed geological exploration within a protected area and an area encompassing habitats of protected species listed in Annex I of the Bern Convention. In the rationale of the aforementioned document, they also state: "The area planned for geological exploration is located within the boundaries of potential Sites of Community Importance (pSCI) of the Natura 2000 network for the 'Korenita' and 'Jadar' river courses, in accordance with the EU Habitats Directive, the state of which must be preserved and improved in the future."

In a complete paradox, the Institute for Nature Conservation acknowledges that the area is vital for biodiversity and requires preservation and enhancement, yet despite this, it issues permits for exploration aimed at opening a mine with a processing plant and toxic waste landfills. The exploration in the Štavica area, for which conditions were illegally issued in 2022 while the project was officially cancelled, was only prevented by the resistance of the local community, and not by the institutions of the Republic of Serbia. The Association "Protect Jadar and Rađevina" has filed criminal charges against the responsible persons.

IV Institutional Denial of Responsibility for Remediation

The current situation on the ground represents a permanent risk because state authorities refuse to accept jurisdiction over the consequences of the explorations conducted so far:

The Ministry of Mining and Energy officially confirmed in documentation provided at the request of the Association "Protect Jadar and Rađevina" that it does not possess the project documentation for the closure of boreholes and land reclamation. Simultaneously, the Ministry of Environmental Protection declares itself incompetent regarding this matter. How can biodiversity be protected if the state admits it lacks documentation on borehole closures? This implies that damage has already occurred and remains uncontrolled. Although the Ministry of Mining and Energy claims in one of its letters to us that the boreholes were closed according to project documentation—despite the situation on the ground proving otherwise—in another letter, the same Ministry informs us that they neither possess the documentation nor have any records or evidence of attending the so-called borehole closures.

According to our findings, boreholes are being "closed" in an unauthorized manner: only the part of the pipe above the surface is cut off and the site is covered with soil. The boreholes are not filled with the required paste, land reclamation is not performed, and the removed humus layer is not restored. All drilling mud and tailings, which are classified as hazardous waste, were disposed of at the municipal landfill in Loznica, while in Rađevina, the mud was discharged directly into nature right next to the borehole, as specified in the land lease agreement for exploration purposes between the company and a local resident of Rađevina. The Association possesses a copy of this agreement.

In January 2021, Rio Sava Exploration d.o.o. Belgrade submitted a Request for the approval of an exploitation field. According to the Law on Mining and Geological Exploration (Article 70), it is clearly stated that a request shall be rejected if the company fails to submit the necessary documentation. However, that is not the case here. From 2021 to the present day, instead of rejecting the Request for approval of the exploitation field in accordance with the law, the Ministry of Mining and Energy has extended the deadline for the company to submit the necessary documentation as many as 21 times—believe it or not—as stated in the Ministry's own correspondence.

The existence of hundreds of inadequately closed and remediated boreholes, lacking both a clear remediation plan and state supervision, represents a direct threat to protected species and habitats, which is in direct contradiction to the obligations under the Bern Convention.

The attached documentation unequivocally confirms that:

1. The State lacks control over the activities of the project proponent.
2. The protection of agricultural and forest land, as the foundation for biodiversity conservation, is completely neglected.
3. Institutions provide protection to the investor instead of the public interest, even when faced with clear evidence of legal violations.

Under the Bern Convention, the state is obliged to prevent activities if a risk to biodiversity exists, even if scientific evidence is not 100% complete. The fact that the Ministry of Agriculture confirms exploration was conducted without a permit, and that the Market Inspection issues penalties for misleading advertising, clearly shows that the control system has failed and practically does not exist. The information we have gathered required months of work, persistence, and continuous correspondence with institutions, which points to a deliberate concealment of legal violations. If the state lacks—or refuses to have, which is more likely—control over the project proponents of geological exploration, how could it possibly manage a mine, a processing plant, and an industrial waste landfill, which is an incomparably greater task? Are biodiversity, a healthy ecosystem, and all our lives worth gambling with?

The documentation we are submitting is not based on our assumptions; rather, it consists of official findings from state inspectorates issued following requests for inspection supervision filed by the Association "Protect Jadar and Rađevina," which confirmed the illegalities but without an adequate response to halt further environmental degradation. After seven years of fighting for the protection of Jadar and Rađevina, we have finally succeeded in proving everything we have witnessed and known to be happening—only this time, it is finally confirmed and certified with the seals of the ministries of the Republic of Serbia. Furthermore, an inspection by the Ministry of Agriculture, Forestry, and Water Management is currently ongoing at the request of the Association "Protect Jadar and Rađevina."

