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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee
45th meeting
Strasbourg, 8-12 December 2025

Bureau of the Standing Committee
18-20 June 2025
Strasbourg

Complaint on stand by: 2022/08

**Possible negative impact of mining activities in Mountain
Baba (Serbia)**

- GOVERNMENT REPORT -

*Document prepared by
the Ministry of Environmental Protection of the Republic of Serbia*



Republic of Serbia
MINISTRY OF
ENVIRONMENTAL PROTECTION
Number: 000882710 2025 14850 004 008 000 001
Date: 17 March 2025
Belgrade

Council of Europe
Directorate General of Democracy
Secretariat of the Bern Convention
F-67075 Strasbourg, France
Mr Mikaël POUTIERS
Secretary of the Bern Convention

Subject: Progress Report on Complaint No. 2022/08: Complaint on stand-by: Serbia:
Possible negative impact of mining activities in Mountain Baba

Dear Mr Poutiers,

On behalf of the Ministry of Environmental Protection, and in reference to the Request of the Secretariat of the Bern Convention dated 14 October 2024, pertaining to **Complaint No. 2022/08: Complaint on stand-by: Serbia: Possible negative impact of mining activities in Mountain Baba**, we would like to inform you of the following:

In accordance with the Decision of the Bureau of the Standing Committee of the Bern Convention, the Ministry of Environmental Protection, acting as the competent authority monitoring the implementation of the Bern Convention in Serbia, has formally sought input from relevant governmental bodies and organizations. To this end, a Request for Statement (No: 000882710 2025 14850 004 008 000 001, dated 3 March 2025) has been submitted to the Ministry of Construction, Transport and Infrastructure, the Ministry of Mining and Energy, the Institute for Nature Conservation of Serbia and the Municipal Assembly of Paraćin, as well as the relevant departments within the Ministry of Environmental Protection.

In accordance with the statements received from the aforementioned authorities and organizations regarding the Complaint pertaining to the **possible negative impact of mining activities in Mountain Baba**, we would like to provide the following information:

1. The Ministry of Construction, Transport and Infrastructure has informed that it does not carry out activities related to the development of Spatial Plans of the Special Purpose Areas, as prescribed by Article 21, Item 2 of the Law on Planning and Construction ("Official Gazette of the Republic of Serbia," No. 72/2009, 81/2009 corrigendum, 64/2010 – CC, 24/2011, 121/2012, 42/2013 – CC, 50/2013 – CC, 98/2013 – CC, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019 – other law, 9/2020, 52/2021 and 62/2023) in the concerned area.

The specified mines are governed by spatial and urban planning regulations under the jurisdiction of the local authorities, that is the local self-government.

2. The Ministry of Mining and Energy has informed that, upon reviewing the official records, it has been determined that, apart from the previously submitted statements provided to the Secretariat, no additional decisions have been issued granting approval for the exploitation of mineral resources in the concerned area. During the period between the previous report of the Ministry and the drafting of this one, the mining inspection conducted a regular inspection of the supervised entity, SRPSKA FABRIKA STAKLA DOO PARAĆIN (Serbian Glass Factory Ltd Paraćin), at the exploitation site No. 317 "Plana", Municipality of Paraćin. During this inspection, a report was issued instructing the supervised entity to submit a request to the Ministry of Mining and Energy for the correction of coordinates from Decision No. 310-1/79 dated 10 January 1979.

3. The Institute for Nature Conservation of Serbia has informed that, in order to facilitate the development of plans of a larger spatial units or plans of a smaller spatial units (often termed as higher- and lower-order plans within the legal framework of the Republic of Serbia) issued the nature protection conditions for the following plans:

- 1) The Spatial Plan of the Republic of Serbia for the period 2021–2035 (Decision 03 No: 020-604/3 dated 23 March 2020; Supplement – Decision 03 No: 020-604/5 dated 24 August 2020; Supplement – Decision 03 No: 020-604/7 dated 23 March 2021);
- 2) The Detailed Regulation Plan for Limestone Exploitation at the "Lešje" Site, Municipality of Paraćin (Decision 03 No: 021-1980/2 dated 7 September 2021, enclosed herewith);
- 3) The Detailed Regulation Plan for the Surface Limestone Mine "Krajnji Rid" in Klačevica, Municipality of Paraćin (Decision 03 No: 020-283/3 dated 5 May 2020, enclosed herewith);
- 4) The Spatial Plan of the Municipality of Paraćin – Nature and Environmental Protection Conditions for the Development of the Spatial Plan of the Municipality of Paraćin (Decision No: 03-2346/2 dated 6 December 2005).

In accordance with the regulations governing nature conservation, it was determined that the concerned areas **are not located within protected areas.**

4. The Municipal Assembly of Paraćin has informed that on 29 December 2020, it adopted the Detailed Regulation Plan for Limestone Exploitation at the "Lešje" Site, in the vicinity of Paraćin (Decision No. 350-128/2020-II). This decision was necessary in order to establish the planning basis for construction, land development and land use for limestone exploitation in this area, for which the company Kruševac Put a.d. from Kruševac had been granted approval by the Ministry of Mining and Energy to conduct geological research and to exploit limestone as a technical building stone.

The aforementioned Decision also stipulated the adoption of a Decision on Initiating the Strategic Environmental Impact Assessment of the Detailed Regulation Plan for Limestone Exploitation at the "Lešje" site in the vicinity of Paraćin, within six months from its adoption. However, this process was not carried out due to inspection surveillance by the Ministry of Construction, Transport and Infrastructure, specifically its **Sector for Inspection Supervision**, regarding Information on Location No. 353-240/19-V-04 dated 7 June 2019, issued by the Department for Urban Planning and Property-Legal Affairs, as well as a review of the planning

document preparation process aimed at opening the surface mine and limestone exploitation on cadastral parcel No. 108/1 KO Plana.

