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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Bureau of the Standing Committee

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Strasbourg

Complaint on stand-by: 2022/01

**Alleged habitat destruction in the area of Novi Sad due to proposed
infrastructure constructions
(Serbia)**

- COMPLAINANT REPORT -

*Document prepared by
World and Danube*

Nevladina organizacija Svet i Dunav
Nongovernmental organization World and Danube
www.svetidunav.blogspot.com
<https://madtedtpmjr.wixsite.com/dunavac---sodros/devastacija-sodrosa-i-kamenicke-ade>



Council of Europe
Madam Ursula STICKER
Secretary of the Bern Convention

Cc: Permanent Representation of Serbia to the Council of Europe
Ms. Daniela Stojković Jovanović (complainant)

Submission of the 2nd updated report for the attention of the Bureau
29th of January 2024

Subject: Complaint No. **2022/1**: Complaint on stand-by: Serbia: **Alleged habitat destruction in the area of Novi Sad due to proposed infrastructure constructions**

[In accordance with the instructions received](#)

The General Urban Plan of the City of Novi Sad until 2030 is a controversial document that regulates the urban development of the city, including the construction of a bridge over the Danube River and a large residential complex along the riverbank, known as the “Novi Sad Waterfront”. The plan was adopted by the City Assembly on July 21st, 2022, despite the protests and objections of many citizens and activists who claim that the plan violates the environmental, cultural and social values of the city. It is in Novi Sad that there is a general regulation plan under working public inspection, which includes concreting and urbanization of the flood zone on the land that was sold to private investor “Galens”, and which is located in the area of Šodroš and Dunavac. With the intention to enable private investors to build a new settlement on the Danube riverbank to the detriment of citizens, the safety of the city and nature, the authorities in Novi Sad launched the Novi Sad Waterfront project. The idea that was carried out in Belgrade is intended to be repeated in Novi Sad, but in an even worse form. Therefore, the city government changed the General Urban Plan and adapted it to the Novi Sad Waterfront project, and Miloš Vučević, the Mayor in whose mandate the controversial General Urban Plan for Novi Sad until 2030 was adopted at several levels, was rewarded in such a way that it was immediately after the adoption of the 2030 Novi Sad GUP, he became the president of the Serbian Progressive Party and the current Minister of Defence.

The new regulation stipulates that a settlement with more than 500,000 square meters of residential space will be built on the stretch of Mornarica - Shipyard - Ribarsko ostrvo - Šodroš and Kamenička ada. In order to obtain 165 hectares of construction land, it is necessary to move 4.5 kilometres of embankment 500 meters into the Danube bed. And this is actually the fact that we have been warning about since moment they presented the controversial project for the bridge was presented to the public in a place inhabited by over 3000 plant and animal species, of which over 140 are strictly protected and protected. For centuries, the area in question represented an important green infrastructure and its function was to protect the city from floods.

The concrete structure of the new embankment will reduce the flow power, accelerate the flow and return water towards the settlements of Telep, Adice, Veternik and Futog, which will increase the risk of flooding. Endangering the security of the area that already enjoys (on paper) a protected habitat for wild species, the urban chaos and violation of laws and international regulations, as well

as neglecting the interests and will of the people of Novi Sad, are absolutely of no interest to the party in power. Given that the value of apartments in Novi Sad Waterfront is 1.5 billion euros, it is clear that the owners of Serbia value this loot much more than the city and its citizens.

The continuous circumvention of laws, procedures, national and international regulations and ordinances recorded during the presentation and adoption of the disputed General Urban Plan for Novi Sad until 2030 is visible through the following argumentation:

1. [The early public review of the General Urban Plan for Novi Sad until 2030 was omitted](#) "The decision to develop the plan was made in 2009, when the second Law on planning and construction was in force, which did not include early public inspection. That is why the holders of the local authorities interpreted that by the fact that the decision to adopt a new GUP was made at that time, they do not have to respect the provisions of the current law, which provides for public inspection." (Dragomir Ristanovic)
2. Scheduling public hearing sessions always in the morning and cancelling sessions <https://nova.rs/vesti/drustvo/novi-sad-primedbe-odlozile-sednicu-o-generalnom-urbanistickom-planu/>
3. Falsifying documents, studies and permits. Referring to out-dated studies while completely ignoring studies conducted according to international standards and within the framework of international cooperation (example: [Danube Floodplain Factsheet](#)). This fact is literally visible in the amended [Environmental Impact Assessment Study](#), which, apart from the fact that it was made available for public inspection one year after the crime in the area in question was committed, then contested at the public hearing and in submitted objections, in the amended version often provides the reasoning that that certain studies are out-dated, that certain items have been repealed, and that studies that are more recent and that refer to the area in question are ignored, with special reference to the Danube River and the significant floodplain of 170 ha, which will be completely destroyed by the adoption of the conceptual plan, i.e. general regulation plan in the subject area of the former shipyard.
4. Ignoring the plans of higher instances, such as the [Regulation on determining the Spatial Plan of the Special Purpose Area of the International Waterway E80 — Danube \(Pan-European Corridor VII\)](#) ... "The construction of: weekend, residential, commercial and other buildings that are not in the function of water management and waterways is prohibited on the Danube's water land."
5. [Absolutely omitted participation of citizens](#) / The citizens of Novi Sad, together with the architects, collected and submitted more than **12,000 objections to GUP. The public should have the right to know what is happening in public sessions where these objections are considered.** <https://novisad.com/vesti/predato-12590-primedbi-na-generalni-urbanisticki-plan-novog-sada-9395>. Except for several insignificantly and partially adopted objections, most of them were rejected.
6. The swiftly adopted Rules of Procedure of the Planning Commission, which was amended on February 7, 2022, and which prohibited audio and video recordings at public meetings. The civil society organizations saw these amendments to the Rules of Procedure as an attempt to exclude citizens from public debates and legitimize the non-transparent work of authorities. The same Rules of Procedure **limit the presentation of the complainant to 10 minutes**. The Rules of Procedure do not clearly define whether the restriction is related to a person or to a complaint. It goes without saying that **10 minutes is not enough** if the participant of the discussion submitted several objections. It seems that the Rules of Procedure were made arbitrarily, without foundation, solely **to silence the citizens**. These sudden changes to the Rules of