The Republic of Serbia is failing to implement adequate supervision and is thereby directly violating its obligations under the Bern Convention on the Conservation of European Wildlife and Natural Habitats.

Appendix: Scanned photocopies of inspection records and responses from competent ministries translated into English, accompanied by the original documents in Serbian, available via link

<https://drive.google.com/file/d/1fPmYiRcZw2OM59ctLA6bqe5-gFJYiH4f/view?usp=sharing>

Marija Alimpic Katsakiori

Earth Thrive ANNEX

ANNEX I

The area in question, where the lithium mine is planned, has already been recognized by the scientific community as very important for protection because the presence of a large number of strictly protected species has been confirmed.

Additional value is also the fact that in the immediate vicinity there is a [protected area called "Mountain Cer"](#). The Cer mountain area is part of the ecologically important area of the Republic of Serbia, which according to the Decree on the Ecological Network ("Official Gazette of the RS", no. 102/10) is identified under ordinal no. 31 - "Cer" and which includes the spatial unit where the Important Bird and Biodiversity Areas (IBAs) is located (RS024IBA). Part of this area is already endangered due to the work of the stone quarry inside that area. More in Annex Protection measures.

Cer is an ornithologically relatively well-researched area. The fauna is diverse, and populations of certain species are still numerous in some places. However, the situation is getting worse as forests are being degraded and cut down due to the cutting of new forest roads. This leads to the disappearance of nesting holes for warblers as well as larger species (Tawny Owl, Black Buzzard, Burrowing Pigeon). In the last 40 years, the White-tailed Eagle (*Clanga pomarina*) and the golden eagle (*Aquila heliaca*) have disappeared as nesters, while this is the only area in Mačva where the pygmy eagle (*Hieraaetus pennatus*) was observed during the nesting period - also a critically endangered species in Serbia. Here are the only nesting sites of the wood pigeon (*Columba oenas*), the nestling (*Caprimulgus europaeus*), the common harrier (*Motacilla cinerea*), the common plover (*Prunella modularis*), the mistletoe thrush (*Turdus viscivorus*), the fire-headed kingfisher (*Regulus ignicapilla*), the kingfisher (*Regulus regulus*), the fir bunting (*Parus ater*) and the vineyard bunting (*Emberiza hortulana*) in Mačva, as well as possibly the only breeding population of woodcock (*Scolopax rusticola*) in that region. All of the above points to the regional importance of Cer for birds.

Mountain Cer and its immediate surroundings have had the status of an Internationally [Important Bird Area](#) (IBA) since 2000. That status was confirmed in the inventory in 2009, as well as in 2020. Within the current boundaries of the IBA, the area has an area of 19,024 hectares, and the local populations of the woodpecker (*Otus scops*),

the green woodpecker (*Picus viridis*) and the middle woodpecker (*Leiopicus medius*) are of international importance.”⁵

The ecologically significant area of Donje Podrinja RS023IBA is located in the immediate vicinity, and there was no mention of the impact on this part in the assessment of negative impacts, the fact that the project would be supplied with water from the alluvium of the Drina river, as well as the fact that the main recipient of treated wastewater would be the Jadar river, which also flows into the Drina river, is of particular concern. This IBA represents a wide, temporary flooded area of Drina river in Western Serbia. It is situated between Mačva district in Serbia and Semberija in Bosnia and Herzegovina. It has elongated shape and includes around 40 km of Drina river flow with a lot of meanders, patches of riparian forests and dozens of gravel islands. Along IBA borders there are four larger settlements belonging to Loznica and Bogatić municipalities.

“Riparian forests are forests that grow alongside rivers. In Europe, such forest can consist of different tree and shrub species, depending on the area, as well as oleander galleries and thickets. These forests provide valuable food, shelter and migration corridors for both aquatic and land species.”⁶

“In a collaborative effort at the [Emerald Green seminar](#) organised by Bankwatch in December 2022, 39 scientists and NGO representatives, including some of Europe’s leading fish experts, identified the most important sites for the protection of freshwater species and habitats. These sites, which must be added to the Emerald Network, are included in a [shadow list](#) and map. Featuring 88 potential Emerald sites.”⁷

“The expert group agreed on the urgent need to put more valuable sites under protection in order to prevent the extinction of threatened species and habitats and to reach the objectives of the Convention’s strategic plan until 2030 (<https://www.coe.int/en/web/bern-convention/vision-strategic-plan-2030>). Especially, the Balkan region is home to many endemic species which occur nowhere else on the planet.”⁸