As part of this process, the Ministry of Construction, Transport and Infrastructure submitted notification No. 350-01-0103/2021-18 dated 16 June 2021, to the Administration for Urban Planning, Finance, Assembly Affairs and General Affairs of the Municipality of Paraćin, stating the following:

There is no planning basis for the intended purpose—limestone exploitation—thus, it cannot be established through the development of a plan of a smaller area and a lower-order plan - the Detailed Regulation Plan, which designates a different land use compared to the defined purpose set by the higher-order plan and a larger area plan (the Spatial Plan of the Municipality).

Based on the monitoring of implementation and the assessment of the enforcement of planning provisions, the Administration for Urban Planning, Finance, Assembly Affairs and General Affairs of the Municipality of Paraćin should propose amendments and supplements to the Spatial Plan of the Municipality of Paraćin to the Municipal Assembly. This is necessary to ensure that the intended land use—limestone exploitation—can be implemented.

The Municipal Assembly of Paraćin has not initiated the procedure for amending the Spatial Plan of the Municipality of Paraćin due to a lack of funds for this purpose. In accordance with Article 46 of the Law on Planning and Construction, prior to making a decision on drafting a planning document, the plan developer shall obtain the opinion of the competent authority for environmental protection on the need to conduct a strategic environmental impact assessment.

Furthermore, we would also like to inform you that the Municipal Environmental Protection Inspectorate, within the Inspection Affairs Department of the Municipal Administration of Paraćin, has not taken any actions regarding the mentioned matter. The resolution of such issues does not fall under the jurisdiction of the Municipal Environmental Protection Inspectorate, based on Article 33 of the Rulebook on Organization and Job Classification of the Municipal Administration ("Official Gazette of the Republic of Serbia", No. 18/2016; 95/2018 and 2/2023 – CC).

5. The Ministry of Environmental Protection is responsible for activities related to environmental impact assessment and strategic environmental assessment, as well as inspection and supervision in the field of environmental protection within the area in question.

- The Republic Environmental Protection Inspectorate of the Ministry of Environmental Protection (hereinafter referred to as: the Inspectorate) conducts regular inspections at quarry sites on Mount Baba, located within the territory of the Municipality of Paraćin.

1) In relation to the previously presented data in the Report of the Ministry (No. 001818377 2024 14850 004 008 000 001 dated 22 July 2024), the Inspectorate, as the first-instance authority in the repeated inspection procedure at the "Lešje" quarry site, operated by the company Kruševac put a.d. from Kruševac, **has not yet received a decision from the second-instance authority regarding the appeal submitted by the business entity Kruševac put a.d. Kruševac against the Order of Prohibition** (No. 918-480-501-00102/2022-18 dated 28 September 2022), **which prohibited the exploitation of limestone at the "Lešje" open-pit site until the conditions are met and the measures from Decision No. 353-02-1871/219-03 dated 20 November 2019, are implemented.** This decision granted approval for the

Environmental Impact Assessment Study for the project of limestone exploitation as technical construction stone at the “Lešje” open-pit site.

In accordance with the above, the “Lešje” quarry is currently an active quarry, while the Inspectorate will continue with the enforcement procedure once a final decision is issued by the second-instance authority. This is due to the fact that the appeal submitted by the supervised entity against the Inspectorate’s decision has postponed its enforcement until the aforementioned decision is made.


2) At the “Krajnji Rid” quarry site, operated by the company Transport Export Import d.o.o. from Paraćin, the Inspectorate conducted a scheduled regular inspection on 5 July 2024, in accordance with the conditions and measures set out in the updated Environmental Impact Assessment Study for the limestone exploitation project as technical construction stone at the “Krajnji Rid” open-pit site, located on cadastral parcels No. 793/1, 793/2, 793/3, 793/4, 793/5, 793/6, and 793/7, in the cadastral municipality of Klačevica, within the territory of the Municipality of Paraćin. The Ministry of Environmental Protection issued a **Decision of Approval** for this study (No. 353-02-713/2020-03 dated 3 July 2020).

On that occasion, by official record No. 002052065 2024 14850 007 013 042 001 dated 11 July 2024, the supervised entity Transport Export Import d.o.o. from Paraćin was ordered to conduct, no later than 31 December 2024, a second measurement of ambient air quality in the impact zone of the “Krajnji Rid” quarry in Klačevica, as well as one environmental noise measurement during the quarry’s peak operational activity. These actions are to be carried out in full accordance with the prescribed measures outlined in the aforementioned Environmental Impact Assessment Study.

On 30 January 2025, the Inspectorate conducted a follow-up inspection at the “Krajnji Rid” quarry site concerning the obligation to monitor ambient air quality and environmental noise levels, as stipulated in the official record dated 11 July 2024. Based on the follow-up inspection, documented in official record No. 002052065 2024 14850 007 013 042 001 dated 30 January, 2025, it was determined that the **supervised entity**, Transport Export Import d.o.o. from Paraćin, **had performed environmental noise measurements through an authorized legal entity, but had failed to fulfill the obligation of conducting a second ambient air quality measurement in the impact zone of the said quarry.** As a result of this inspection, **a report for an economic offense** (No. 002052065 2024 14850 007 013 042 001 dated 7 February 2025) **was filed against the mentioned legal entity and the person responsible in the legal proceeding** with the competent District Public Prosecutor’s Office in Kragujevac.

We sincerely appreciate the Bureau’s thoughtful and thorough consideration of this report, and we look forward to your response with the utmost gratitude.