Procedure came into force **after the public presentations of the Draft General Urban Plan**, to which the **citizens of Novi Sad responded in large numbers**. An inconvenience, but actually the truth about the shameful document that they presented to the public, which the representatives of **PE Urbanizam** went through by stating objections from citizens and independent experts (**Association of Novi Sad Architects, DaNS**), resulted in the sudden adoption of the Rules of Procedure, in order to protect the members of the Commission.

7. **Questionable conflict of interests of members of the Planning Commission. [Who are the members of the Planning Commission who get to decide on the fate of the city?](#)** It is strange that out of **six architects** on the Commission, only the secretary **Jasmina Lazić** is a **licensed urban planner**.

8. In protests against the adoption of GUP for the City of Novi Sad, unauthorized and illegal use of force was applied as a reaction to the citizens' request that only one representative participate in the session of the city council during the adoption of GUP for Novi Sad. [Kamenička ada and the City Parliament are "prohibited zones" for Novi Sad's activists](#): This article from 021.rs reports on the situation of the activists who tried to access the construction site on Kamenička ada and the Parliament building in Novi Sad, where they wanted to present their demands to the public and the officials. The article also lists the specific demands of the activists, such as the presentation of permits, contracts, environmental assessments and legal status of the project.

9. **According to RERI, an organisation that promotes the rule of law and environmental protection, the plan was adopted in an unconstitutional and illegal manner, as the city administration did not follow the procedures mandated by the Law on Planning and Construction.** RERI submitted an initiative to the Constitutional Court to assess the constitutionality of the plan and to halt its implementation. RERI argues that the city administration skipped the early public consultation, which is a crucial step for enabling public participation and influence in planning decisions. [RERI also claims that the plan gives priority to private over public interests and that it will result in the loss of public spaces and the degradation of natural and cultural goods](#)¹. Submission of documentation for the purpose of supplementing the appeal to the Secretariat of the Berne Convention by RERI https://drive.google.com/file/d/1cTqx6bpKa-Ju0ZZZ8ppmAKn2po4VJ7c/view?usp=drive_link

10. Criminal complaint against Dejan Mihajlović, the acting General Manager of the City Administration for Urbanism and Construction Affairs of the City of Novi Sad, submitted to the public prosecutor's office in the city of Novi Sad on February 2, 2022. ([Criminal complaint](#))

11. The initiative for the procedure for assessing the legality of the General Urban Plan of the City of Novi Sad until 2030, submitted to the Constitutional Court of the Republic of Serbia, by the Renewable and Environmental Regulatory Institute (RERI) on August 11, 2022. ([Constitutional initiative](#))

12. NVO Svet i Dunav (NGO World and Danube) is a non-governmental organisation based in Novi Sad, Serbia, that focuses on environmental protection and sustainable development. The organisation is involved in various projects and campaigns related to the conservation of natural and cultural heritage, especially along the Danube river. One of their main activities is opposing the planned construction of a bridge over the Danube and a large residential complex along the riverbank, known as the "Novi Sad Waterfront". [The organization claims that these projects will have negative impacts on the biodiversity, landscape and quality of life of the local community](#)¹. On October 17 2022, the CRBC Company began to install a protective fence in the protected area despite the issued Decision on the conditions of nature protection issued by the Provincial Institute for Nature Protection of Vojvodina, in spite of whom [the illegal and de-](#)

[structive felling of autochthonous forest](#) on Sodros began. [Activists periodically stop the cutting](#). On 17 October, NGO World and Danube filed another criminal complaint with the responsible public prosecutor's office for illegal tree felling. The public prosecutor's office demands (after almost two years) an extraordinary control report. - Since we have read the text on the 021 portal, which literally states: that no cavities providing a nesting place for birds or serving for the hibernation of bats have been observed at the named site on the trees that are planned to be felled in the form of a statement by the Provincial Secretariat of Urban Planning and Environmental Protection, we are sending a [denial in the form of documentary photographs](#) and videos taken of all but one of the trees marked for felling today, following the release of the Extraordinary Inspection. [“In accordance with the above, I call on you once again to do your work honourably and with responsibility towards the citizens of Novi Sad”](#) - as stated in the statement signed by Daniela Stojković on behalf of this organisation.