The Shadow list contains 88 potential Emerald sites that need to be added to the Emerald Network by the signatory countries of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) in the Western Balkans. The list was created as [a joint effort of 39 scientists and representatives of NGOs](#) from Albania, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Germany, Greece, Montenegro, North Macedonia, Serbia and Switzerland. [The results](#) were based on

⁵ [Ceru je potrebna zaštita – Društvo za zaštitu i proučavanje ptica Srbije](#) 17.03.2026. 10:01h

⁶ <https://biodiversity.europa.eu/natura2000/en/rivers-and-lakes> 31.03.2026. 11:59h

⁷ [Emerald Network in the Western Balkans - Bankwatch](#) 02.04.2026. 12:48h

⁸ [\(16\) Bern Convention Experts: more protected areas needed to save Nature | LinkedIn](#) 02.04.2026. 12:45.h

the latest available data and their knowledge of the distribution and conservation of more than 50 fish species of European importance.

“About 500 plant species and subspecies have been recorded in the Jadra area, including species new to the flora of Serbia, as well as numerous species of insects, aquatic organisms, fish and mammals, among which are protected and strictly protected species according to international conventions.”⁹

Potential extraction would encroach officially protected areas or are in their immediate proximity disrupting the ecological connectivity of the habitat

A definition for ecological connectivity was developed in 2019, in the context of a series of meetings convened by the CMS Secretariat to identify CMS priorities for the post-2020 Global Biodiversity Framework: Definition: “Ecological Connectivity is the unimpeded movement of species and the flow of natural processes that sustain life on Earth.” (CMS, 2025).

“A natural range is not static but dynamic: it can decrease and expand. A natural range can constitute one aspect for the assessment of the conditions of a habitat or species. If the natural range is insufficient in size to allow for the long-term existence of that habitat or species, Member States are asked to define a reference value for a range that would allow for favourable conditions and to work towards this, for instance by fostering expansion of the current range.”¹⁰

The natural range¹¹ includes areas that are not used permanently by the species: for example, the range of migratory species includes all terrestrial or aquatic areas that a migratory species inhabits, occasionally resides in, crosses or flies over at any time during its normal migration.

Annex I New Scientific research

“Ecologically uncertain, economically unprofitable for Serbia, socially and legally unacceptable”.

The monograph on the "Jadar" Project, signed by 26 independent authors, indicates that the planned exploitation of jadarite is technically and ecologically uncertain,

⁹ [Predstavljena monografija o projektu Jadar: Ekološki neizvestan, ekonomski neisplativ za Srbiju, društveno i pravno neprihvatljiv - Ekonomija - Dnevni list Danas](#) 02.03.2026. 09:02h

¹⁰ Guidance document on the strict protection of animal species of Community interest under the Habitats Directive (2021/C 496/01) [C_2021496EN.01000101.xml](#) accessed 20.11.2025. 09:18h

¹¹ **Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora**, Article 3. “ A coherent European ecological network of special areas of conservation shall be set up under the title Natura 2000. This network, composed of sites hosting the natural habitat types listed in Annex I and habitats of the species listed in Annex II, shall enable the natural habitat types and the species' habitats concerned to be maintained or, where appropriate, restored at a favourable conservation status in their natural range.”

economically unprofitable for Serbia and legally disputed, with serious risks to human health, natural resources and social stability.

"lithium and boron are toxic to the reproduction of living organisms, including humans and affect the entire living world."

"The chapter¹² "Jadarite and the living world" indicates that lithium and boron pose a serious threat to nature, because their removal from the environment is considered practically impossible.

"The main disadvantage is that they do not build insoluble compounds, but their compounds are easily soluble and once they reach nature, they cannot come back from it".

"Such production would leave a large amount of tailings and other waste materials, on the other hand, the project requires a large amount of chemicals and electricity."

"As explained, the basis of the project is the exploitation of jadarite - lithium-boron ore, the processing of which requires huge amounts of strong chemicals, including sulfuric and hydrochloric acid, diesel and other reagents. It is added that the planned water purification processes are complex and difficult to achieve in practice."

"Of particular concern is the simultaneous production of lithium and boron on a scale that has so far not been recorded either in Europe or in the world. The planned annual production of 58,000 tons of lithium carbonate and 286,000 tons of boric acid would be unprecedented, with technology that has not been applied on this scale so far, the authors point out."

"A special risk, it is added, is represented by more than 70 million tons of tailings, as well as the toxicity of lithium and boron, which is why the contamination of space is a real danger.

They also warn that the mine and the accompanying infrastructure would cover hundreds of hectares of fertile, water-rich and inhabited area, where about 20,000 people live, while air, soil and water pollution could spread beyond the site itself."