Sincerely,

MINISTER

Sara Pavkov

Republic of Serbia
MINISTRY OF MINING AND ENERGY
Number: 001145703 2025 14820 000 000 000 001
Date: 21.03.2025

MINISTRY OF ENVIRONMENTAL PROTECTION
Irena Vujović, Deputy Prime Minister and Minister of Environmental Protection

Nemanjina 22-26,
11000 Beograd

Dear Mrs. Vujović,

Pursuant to Your request number: 001145703 2025 14820 000 000 000 001 of 03.03.2025, for the submission of an updated report of the Ministry of Mining and Energy regarding Complaint No. 2022/08: Complaint on stand by: Serbia: Possible negative impact of mining activities on the Mountain Baba, please be informed as follows:

By inspection into the official records, it was found that the Ministry of Mining and Energy has submitted a report upon this case in accordance with the request of Your Ministry in the letters nos.: 310-02-01027/2023-02 dated 02.06.2023, 000423749 2023 14820 002 000 000 001 dated 05.01.2024 and 001930740 2024 14820 007 000 000 001 dated 24.07.2024. As we have informed you in the subject reports, "we have received no coordinates of the requested site in your letter, but the site was characterized as „on Mountain Babe". The Ministry can provide you with more precise data after you submit the coordinates of the requested site".

Regarding the mining activities at the location "Mountain Babe", we inform you of the following:

1. The following Decisions on the approval for the exploitation of the mineral raw materials in the requested area were issued by the Ministry of Mining and Energy:

- to the Kruševac put a.d. business entity for the exploitation of mineral raw materials - limestone in the Lešje deposit;

- to the Transkop export-import d.o.o. business entity from Paraćin for the exploitation of mineral raw materials - limestone in the Krajnji rid deposit;

- to the SRPSKA FABRIKA STAKLA DOO PARAĆIN business entity for the exploitation of mineral raw materials - limestone in the Plana deposit.

2. In the period from the previous report of the Ministry until the preparation of this one, the mining inspection carried out regular inspection supervision at the supervised entity SRPSKA FABRIKA STAKLA DOO PARAĆIN at the exploitation field no. 317

Plana, Municipality of Paraćin and a Report was composed on that occasion. The Report ordered the supervised entity to send a letter to the Ministry of Mining and Energy to correct the coordinates from Decision no. 310-1/79 of 10.01.1979.

Best Regards,

MINISTER
/hand signed/
Dubravka Đedović Handanović

To be delivered to:
-The Addressee
The Archives



Republic of Serbia
MINISTRY OF CONSTRUCTION,
TRANSPORT AND INFRASTRUCTURE
Number: 001146034 2025 14810 006 000 000
001

Date: 21 March 2025
Nemanjina 22-26

MINISTRY OF ENVIRONMENTAL PROTECTION

Omladinskih
brigada 1
11000 Belgrade

SUBJECT: Statement with respect to the Complaint No. 2022/08, Complaint on stand by: Possible negative impact of mining activities on the Baba Mountain

To Whom It May Concern,

Your letter No. 000882710 2025 14850 004 008 000 001, by which you submitted the Decision of the Bern Convention Bureau of the Council of Europe concerning the review of the Report and Complaint No. 2022/08: Complaint on stand by: Serbia: Possible negative impact of mining activities on the Baba Mountain, received by the Ministry of Environmental Protection on 14 October 2024. In accordance with the Decision of the Bureau, the alignment of upper and lower tier spatial plans within the legal framework of the Republic of Serbia needs to be specified, as indicated in the applicant's report. The Bureau also requested the submission of detailed updated information on the decision concerning the Lešje mine and the Appeal of the company which manages the mine, as well as an update of the results of inspections of all four mines, and other checks conducted in the period 2023-2025, in particular in the Krajnji Rid mine.

We hereby inform you that the Ministry of Construction, Transport and Infrastructure does not implement activities of the development of spatial plans for special purpose areas as prescribed in Article 21, point 2 of the Law on Planning and Construction (*Official Gazette of the Republic of Serbia*, Nos. 72/2009, 81/2009 - corr., 64/2010 - CC decision, 24/2011, 121/2012, 42/2013 - CC decision, 50/2013 - CC decision, 98/2013 - CC decision, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019 - as amended, 9/2020, 52/2021 and 62/23) in the subject area. These mines are covered by the spatial planning and urban planning documents which are within the purview of the local self-government.

We would also like to highlight the provisions of Article 33 of the Law on Planning and Construction (*Official Gazette of the Republic of Serbia*, Nos. 72/09, 81/09 -

corrigendum, 64/10 - CC, 24/11, 121/12, 42/13 - CC, 50/13 - CC, 132/14, 145/14, 83/18, 31/19, 37/19 – as amended, 9/20, 52/21 and 62/23, hereinafter: the Law), which prescribe that spatial planning and urban planning documents must be aligned in such a manner that a lower tier planning document is compliant with a higher tier planning document.

The planning documents must be in accordance with the Spatial Plan of the Republic of Serbia.

Sincerely,

Pursuant to the Decision of
the Prime Minister that he
shall exercise the powers of
the Minister of Construction,
Transport and Infrastructure
No. 119-00-00117/2024-01
of 25 November 2024

MINISTER FOR PUBLIC INVESTMENT

Darko Glišić

**INSTITUTE FOR NATURE
CONSERVATION OF SERBIA**
Japanska 35, 11000 New Belgrade, Telephone 011
2083 801, Fax 011 2093 867
www.zzps.rs TIN 106844260, Registration number
17796561

03 No. 025-840/03

4 April 2025

**MINISTRY OF ENVIRONMENTAL PROTECTION
11070 NEW BELGRADE
Omladinskih brigada 1**

Your Request No. 000882710 202514850 004 008 000 001 of 3 March 2025

The Institute for Nature Conservation of Serbia has received your Request No. 000882710 2025 14850 004 008 000 001 of 3 March 2025, registered at the Institute under 03 No. 025-840/1 of 10 March 2025, for a statement concerning the Complaint No. 2022/08: New Appeal: Serbia: Possible negative impact of mining activities on the Baba Mountain, according to which it is required to:

- specify the alignment of lower and upper spatial plans within the legal framework of the Republic of Serbia;
- submit detailed updated information on the decision concerning the Lešje mine and the Complaint of the company which manages the mine, and
- submit an update of the results of inspections of all four mines, and other checks conducted in the period 2023-2025, in particular in the Krajnji Rid mine.