13. On October 18, 2022, when the extremely invasive cutting of the autochthonous forest inhabited by over 140 strictly protected and protected species continued in Sodros in the presence of the media and the public despite the Decisions of the Institute for Nature Protection of Vovodina on the circumstances under which preparatory works can be carried out and the prohibition of cutting forest¹ during that period and in open conflict with the abusive police. In the following video, Daniela Stojkovic Jovanovic (18 October 2022/ Novi Sad, Serbia) was apparently arrested at a time when she is looking for responsible parties, while the Chinese state-owned company CRBC, in collaboration with the highest levels of the Serbian authorities, is carrying out illegal actions directly related to the endangerment of the dike and floodplains of the city of Novi Sad. [“As an interested party in an international dispute against the state of Serbia, I had the right to request inspection of the necessary studies, permits and plans](#) (with the assistance of the police, of course). Just a day before, I filed a criminal complaint against the illegal deduction of sums, on October 17, 2022. years. Instead, the special forces of the police take me into custody, handcuff me and drive me in a van to the main police station.” [After a whole day in police detention, Daniela was charged with disturbing public order and public indecent behaviour. The court proceedings are ongoing.](#)

14. [In the published publication financed by the European Union](#), the REPORT ON CASES OF CORRUPTION AND HUMAN RIGHTS VIOLATION IN URBAN AND SPATIAL PLANNING, a case of evasion of laws and legal procedures during the adoption of the General Urban Plan for Novi Sad until 2030 is mentioned twice.

15. Also, in the [Report of Coalition 27](#) (page 90), “Shadow Report for Chapter 27: Environment and Climate Change”, a publication financed by the European Delegation in Serbia, talks about the corrupt procedure of the adopted General Urban Plan for Novi Sad until 2030 in two chapters. The circumvention of the legal procedures related to this project has begun. The decision on non-compliance with the development of a strategic environmental impact assessment on the plan of general regulation of the bridge in the extension of Bulevar Europa in Novi Sad, despite the fact that the scope of the plan includes several significant ecological areas and the potential impact on the environment is enormous.

Studies on environmental impact assessment of the project - the construction of a ring road around Novi Sad

One year after the beginning of the invasive, destructive and illegal actions that started the construction of the auxiliary bridge and access roadways, a formal public hearing was finally held on the occasion of the publication of the Environmental Impact Assessment Study of the project - the construction of a bypass around Novi Sad with a bridge over the Danube River on the route of IIA-class state road 111 on cadastral plot No. 4227/4 and 4440 CM Novi Sad II and other cadastral plots in CM Sremska Kamenica, registered under number 335-02-04777-2023/3.

Since NGO World and Danube submitted georeferenced data on 139 strictly protected and protected wild species in the subject area to the competent Provincial Secretariat for Environmental Protection in a timely manner, and according to Decision I of the Berne Convention, it was noticeable that they were omitted in the study itself. The compiler's response to the submitted objection followed in the manner in which the usurped institutions have been laconically treating all the submitted evidence, studies and activities for three full years, which clearly pointed out all the illegalities accompanying the seizure of an important ecosystem and flood protection area in Novi Sad. They called the georeferenced data "arbitrary" and "unfounded in science", although the same was prepared by confirmed scientific workers and professional associations, with extensive photo documentation, available on website: <https://mادتدtpmjr.wixsite.com/dunavac---sodros/sodros> Supplement to the study brings an absurd answer to the second part of the remark that the proposed study also shows a noticeable absence of proposed mitigation measures for strictly protected and protected wild species, "that the selection of the location influenced the reduced negative impact of the construction of the bridge because the bridge is being built on the very edge of the protected area", which is evidently untrue.

On December 25, 2023, several civil sector organizations gathered at the initiative of RERI (organization mentioned in Item 09) for a public discussion regarding the irregularity of the adopted study and the joint request for its annulment.

RERI is the applicant of the lawsuit submitted to the Administrative Court, for the annulment of the Decision of the Ministry of Environmental Protection dated November 7, 2023. in which consent was given to the Environmental Impact Assessment Study regarding the construction of a ring road around Novi Sad with the bridge over the Danube River.

For 3 years we have been warning of the negative consequences of the construction of the bridge and, increasingly, of the complete destruction of the floodplain in the area concerned, and have been asking all the relevant authorities for help - in vain. The attachments show the deaths of a GAK bird (little heron) and a young swan, both of which died after colliding with the pillars of an unprotected bridge.

(Photo by Dusan Markovic)



Unfortunately, another tragic event marks the end of 2023, which is directly linked to the unmarked and unprotected construction site. On 19 December, an accident occurred near Šodroš on the Danube in Novi Sad, in which a kayaker died. He was in a kayak that tipped over. [He was unable to free himself and was trapped under the kayak, whereupon the kayak got caught on the barges at the construction site of the new bridge.](#)