"Ecological connectivity is an essential part of Nature. It is necessary for the functionality of ecosystems, is key for the survival of wild animals and plant species and is crucial to ensuring genetic diversity and adapting to climate change across all biomes and spatial scales. While not being a new conservation topic, ecological connectivity has not been effectively reflected or implemented in the global biodiversity strategy that concluded in 2020." (CMS, 2025)

ANNEX II EMERALD /NATURA NETWORK

A necessary precondition for the adequate treatment of the ecological network is spatial planning.

¹² [Predstavljena monografija o projektu Jadar: Ekološki neizvestan, ekonomski neisplativ za Srbiju, društveno i pravno neprihvatljiv - Ekonomija - Dnevni list Danas](#) 02.03.2026. 09:02h

“The fulfilment of this requirement implies a continuous multi-year field investigation and engagement of an appropriate number of researchers, as well as the provision of continuous funding sources. Considering that preparing documentation and identifying areas to be included in the ecological network is a continuous process (except for the NATURA 2000 network which has to be established by the date of accession to the European Union) based on spatially confirmed and scientifically provable data on certain habitat types and habitats of the plant and animal species obtained during the field investigations, the preservation of natural heritage within the ecological network is ensured by reserving the area by means of spatial planning documentation. Without this it is difficult or even impossible to predict the survival of species and habitat types with favorable status. In addition to the abovementioned, it is also necessary to establish adequate management, financing and implementation of the protective measures and introduce mechanisms for estimating their acceptability, as an instrument for the conservation of the NATURA 2000 network.”¹³

“Despite years of announcements, the process of drafting the **Regulation on Appropriate Assessment has yet to start.**

More than fifteen years of work on establishing Natura 2000 in Serbia has not delivered the planned, expected or the desired results. The process began in 2010 through the project Strengthening Administrative Capacities for Protected Areas in Serbia (Natura 2000) — Twinning Project SR 2007/IB/EN-02, and continued through numerous other projects, mostly supported by the EU and other foreign donors. However, the investments and efforts of the Ministry of Environmental Protection and its affiliated organizations and institutions have never been sufficient. As a result, Serbia currently lacks a functional ecological network. This is despite the transposition of the Habitats Directive, which has created legal obligations for managing the ecological network and the implementation of the appropriate assessment”. (Shadow report, Chapter 27 in Serbia: System error May 2024 – May 2025.)

Acceptability assessment is a procedure that evaluates the possible impact of a strategy, plan, basis, program, project, works or activities on the objectives of preservation and integrity of the area of the ecological network.

Conservation and protection of protected areas must include proactive and preventive measures.

Serbia, as a future member, has yet to provide its contribution, not only in increasing the area of the network, but also in developing this protection system, which will take place **in parallel with the protection implemented at the national level.**

Law on Nature Protection ("Official Gazette of RS", No. 36/2009; 88/2010, 91/210 - amended, 14/2016, 95/2018 - other laws and 71/2021)

¹³ Dobričić M, Sekulić N, Josimović B, 2017. *Spatial planning and ecological networks in Serbia*, Spatium 2017 Issue 38, Pages: 18-26

In Article 1, "Nature as an asset of general interest for the Republic of Serbia enjoys special protection in accordance with this law and special laws." It means good from general, not private interest.

The goals stated in Article 2 refer to: protection, preservation and improvement of biological diversity, but also to the harmonization of development plans and human activities **with the long-term preservation of the balance of natural ecosystems**. We conclude that, for this purpose, it is necessary to constantly monitor the situation and, if necessary, timely, preventive response to disturbances in Nature, but also to improve the condition of disturbed parts of Nature.

Article 38 of the same law states that "The ecological network as a coherent, functionally and spatially connected entity is established for the preservation of habitat types of special importance for protection, for the restoration and/or improvement of damaged habitats and for the preservation of habitats of wild species of flora and fauna."

"Works, activities and actions that can lead to endangering and disrupting the functions of the ecological network and to the disruption or permanent damage of the properties and values of certain parts of the ecological network are prohibited."

Management of the protected area is an activity of general interest. Article 67.

The administrative tasks of nature protection are performed by the Ministry, the competent authority of the autonomous province and the competent authority of the local self-government unit.

Supervision over the legality of work is carried out by the Ministry, that is, the competent authority of the autonomous province, local self-government.

Inspection supervision is carried out by the Ministry through the inspector for environmental protection within the scope established by law.

There are studies that show a serious lack of inspection staff in Serbia (Forbes Serbia 2024. Network of Inspectors 2023), so monitoring the situation and preventive response to disturbances in Nature will be, to put it mildly, difficult.