In this regard, we hereby inform you of the following:

Alignment of lower and upper spatial plans within the legal framework of the Republic of Serbia is not within the purview of the Institute for Nature Conservation of the Republic of Serbia. In accordance with Article 9 of the Law on Nature Protection (*Official Gazette of the Republic of Serbia*, Nos. 36/09, 88/10, 91/10- corrigendum, 14/16, 95/18- as amended and 71/21), the Institute has issued nature protection requirements for the following plans:

1. Spatial Plan of the Republic of Serbia 2021-2035
 - Decision 03 No. 020-604/3 of 23 March 2020 (a copy of the Decision is attached herewith);
 - Supplement - Decision 03 No. 020-604/5 of 24 August 2020 (a copy of the Decision is attached herewith);
 - Supplement - Decision 03 No. 020-604/7 of 23 March 2021 (a copy of the Decision is attached herewith);
2. Detailed Regulation Plan for exploitation of limestone at the “Lešje” site, Municipality of Paraćin - Decision 03 No. 021-1980/2 of 7 September 2021 (a copy of the Decision is attached herewith).
3. Detailed Regulation Plan of the limestone open-cast mine “Krajnji Rid” in Klačenica, Municipality of Paraćin - Decision 03 No. 020-283/3 of 5 March 2020 (a copy of the Decision is attached herewith).

4. The Spatial Plan of the Municipality of Paraćin – Nature Protection and Environmental Protection Requirements for drawing up a programme for the Spatial Plan of the Municipality of Paraćin No. 03-2346/2 of 6 December 2005 (a copy of the Requirements is attached herewith).

Also, the requested information relating to inspections of all four mines, and other checks conducted in the period 2023-2025, is not within the purview of the Institute.

We are available for any additional information or further clarifications you may need.

Acting DIRECTOR

Aleksandra Došlić

Coat of Arms
REPUBLIC OF SERBIA
MUNICIPALITY OF PARAĆIN
OFFICE OF THE PRESIDENT OF THE MUNICIPALITY OF PARAĆIN
Number: 001166282 2025 06446 004 600 380 001
Date: 14/04/2025
PARAĆIN
Tome Živanovića 10

**Ministry of Environmental Protection
Omladinskih brigada 1, Building SIV III
11070 Novi Beograd**

SUBJECT: Response to the request for a statement regarding the Complaint number: 2022/08
RE: your number: 000882710 2025 14850 004 008 000 001 from 03/03/2025

In reference to the request to give comments regarding the Complaint no. 2022/08, which the Ministry of Environmental Protection received from the Secretariat of the Bern Convention, in relation to the Complaint on stand by on the topic Possible negative impact of mining activities in Mountain Baba, and which was delivered to the Municipal Administration of the Municipality of Paraćin on 13/03/2025, we inform you as follows:

On 29/12/2020, the Municipal Assembly of Paraćin passed the Decision on the Drafting of the Detailed Zoning Plan for the Exploitation of Limestone at the Locality “Lešje” near Paraćin, number 350-128/2020-II, which is an act that is vital for creating the planning basis for the construction, planning and use of the land necessary for the exploitation of limestone in this location, for which the Ministry of Environmental Protection issued an Approval for the Execution of Geological Surveys of Limestone as a Technical Building Stone to the enterprise “Kruševacput” AD Kruševac.

The legal basis for preparing the Decision on the drafting of this planning document are:

- Spatial Plan of the Republic of Serbia (“Official Gazette of the Republic of Serbia” no. 88/2010) dated 23/11/2010, whose provisions provide guidelines that mineral raw materials should be used in a strictly controlled and sustainable manner as a non-renewable resource and
- Spatial Plan “Alignment of the Spatial Plan of the Municipality of Paraćin with the Provisions of the Law” (“Official Gazette of the Republic of Serbia” no. 72/09 and 81/09) and (“Official Journal of the Municipality of Paraćin” no. 8/2011 from 01/07/2011).

Other legal preconditions for the drafting of this Plan are:

- Certificate of Reserves issued by the Ministry of Mining and Energy, no 310-02-00080/2006-06 from 17/04/2005.
- Ministry of Mining and Energy’s Decision on the Execution of Geological Surveys, no. 310-02-00424/2019-02 from 04/10/2019.
- Ministry of Mining and Energy’s Decision on the Exploitation of Limestone as a Technical Building Stone, no. 310-02-01955/2019-02 from 28/02/2020.

The aforementioned Decision also prescribes the adoption of the Decision on the Commencement of Drafting the Strategic Environmental Impact Assessment of the Detailed Zoning Plan for the Exploitation of Limestone at the Locality “Lešje” near Paraćin within six months from the adoption of this Decision, which was not implemented due to the fact that supervision was carried out by the Ministry of Construction, Transport and Infrastructure, Inspection Supervision Sector, over the Information on the Location no. 353-240/19-V-04 from 07/06/2019, which was issued by the Department of Urban Planning and Property - Legal Affairs as well as the control over the procedure of drafting the planning document with the aim of initiating opencast mining operation and exploiting limestone at the cadastral plot no. 108/1 of the Cadastral Municipality of the Plan. On this occasion, the Ministry of Construction, Transport and Infrastructure delivered to the Administration for Urban

Planning, Finances, Assembly and Other Affairs of the Municipality of Paraćin the Information number 350-01-0103/2021-18 from 16/06/2021, stating the following:

There is no planning basis for the planned purpose – exploitation of limestone and it may not be provided by drafting a smaller area and lower order plan, the Detailed Zoning Plan, which establishes the purpose other than the purpose defined in the wider area and higher order plan (Municipal Spatial Plan).

The Administration for Urban Planning, Finances, Assembly and Other Affairs of the Municipality of Paraćin should propose amendments to the Spatial Plan of the Municipality of Paraćin to the Municipal Assembly of Paraćin, based on monitoring the implementation and evaluating the application of planning stipulations, since this is necessary in order to ensure the planned purpose of this area – exploitation of limestone.

The Municipal Assembly of Paraćin has not initiated the procedure of amending the Spatial Plan of the Municipality of Paraćin due to the lack of funds for this purpose, while pursuant to Article 46 of the Law on Planning and Construction, prior to the adoption of the Decision on the Drafting of the Planning Document, the plan drafting authority should obtain an opinion from the competent authority for the environmental protection affairs on the necessity to draft strategic environmental impact assessment.

Furthermore, we inform you that the municipal inspection for environmental protection of the Department for Inspection Affairs of the Municipal Administration of the Municipality of Paraćin, has not taken any action on the aforementioned case and that resolving such issues is not within the jurisdiction of the municipal inspection for environmental protection, pursuant to Article 33 of the Law on General Administrative Procedure (“Official Gazette of the Republic of Serbia” no. 18/2016, 95/2018 and 2/2023 – Decision of the Constitutional Court).

Considering the aforementioned facts, we are unable to comment on the claims made in the complaint.

Yours sincerely,

PRESIDENT OF THE MUNICIPALITY OF PARAĆIN
Vladimir Milićević, BSc (Agricultural Engineering)
(Illegible signature)

*Round seal affixed hereto: Republic of Serbia, Paraćin, Municipality of Paraćin,
President of the Municipality of Paraćin, coat of arms*

REPUBLIC OF SERBIA
INSTITUTE FOR NATURE CONSERVATION OF SERBIA
NEW BELGRADE, Dr Ivana Ribara 91
Telephone: +381 11/2093-802; 2093-803;
Fax: +381 11/2093-867

The Institute for Nature Conservation of Serbia, Dr Ivana Ribara 92, pursuant to Article 9 of the Law on Nature Protection (*Official Gazette of the Republic of Serbia*, Nos. 36/2009, 88/2010, 91/2010-corrigendum, 14/2016, 95/2018- as amended) and Article 136 of the Law on General Administrative Procedure (*Official Gazette of the Republic of Serbia*, Nos. 18/2016 and 95/2018 – authentic interpretation), acting upon the Request No. 350-44 2021-V-04 of 15 June 2021 of the Administration for Urban Planning, Financial, Parliamentary and Municipal Affairs - Department for Urban Planning and Property Affairs of the Municipality of Paraćin, Tome Živanovića 10, 35250 Paraćin, for issuance of nature protection requirements for the development of the Detailed Regulation Plan for exploitation of limestone at the “Lešje” site, Municipality of Paraćin, on 7 September 2021, under 03 No. 021-1980/2, hereby adopts this

DECISION

1. The coverage of the Detailed Regulation Plan, which is being developed on the basis of the Decision on the development of the Detailed Regulation Plan for exploitation of limestone at the “Lešje” site near Paraćin (*Official Journal of the Municipality of Paraćin*, No. 48/2020) (hereinafter: “the Plan”) does not include any protected areas which have been the subject of an implemented or launched procedure of protection of important ecological areas or ecological corridors of the Ecological Network of the Republic of Serbia. Accordingly, the following nature protection requirements shall be issued:

- 1) The preliminary boundary of the coverage of the Plan should include the following: parts of the CP Nos. 1106/4, 1106/3, 1106/2, 1106/1, 1104/8, 1104/7, 1104/6, 1104/5, 1104/4, 1104/2, 1104/3, 1104/1, 495/1 Cadastral Municipality Lešje, parts of the CP Nos. 108/1, 103, 105, 106, 107, 268, 10098, 187, 153, 152 CM Plana and the entire CP No. 264, 263, 260, 259, 256, 257, 248, 256, 266, 249, 261, 250, 254, 255, 186/1, 186/2, 186/3, 185/1, 185/2, 185/3, 185/4, 247, 246, 245, 244, 243, 251, 252, 253, 242, 241, 191, 190, 179, 180/2, 180/1, 178, 181, 182, 183, 184, 151, 147, 146, 145, 144 CM Plana;
- 2) The Plan shall be aligned with upper tier plans, i.e. with the Spatial Plan “Alignment of the Spatial Plan of the Municipality of Paraćin with legal provisions”, which highlights the area for protection of natural resources and preservation of the quality of the environment and defines its use for recreation of the population in the nature. In this context, it is important to pay attention to the references on multiple sites in the Municipality of Paraćin, including a reference to the area of the Baba (Samanjac) Mountain, which is the subject of the Plan;
- 3) The planned purpose of the area as defined in the Plan must be adjusted with the purpose defined by the upper tier plan, with maximal provision of measures for preservation of air, soil, surface waters and groundwaters;
- 4) The Plan shall ensure alignment of limestone exploitation with the requirements at the location, and provide for appropriate technical solutions and measures for prevention of air, soil, surface water and groundwater pollution during the activity, i.e. limestone exploitation, with a view to preventing adverse environmental effects and impacts;
- 5) The Plan shall prescribe that limestone exploitation must not endanger the local karst aquifer. In the event that there is a change of the discharge regime or the turbidity regime in the surrounding area during the exploitation, limestone exploitation should be immediately stopped until the cause of the disturbance is eliminated;