ANNEX III Spatial Planning

We first need to mention that Republic of Serbia still does not have a valid Strategy; a public consultation on the draft that recognizes key risks (weak regulatory framework, limited inspection capacity, low public awareness, conflicts with civil society, and environmentally harmful activities) was held in August 2025, without the participation of members of the SANU Environment Committee, despite their submitted official objections.

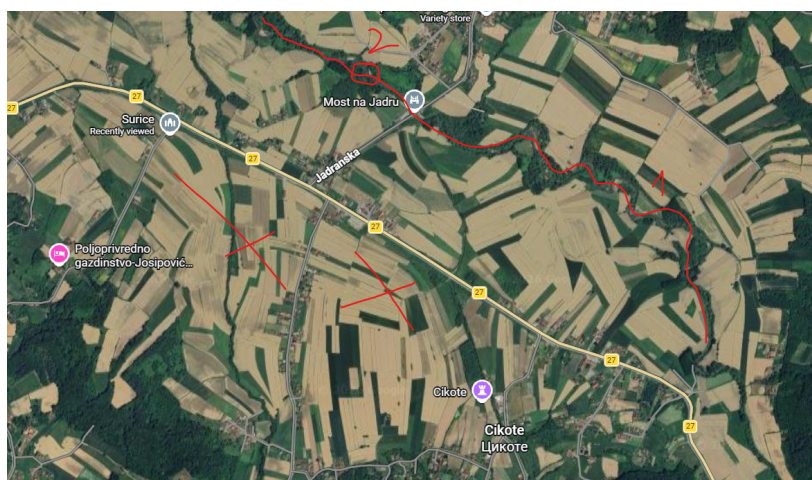
Continuing from the main text, we have repeatedly mentioned the high risk of flooding in this area. Floods in the Jadar valley frequent and continuous, with recurrence almost

every year, and more serious episodes several times in the last decade (eg 2014, 2021, 2025)

This type of terrain is naturally "designed" to flood - floods are part of the ecosystem, not just a problem. In alluvial valleys like Jadar, the natural flood regime is a key ecological process that maintains biodiversity. Any disruption of that regime or increase in the risk of pollution during floods directly threatens protected habitats and species, which is contrary to the obligations of the Berne Convention that require the conservation of both species and their natural habitats. The state must assess the impact on: protected species, ecological network (Emerald/Natura 2000) and long-term preservation of biodiversity.

2026. This is a [video](#) of the terrain and floods from March 2026. As can be seen, the authorities tried to regulate part of the river's flow, but now the area that is located after the "regulated" river bed and embankment of the Jadar river is flooded. In the immediate vicinity is the area planned for the mine, through which the Jadar river also flows.

Regarding the big flood that was in 2014. In this [video](#) you can see a part of the road upstream of (Krivajica) and in the area where the Jadar project is planned (Cikote, Draginac, Šurice...) The situation was the same in other places through which the Jadar River flows all the way to its confluence with the Drina.



The picture shows this area. 1. River Jadar, 2. Bridge, red highlighted area seen in video and it was flooded.

The fact that water overflowed from the riverbed and flooded buildings on both sides of the road, and the area in question is located on the right side of the Valjevo Loznica road (same as in the video), shows how great the impact of this flood was. In the event of an accident, there is a high risk that the flood will "carry away the material deposited in the area".

In the same video you can see a bridge that was destroyed by the force of the water <https://youtu.be/XHbJJvvJMv8?t=682>

Protected areas and ecological significant space – intensive urbanization and exploitation

We quote certain parts of: *Study of cases of endangerment and degradation of protected areas, due to illegal development and implementation of plans and **projects initiated by state administration and local self-government bodies.***¹⁴

“Problems in the protection and sustainable use of protected areas as well as of biodiversity within them most often originate from mutual collisions regulations governing the area of environmental and nature protection with regulations in the field of construction of facilities and infrastructure, mining and energy, tourism and other economic sectors.” (p. 11)

“ A long series of examples of non-transparent adoption of regulations, plans, public policies and reforms, in cooperation with the degree of failure of state and local inspections and executive authorities, does not give hope that these circumstances will change soon” (Page 11)

“A big problem is created by provisions of the law that are not precisely set and as such are suitable for free interpretation and abuse of legal loopholes. It is devastating that this problem is also contributed to by the ubiquitous and, unfortunately, increasingly common phenomenon of unsanctioned gross violations of regulations by individual investors and project holders.” (Page 11)

“The mentioned data emphasize the crucial importance of preservation, improvement and expansion of the ecological network, i.e. the establishment of a more efficient, more purposeful and rigorous implementation of the policy of protecting the environment and nature.” (Page 31)