- 6) The Plan shall define the rules and requirements for utilisation, landscaping and possible construction of the area, rules of opening necessary roads, delineation of the purposes of areas, environmental protection measures, establishment of protection areas and limitations and the necessary capacities of the municipal infrastructure (e.g. manner of draining the open-cast mine etc.);
 - 7) Provide for the prohibition of the application of the morphological characteristics of the site outside of the spatial coverage of the Plan;
 - 8) The Plan shall prescribe a protective green belt made of multi-floor indigenous greenery around the limestone exploitation area, and its proposed width shall be 50 m. It is recommended that indigenous plant species be predominantly used. Exotic species which have been confirmed to be adaptable to the conditions of the environment may also be used. Greening with the species which are defined as invasive in our climate is not recommended: *Acer negundo* (boxelder maple or ash-leaved maple), *AMORPHA FRUTICOSA* (desert false indigo), *Robinia pseudoacacia* (black locust), *Ailanthus altissima* (tree of heaven), *Fraxinus americana* (American ash), *Fraxinus pennsylvanica* (green ash or red ash), *Celtis occidentalis* (common hackberry), *Ulmus pumila* (Siberian elm), *Prunus padus* (bird cherry), *Prunus serotina* (black cherry) and *Parthenocissus quinquefolia* (Virginia creeper). Avoid species defined as allergens (poplars etc.);
 - 9) Prescribe that trees of exceptional size and age with characteristics of potential nature monuments of botanical nature must be preserved, i.e. exempted from woodcutting, and that they must not be damaged;
 - 10) Execution of works which require removal of other tall woody vegetation from state-owned or privately owned land requires consent and remittance of the enterprise competent for forest management, PE Srbijašume;
 - 11) The location intended for limestone exploitation must be fenced and marked;
 - 12) The limestone exploitation area shall be created on the minimal area needed for its functioning, and handling areas shall be spatially limited;
 - 13) Ensure unobstructed access to buildings (access roads), with rational use of the existing roads;
 - 14) Undertake all necessary nature protection measures in the case of accidents, with mandatory reporting to competent inspection services;
 - 15) The Plan shall resolve the problem of any existing and possible illegal landfills and, with the consent of the competent utility department, define the locations for placing containers for temporary waste disposal and the locations for disposal of unused geological construction material and other materials which have been generated by the works in question;
 - 16) The Plan shall provide for an obligation to remedy and recultivate the open-cast mine after its competition;
 - 17) The Plan shall prescribe that, if any geological and paleontological or mineralogical and petrological structures are found during the works which are assumed to have characteristics of a natural good, the Contractor shall be obliged to notify the Ministry competent for environmental protection matters, as well as to undertake all measures of protection of this natural good from destruction, damage or theft, until the arrival of an authorised person.
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2. During the procedure of adoption of the Plan, an opinion on the fulfilment of the requirements from this Decision needs to be obtained from the Institute.
 3. This decision does not exempt the applicant from the obligation to also fulfil other requirements and obtain other permits and consents provided for in positive laws and regulations.
 4. A new request needs to be submitted for all other activities in the area in question, for a change of the planned coverage, of planned activities etc.
 5. If the applicant does not start the works and activities which are the subject of this decision within two years from the date of delivery of this Decision, the applicant shall be obliged to submit a

request for issuance of a new decision.

6. The applicant shall be exempt from paying the fee or issuance of this Decision in accordance with Article 4, paragraph 1, point 2 of the Rulebook on the amount and method of calculation of the fee for issuance of a legal act on the nature protection requirements (*Official Gazette of the Republic of Serbia*, Nos. 73/2011 and 106/2013).

Statement of the reasons

The Institute for Nature Conservation of Serbia has received the request registered under 03 No. 021-1980/1 of 17 June 2021, submitted by the Administration for Urban Planning, Financial, Parliamentary and Municipal Affairs - Department for Urban Planning and Property Affairs of the Municipality of Paraćin, for issuance of nature protection requirements for the development of the Detailed Regulation Plan for exploitation of limestone at the “Lešje” site, Municipality of Paraćin.

The preliminary boundary of the Plan at the “Lešje” site, Municipality of Paraćin, is defined in point 1, subpoint 1) of this Decision. The final boundary of the Plan will be determined and defined during the development of the Draft Plan.

The main objective of the development of the plan is creation of a planning basis for limestone exploitation. The Detailed Regulation Plan for exploitation of limestone at the “Lešje” site near Paraćin covers the cadastral parcels in the CM Lešje and CM Plana. The indicative area size of the Plan is approximately 37.62 ha. The boundary of the Plan defines the quarry area and the route of the access road for transport of exploited materials.

The Plan is being developed on the basis of the Decision on the development of the Detailed Regulation Plan for exploitation of limestone at the “Lešje” site near Paraćin, adopted at the session of the Paraćin Municipal Assembly on 29 December 2020, No. 350-128/2020-II (*Official Journal of the Municipality of Paraćin*, No. 48/2020).

The planning basis for the development of the Plan is the Spatial Plan “Alignment of the Spatial Plan of the Municipality of Paraćin with legal provisions”.

A planning document shall be drawn up with a view to defining new purposes of areas, for the planned land use for exploitation of raw minerals, or technical stone for construction, on the site in question. The objectives of the development of the Plan are sustainable development of the area, creation of a planning basis for its landscaping, provision of planning conditions for exploitation and establishment of urban planning regulations for opening of an open-cast mine for exploitation of limestone as technical stone for construction. The area within the boundaries of the coverage of the Plan shall be approximately 26 ha.

By an inspection of the Central Register of Protected Natural Assets and the documentation of the Institute for Nature Conservation of Serbia, in accordance with the regulations governing nature protection, nature protection requirements referred to in the wording of this Decision, have been ascertained. The subject area is not located within a protected area which has been the subject of an implemented or launched procedure of protection, nor does it belong to important ecological areas or ecological corridors of the Ecological Network of the Republic of Serbia.