“Contrary to the general view that the Republic of Serbia has an abundance of natural assets and resources, the statistical data presented in this study tell us that the share of protected areas and ecologically significant areas is very low.” (Page 31)

Comparison between the Draft Spatial Plan of the Republic of Serbia until 2035 (mineral resources thematic map no. 4) and the map of ecologically significant areas shows that high-risk projects are being planned in the flood zones with blatant disregard to natural characteristics of the region ¹⁵ [Spatial Plan of the Republic of Serbia until 2035 - mineral resources thematic map \(no.4\) with the map of ecologically significant areas in Serbia.](#)¹⁶ .

¹⁴Reri, 2024. Protected areas and ecological significant space – intensive urbanization and exploitation

[Studija slučajeve ugrožavanja i degradacije zaštićenih područja](#) accessed 21.01.2026. 11:20h

¹⁵ The Spatial Plan of the Republic of Serbia until 2035 is in the adoption procedure. [ПРОСТОРНИ ПЛАН РЕПУБЛИКЕ СРБИЈЕ – АГЕНЦИЈА ЗА ПРОСТОРНО ПЛАНИРАЊЕ И УРБАНИЗАМ РЕПУБЛИКЕ СРБИЈЕ](#) 03.02.2026. 09:16h

¹⁶ Zakon o rudarstvu, kao osnovni strateški dokument javne politike na nacionalnom nivou prepoznaje Strategiju upravljanja mineralnim i drugim geološkim resursima Republike Srbije, koja se donosi na period od najmanje 10 (deset) godina sa opštim ciljem razvoja rudarstva i geoloških istraživanja energetskih, metaličnih, nemetalčnih i tehnogenih mineralnih sirovina, podzemnih voda i geotermalnih resursa.

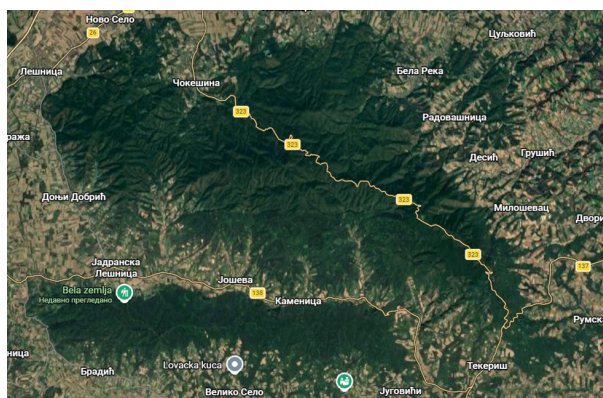
Annex IV Protection measures

Endangerment/insufficient protection of the ecological network - contradictions with development plans

The state, through normative and planning solutions, does not ensure the effective implementation of nature protection measures.

Part of this area is already endangered due to the work of the stone quarry inside the protected area. The Cer mountain area is part of the ecologically important area of the Republic of Serbia, which according to the Decree on the Ecological Network ("Official Gazette of the RS", no. 102/10) is identified under ordinal no. 31 - "Cer" and which includes the spatial unit where the Important Bird and Biodiversity Areas (IBAs) is located (RS024IBA)

Link: <https://maps.app.goo.gl/dnWAmYn3JggMCL12A>



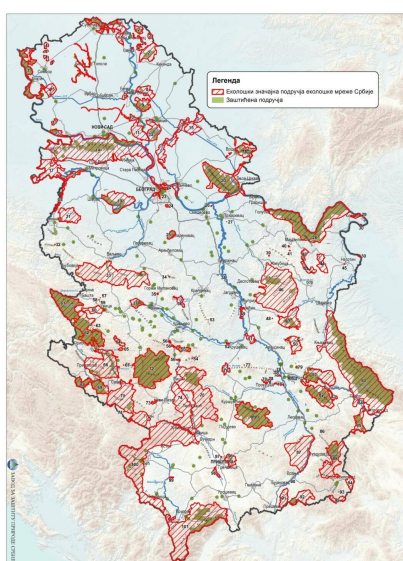
In the picture on the left is the area on the google map - the green mark is the mentioned quarry, in the picture on the right you can see the destruction of the forest due to the work of the quarry.