The legal requirements for adoption of the decision: Law on Nature Protection (*Official Gazette of the Republic of Serbia*, Nos. 36/2009, 88/2010, 91/2010 – corrigendum and 14/2016 and 95/2018 - as amended; Law on Environmental Protection (*Official Gazette of the Republic of Serbia*, Nos. 135/2004, 36/2009, 72/2009, 43/2011 – CC Decision, 14/2016, 76/2018 и 95/2018 – as amended); Law on Planning and Construction (*Official Gazette of the Republic of Serbia*, Nos. 72/2009, 81/2009 – corrigendum, 64/2010 – Constitutional Court decision, 24/2011, 121/2012, 42/2013 - Constitutional Court decision, 50/2013 - Constitutional Court decision, 98/2013 - Constitutional Court decision, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019- as amended and 9/2020); Decision on the development of the Detailed Regulation Plan for exploitation of limestone at the “Lešje” site near Paraćin (*Official Journal of the Municipality of Paraćin*, No. 48/2020); Spatial Plan “Alignment of the Spatial Plan of

the Municipality of Paraćin with legal provisions” (*Official Gazette of the Republic of Serbia*, Nos. 72/2009 and 81/2009; *Official Journal of the Municipality of Paraćin*, No. 8/2011).

On the basis of all of the above, it has been decided as stated in the wording of this Decision.

The applicant shall be exempt from paying the fee in accordance with Article 18 of the Law on Republic Administrative Fees (*Official Gazette of the Republic of Serbia*, Nos. 43/2003, 51/2003 - corrigendum, 61/2005, 101/2005 - as amended, 5/2009, 54/2009, 50.2011, 93/2012, 65/2013 – as amended, 83/2015, 112/2015, 113/2017, 3/2018 – corrigendum, 95/2018, 86/2019, 90/2019 – corrigendum, Adjusted amounts in dinars from the Tariffs of Republic Administrative Fees - 98 2020 and 1442120).

Instruction on legal remedy: An appeal against this Decision may be submitted to the Ministry of Environmental Protection of the Republic of Serbia within 15 days from the date of receipt of this Decision. The appeal shall be submitted to the Institute for Nature Conservation of Serbia.

Acting DIRECTOR

Marina Šibalić

Republic of Serbia

INSTITUTE FOR NATURE CONSERVATION OF SERBIA

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Institute for Nature Conservation of Serbia, Dr Ivana Ribara 91, pursuant to Article 9 of the Law on Nature Protection (*Official Gazette of the Republic of Serbia*, Nos. 36/2099, 88/2010, 91/2010-corrigendum, 14/2016, 95/2018 – as amended) and Article 136 of the Law on General Administrative Procedure (*Official Gazette of the Republic of Serbia*, Nos. 18/2016 and 95/ 2018 – authentic interpretation), acting upon the Request No. 279 of 14 January 2020. of the Company for trade and services TRANSKOP d.o.o., Paraćin, Šumadijska 138, for issuance of nature protection requirements for the development of the Detailed Regulation Plan of the limestone open-cast mine “Krajinji Rid” in Klačenica, Municipality of Paraćin, on 5 March 2020, under 03 No. 020-283/3, hereby adopts this:

DECISION

1. The Detailed Regulation Plan of the limestone open-cast mine “Krajinji Rid” in Klačenica (Decision on the development of the Detailed Regulation Plan of the limestone open-cast mine “Krajinji Rid” in Klačenica No. 350-66/2019-11 of 15 November 2019, hereinafter: the Plan) does not cover any of the protected areas which have been the subject of an implemented or launched procedure of protection of important ecological areas and international ecological corridors of the Ecological Network of the Republic of Serbia. The following nature protection requirements shall be issued for the purpose of developing the Plan:

- 1) The boundary of the coverage of the Plan starts at the point of intersection No. 793/1 and 1745, continues along the eastern border of the Cadastral Parcel No. 1745 and 1744 to the CP No. 3988 (road) and continues along its northern border, intersects with the road and continues along the border of the CP No. 3968 and CP No. 1735, then along the border of the CP No. 1735 and CP No. 1734, CP No. 1735 and CP No. 1731, intersects with CP No. 1723 (road) and continues to the east along the border of the CP No. 1721/2 and CP No. 1721/1, continues along the border of the CP No. 1720 and CP No. 1718, and along the border of the CP No. 1719 with the CP No. 1715/1, 1715/2 and 1700, then intersects with the CP No. 3988 (road) and runs towards the northeast through the CP No. 793/1 with the length of 155 m, and from that point to the northwest with the length of 196 m (also on the CP No. 193/1), and from that point to the southwest with the length of 560 m and then to the southeast with the length of 300 m, to the CP No. 1751, and then along the border with the CP No. 1746 to the starting point.
- 2) The Plan shall ensure alignment of exploitation of the open-cast mine with the requirements at the location, and provide for appropriate technical solutions and measures for prevention of air, soil, groundwater and surface water pollution during the activity, i.e. exploitation of the open-cast, with a view to preventing adverse environmental effects and impacts.
- 3) The Plan shall define the rules and requirements for utilisation, landscaping and possible construction of the area, rules of opening necessary roads, delineation of the purposes of areas, environmental protection measures, establishment of protection areas and limitations and the necessary capacities of the municipal infrastructure (e.g. manner of draining the open-cast mine etc.).
- 4) Provide for the prohibition of the application of the morphological characteristics of the site

outside of the spatial coverage of the Plan.