"Cer together with Iverak represents the most important natural forest area in Mačva, and it is located on the very southern edge of the Pannonian plain. This relatively small mountain is completely surrounded by settlements and arable land. Due to the steep

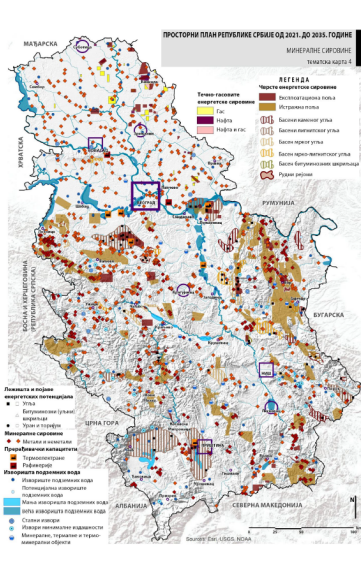
slopes and ravines, some natural habitats have been preserved. The mountain is dominated by beech, oak and linden forests that have been degraded by excessive logging.

What further worries us is the Draft of the Spatial Plan of the Republic of Serbia until 2035, which is **in the adoption procedure**.

When you compare the Draft¹⁷ [Spatial Plan of the Republic of Serbia until 2035 - mineral resources thematic map \(no.4\) with the map of ecologically significant areas in Serbia](#), it can be seen that high-risk projects are being planned precisely in those ecologically significant areas.



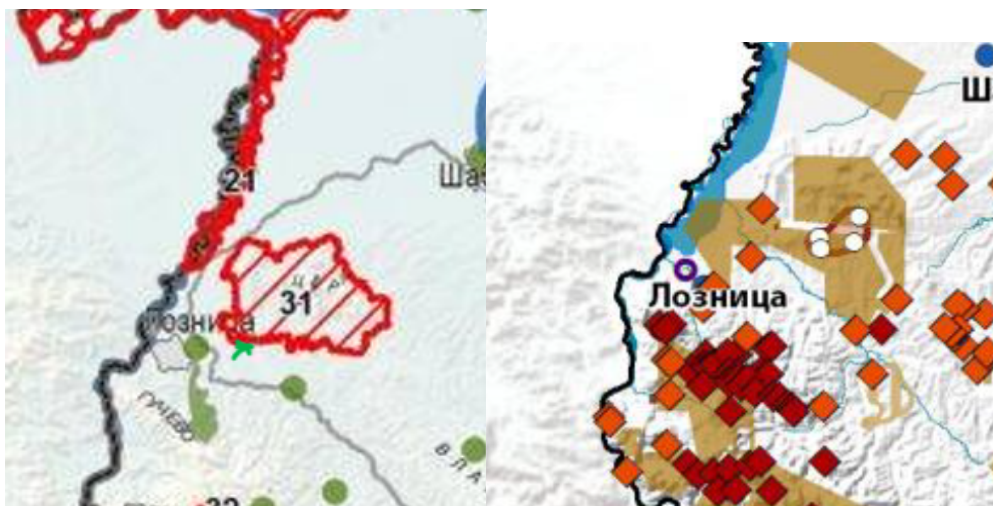
Picture 1: Ecological map of Serbia map



Picture 2: Mineral resources thematic map

Map link: [Национална еколошка мрежа - Завод за заштиту природе Србије](#)

¹⁷ The Spatial Plan of the Republic of Serbia until 2035 is in the adoption procedure. [ПРОСТОРНИ ПЛАН РЕПУБЛИКЕ СРБИЈЕ – АГЕНЦИЈА ЗА ПРОСТОРНО ПЛАНИРАЊЕ И УРБАНИЗАМ РЕПУБЛИКЕ СРБИЈЕ](#)
03.02.2026. 09:16h



Picture 3: Area in question, enlarged part from both maps

The European Parliament reports that the legal framework is uncertain

Hildegard Bentele, the representative of the European Parliament¹⁸ in the Commission for Critical Raw Materials, which compiled a list of strategic projects of the European Union, says: "The Jadar project is frozen. The exploitation rights are still owned by Rio Tinto. If the legal framework were to stabilize..." Lithium mining requires a secure legal framework... And that is not the case at the moment."

Annex V EIA

In the decision on determining the scope and content, the impact on the planned regional source was not requested, although the competent Ministry ordered it in the issued conditions. **"Although it is in the class of very high and high threat from the contamination of groundwater in Serbia, the impact on this area was not investigated during the EIA process."**

"On the Risk Map of groundwater pollution of Serbia (Milanović et al., 2010), which is an integral part of the aforementioned Strategy (map 6), the largest part of Mačva is in the very high and high risk class, primarily due to the non-continuous spread of the less permeable near-surface layer, which represents the aquifer's catchment and protects it from easy pollution. Putting such a reserve of high-quality underground water under the risk of pollution, in the conditions of increasingly pronounced climate changes, would have unfathomable and irreparable consequences for nature and the citizens of Serbia."¹⁹

"For several years now, the European Commission has pointed out in its annual reports the necessity of improving the impact assessment procedure, public participation in these procedures, stopping the practice of issuing construction permits

¹⁸ <https://vreme.com/tag/evropski-parlament/> 24.03.2026. 08.01h

¹⁹ Reri, [The Jadar Project - Strategic Project or Strategic Error.afpub](#) (P 21)

before agreeing to the impact assessment study and stopping the practice of dividing projects into smaller units in order to avoid impact assessment or reduce its effects. Despite this, these negative practices are almost the rule rather than the exception.”²⁰ “Serbia needs to solve the critical shortcomings of the Law on Planning and Construction, including the requirement for public participation and transparency when issuing construction permits, which is already determined in the environmental impact assessment. Also, there should be a practice of issuing construction permits before the environmental impact assessment procedure and dividing projects into several smaller projects that, when viewed individually, do not require an impact assessment procedure. It is necessary to significantly improve the implementation of impact assessments.”²¹ ²²

Annex VI Unlawful EIA scoping procedure and pending appeals

Moreover, Under the Article 12 of the Law on Environmental Impact Assessment the decision on the scope and content can only be adopted after mandatory conditions from the competent authorities (Nature protection, cultural heritage, and water authorities) have been obtained.

However, as clearly indicated by their wording and purpose, these conditions were issued for the preparation of the feasibility study, not for the EIA procedure.

Under Article 70 of the Law on Mining and Geological Explorations, a feasibility study cannot be prepared without a prior decision on the scope and content of the environmental impact assessment.

The extract of the feasibility study is dated May 2024, while the mandatory conditions from the competent authorities were issued in August 2024, and the decision on the scope and content followed in November 2024.

This reverses the legally prescribed sequence and confirms that both the feasibility study procedure and the EIA procedure were conducted in violation of the law.

Those same conditions were subsequently used in the EIA procedure, despite being issued for a different procedural stage.

²⁰ Reri, 2024. Implementation of the Law on EIA in Republic of Serbia, Page 6. <https://reri.org.rs/wp-content/uploads/2024/07/Implementation-of-the-Law-on-Environmental-Impact-Assessment-in-the-Republic-of-Serbia.pdf> accessed 23.01.2026. 12:58

²¹ European Commission, Republic of Serbia Report for 2023, Brussels 8 November 2023, SWD (2023) 695 final version: https://www.mei.gov.rs/upload/documents/eu_dokumenta/godisnji_izvestaji_ek_o_napretku/izvestaji_ek_23.pdf

²² Reri, 2024. Implementation of the Law on EIA in Republic of Serbia, Page 15. <https://reri.org.rs/wp-content/uploads/2024/07/Implementation-of-the-Law-on-Environmental-Impact-Assessment-in-the-Republic-of-Serbia.pdf> accessed 23.01.2026. 13:03

Annex VII FREQUENT LEGISLATIVE CHANGES UNDERMINING LEGAL CERTAINTY

The Law on Mining and Geological Explorations has been amended multiple times, reflecting its continuous adjustment to facilitate mining activities. The original law dates back to 1995, and a law was also in force in 2011, while the current law has been in force since 2015, with subsequent amendments adopted in 2018 and 2021.

Moreover, there is a substantive discrepancy between the draft of the law on EIA that was subject to the legislative procedure and the final adopted text. Specifically, Article 59 of the adopted Law contains an additional paragraph which was not present in the draft version.

As stated by attorney Luka Đorđević in the monograph Projekat Jadar: lithium-bor catastrophe (p. 354)²³, the facts presented should be subject to review by the competent Public Prosecutor's Office due to the existence of reasonable grounds to suspect the commission of a criminal offence prosecutable ex officio.

Annex VIII CONTINUATION OF PROCEEDINGS WITHOUT A VALID LEGAL BASIS

This procedure was based on the Spatial Plan for the Jadar project adopted in 2020²⁴. However, in January 2022, the Government adopted a Regulation repealing this Spatial Plan, thereby removing the legal basis on which the procedure had been initiated. According to this all procedures based on that plan should have been terminated²⁵. Despite this, this procedure continued to be conducted even after the legal basis had ceased to exist.

²³ <https://akademskaknjiga.com/katalog/projekat-jadar-litijumsko-borna-katastrofa-monografija>

²⁴ <https://pravno-informacioni-sistem.rs/eli/rep/sgrs/vlada/uredba/2020/26/1>

²⁵ http://demo.paragraf.rs/demo/combined/Old/t/t2022_01/SG_008_2022_222.htm