- 5) The Plan shall prescribe a protective green belt made of multi-floor indigenous greenery around the area of the open-cast mine, and its proposed width shall be 50 m. It is recommended that indigenous plant species be predominantly used. Exotic species which have been confirmed to be adaptable to the conditions of the environment may also be used. Greening with species which are defined as invasive in our climate is not recommended: *Acer negundo* (boxelder maple or ash-leaved maple), *Amorpha fruticosa* (desert false indigo), *Robinia pseudoacacia* (black locust), *Ailanthus altissima* (tree of heaven), *Fraxinus americana* (American ash), *Fraxinus pennsylvanica* (green ash or red ash), *Celtis occidentalis* (common hackberry), *Ulmus pumila* (Siberian elm), *Prunus padus* (bird cherry), *Prunus serotina* (black cherry) and *Parthenocissus quinquefolia* (Virginia creeper). Avoid species defined as allergens (poplars etc.);
 - 6) Prescribe that trees of exceptional size and age with characteristics of potential nature monuments of botanical nature must be preserved, i.e. exempted from woodcutting, and that they must not be damaged.
 - 7) Execution of works which require removal of other tall woody vegetation from state-owned or privately owned land requires consent and remittance of the enterprise competent for forest management, PE Srbijašume.
 - 8) The open-cast mine and the direct area around it must be fenced and marked.
 - 9) The open-cast mine shall be created in the minimal area needed for its functioning, while handling areas shall be spatially limited.
 - 10) Ensure unobstructed access to buildings (access roads), with rational use of the existing roads.
 - 11) Undertake all necessary nature protection measures in the case of accidents, with mandatory reporting to competent inspection services.
 - 12) The Plan shall resolve the problem of any existing and possible illegal landfills and, with the consent of the competent utility department, define the locations for placing containers for temporary waste disposal and the locations for disposal of unused geological construction material and other materials which have been generated by the works in question.
 - 13) The Plan shall provide for an obligation to remedy and recultivate the open-cast mine after the completion of the exploitation.
 - 14) The Plan shall prescribe that, if any geological and paleontological or mineralogical and petrological structures are found during the works which are assumed to have characteristics of a natural good, the Contractor shall be obliged to notify the Ministry competent for environmental protection matters within eight days, i.e. undertake all measures to ensure such natural good is not damaged until the arrival of an authorised person.
2. During the procedure of adoption of the Plan, an opinion on the fulfilment of the requirements from this Decision needs to be obtained from the Institute.
 3. This Decision does not exempt the applicant from the obligation to also fulfil other requirements and obtain other permits and consents provided for in positive laws and regulations.
 4. A new request needs to be submitted for all other activities in the subject area, for a change of the planned coverage, of planned activities etc.
 5. If the applicant does not start the works and activities which are the subject of this Decision within two years from the date of delivery of this Decision, the applicant shall be obliged to

submit a request for issuance of a new decision.

6. The fee for issuance of this Decision, in the amount of 20,000.00 USD, has been determined in accordance with Article 2, paragraph 2, point 1 of the Rulebook on the amount and method of calculation of the fee for issuance of a legal act on the nature protection requirements (*Official Gazette of the Republic of Serbia*, Nos. 73/2011, 106/2013).

Statement of the reasons

The Institute for Nature Conservation of Serbia has received the Request registered under the number 020-283/1 of 30 January 2020, submitted by the Company for trade and services TRANSKOP d.o.o. from Paraćin, for issuance of nature protection requirements for the development of the Detailed Regulation Plan of the limestone open-cast mine “Krajinji Rid” in Klačenica, Municipality of Paraćin. A planning document shall be drawn up with a view to defining new purposes of areas, for the planned land use for exploitation of raw minerals, or technical stone for construction, on the site in question. The objectives of developing the Plan are sustainable development of the area, creation of a planning basis for its landscaping, provision of planning conditions for exploitation and determination of urban planning regulations for opening of an open-cast mine for exploitation of limestone as technical stone for construction. The area within the boundaries of the coverage of the Plan shall be approximately 26 ha.

The Plan shall be drawn up pursuant to the Decision on the development of the Detailed Regulation Plan of the limestone open-cast mine “Krajinji Rid” in Klačenica, adopted at the session of the Paraćin Municipal Assembly on 15 November 2019, under the number 350-66/2019-11.

By an inspection of the Central Register of Protected Natural Assets and the documentation of the Institute for Nature Conservation of Serbia, in accordance with the regulations governing nature protection, the nature protection requirements referred to in the wording of this Decision have been ascertained. The subject area is not located within a protected area which has been the subject of an implemented or launched procedure of protection, nor is it one of the important ecological areas or ecological corridors of the Ecological Network of the Republic of Serbia.

The legal basis for adoption of the decision: Law on Nature Protection (*Official Gazette of the Republic of Serbia*, Nos. 36/2009, 88/2010, 91/2010 – corr., 14/2016 and 95/2018 - as amended); Law on Environmental Protection (*Official Gazette of the Republic of Serbia*, Nos. 135/2004, 36/2009, 72/2009, 43/2011 – CC DECISION, 14/2016, 76/2018 and 95/2018 – AS AMENDED); Law on Planning and Construction (*Official Gazette of the Republic of Serbia*, Nos. 72/2009, 81/2009 - corr., 64/2010 - Constitutional Court decision, 24/2011, 121/2012, 42/2013 - Constitutional Court decision, 50/2013 - CC decision, 98/2013 - Constitutional Court decision, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019 - as amended and 9/2020).

The development of the Plan in accordance with the issued nature protection requirements enables alignment of human activities and social development plans, programmes, bases and projects by using renewable and non-renewable natural resources, as an established objective of nature protection.

On the basis of all of the above, it has been decided as stated in the wording of this Decision.

The fee for the request and the fee for the Decision, in line with Tariff No. 1 and Tariff No. 2 (*Official Gazette of the Republic of Serbia*, Nos. 43/2003, 51/2003- corr., 61/2005, 101/2005- as amended, 5/2009, 54/2009, 50/2011, 93/2012, 65/2013- as amended, 83/2015, 112/2015, 113/2017, 3/2018- corr., 95/2018, 38/2019- adjusted dinar amount, 86/2019 и 90/2019- corr.)

Instruction on legal remedy: An appeal against this Decision may be submitted to the Ministry of

Environmental Protection of the Republic of Serbia within 15 days from the date of receipt of the Decision. The Appeal shall be submitted in writing or stated orally to the Institute for Nature Conservation of Serbia, with a proof of payment of the Republic administrative fee in the amount of 480.00 RSD to the current account No. 840-742221843-57, reference number 59013 according to model 97.

DIRECTOR

Aleksandar Dragišić