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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

**Standing Committee**

43<sup>rd</sup> meeting  
Strasbourg, 28 November - 1 December 2023

**Complaint on stand-by: 2022/01**

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

**- GOVERNMENT REPORT -**

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

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**Republic of Serbia  
MINISTRY OF ENVIRONMENTAL  
PROTECTION**

Number: 337-00-00121/2022-04

Date: 27<sup>th</sup> January 2023.

Belgrade

**Council of Europe  
Biodiversity Department  
Secretariat of the Bern Convention  
F-67075 Strasbourg  
Ms. Ursula Sticker, Executive Secretary**

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

Dear Ms. Sticker,

On behalf of the Ministry of Environmental Protection, referring to the Request of the Secretariat of the Bern Convention dated 7 October 2022, pertaining to Complaint No. 2022/1: Complaint on stand-by: Serbia: Alleged habitat destruction in the area of Novi Sad due to proposed infrastructure constructions, filed to the Secretariat of the Bern Convention on 29 December 2021 by the non-governmental organization "World and Danube", 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, in its capacity as the competent authority monitoring the implementation of the Bern Convention in the Republic of Serbia, sent Request for Submission of Progress Reports No. 337-00-00121/2022-04 dated 17. 10. 2022 to the competent authorities and institutions at the central (republic), regional and local levels, namely: the Ministry of Construction, Transport and Infrastructure of the Republic of Serbia, the Provincial Secretariat for Urban Planning and Environmental Protection, the Institute for Nature Conservation of Vojvodina Province, the City Administration for Environmental Protection of the City of Novi Sad, the Public Company "Urbanizam" from Novi Sad and the Public Water Management Company "Vode Vojvodine" from Novi Sad.

In accordance with the reports received from the aforementioned authorities and institutions, we would like to inform you of the following:

1. The City Assembly of Novi Sad at its XXVIII session held on 21 July 2022 adopted the General Urban Plan (GUP) of Novi Sad until 2030, thereafter published in the Official Gazette of the City of Novi Sad No. 33/2022 of 22 July 2022.

- **The City Administration for Environmental Protection of the City of Novi Sad** (Report No. VI-501-1/2022-154a of 22 November 2022) informed the Ministry of Environmental Protection that this institution had issued the Decision on granting the approval

for the Report on Strategic Impact Assessment of the General Urban Plan of Novi Sad until 2030 (No. VI-501-1/2022 of 13 July 2022).

- The Report on Strategic Impact Assessment contains, *inter alia*, Report on stakeholder, organization and public involvement.

- The areas concerned - Kamenička Ada, Dunavac and Šordoš which are specified in the aforementioned Complaint are regulated by the General Urban Plan of Novi Sad until 2030 and based on this Plan determined as parts of Kamenička Ada area (identified as the habitat of strictly protected and protected wild species (NSA22b)) and Ribarsko Ostrvo area (NSA22a), including the species of international importance transposed by the Rulebook on Proclamation and Protection of Strictly Protected and Protected Wild Species of Plants, Animals and Fungi ("Official Gazette of the Republic of Serbia", Nos. 5/10, 47/11, 32/16 and 98/16) in compliance with the Bern Convention and the EU Birds and Habitats Directive.

2. **The Ministry of Construction, Transport and Infrastructure** submitted Progress Report No. 337-00-00202/2022-01 of 16 January 2023 on deliberation of Complaint No. 2022/1 and Additional Notice from 27<sup>th</sup> January 2023 filed to the Secretariat of the Bern Convention, thus specifying the following:

The Ministry of Construction, Transport and Infrastructure, at the request of the investor Koridori Srbije d.o.o., Kralja Petra 21, Belgrade, issued the following documents pertaining to the phased construction of temporary roads with temporary bridges for the purpose of construction of a bridge over the Danube, as a part of Bypass route construction project around Novi Sad including the bridge over the Danube and related access roads on the route of II A category state road number 111 on the territory of the city of Novi Sad:

- **Location requirements** No. ROP-MGSI-2652-LOCH-2/2022; 350-02-00166/2022-07 of 10.03.2022 for the phased construction of temporary roads with temporary bridges for the purpose of the construction of a bridge over the Danube, as a part of Bypass route construction project around Novi Sad including the bridge over the Danube and related access roads on the route of II A category state road number 111, on cadastral parcels No. 198/7, 198/8, 198/11, 198/13, 198/15, 4440, 4441/1, 4442, 4443, 4438 and 5843/1 all situated on the territory of cadastral municipality Sremska Kamenica and cadastral parcels No. 7856/4, 7391/5, 7391/6, 7391/3, 7390/2, 7386/7, 7386/9 and 7386/10 all situated on the territory of cadastral municipality Novi Sad II, on the territory of the City of Novi Sad, required for development of preliminary design in accordance with the General regulation plan for the bridge extending onto Bulevar Evrope street (Official Gazette of the City of Novi Sad No.210/2021);

- **Temporary construction permit** No. ROP-MGSI-2652-TCPIH-4/2022; 351-02-01150/2022-07 of 31.05.2022, permitting the construction of temporary bridges on the right and left bank of the Danube, as a part of the "I (first) Phase" of the Bypass route construction project around Novi Sad on the route of the IIA category state road number 111, on the cadastral parcels No. 5843/1, 4438 and 4443 situated on the territory of cadastral municipality Sremska Kamenica and cadastral parcels No. 7386/7, 7390/2, 7391/3, 7391/5, 7391/6 and 7856/4 situated on the territory of cadastral municipality Novi Sad II, on the territory of the City of Novi Sad;

- **Temporary construction permit** No. ROP-MGSI-2652-TCPIH-7/2022; 351-02-02775/2022-07 of 15.09.2022, permitting carrying out of works that are planned in the "II (second) Phase" of the construction of the temporary roads with temporary bridges for the purpose of the construction of a bridge over the Danube, as a part of Bypass route construction project around Novi Sad including the bridge over the Danube and related access roads on the route of II A category state road number 111, on the cadastral parcels No. 7856/4, 7391/5, 7391/6, 7386/7, 7386/9, 7386/10 situated on the territory of cadastral municipality Novi Sad

II, slip road to a motorway is constructed on cadastral parcels No. 7386/9 and 7386/10 cadastral municipality Novi Sad II, on the territory of the City of Novi Sad. The works include safeguarding of the gas pipeline on the cadastral parcels No. 7386/7, 7386/9, 7386/10 cadastral municipality Novi Sad II, all situated on the territory of the City of Novi Sad;

- **Verification of Commencement Notice** ROP-MGSI-2652-WA-5/2022; 351-06-01803/2022-07 of 08.07.2022, confirming the receipt of works commencement notice referring to Decision on temporary construction permit ROP-MGSI-2652-TCPIH-4/2022; 351-02-01150/2022-07 of 31.05.2022, date of the planned commencement of works is 10.06.2022, while the planned completion date is 10.06.2023;

- **Verification of Commencement Notice** ROP-MGSI-2652-WA-15/2022; 351-06-04038/2022-07 of 02.12.2022, confirming the receipt of works commencement notice referring to Decision on temporary construction permit ROP-MGSI-2652-TCPIH-4/2022; 351-02-01150/2022-07 of 31.05.2022, date of the planned commencement of works is 15.12.2022, while the planned completion date is 15.12.2023;

- **Verification of Commencement Notice** ROP-MGSI-2652-WA-17/2022; 351-06-04267/2022-07 of 23.12.2022, confirming the receipt of works commencement notice referring to Decision on temporary construction permit ROP-MGSI-2652-TCPIH-4/2022; 351-02-01150/2022-07 of 31.05.2022, date of the planned commencement of works is 20.12.2022, while the planned completion date is 20.12.2023;

- **Verification of Commencement Notice** ROP-MGSI-2652-WA-8/2022; 351-06-03095/2022-07 of 27.09.2022, confirming the receipt of works commencement notice referring to Decision on temporary construction permit ROP-MGSI-2652-TCPIH-7/2022; 351-02-02775/2022-07 of 15.09.2022, date of the planned commencement of works is 23.09.2022, while the planned completion date is 23.09.2023;

- **Verification of Commencement Notice** ROP-MGSI-2652-WA-16/2022; 351-06-04039/2022-07 of 02.12.2022, confirming the receipt of works commencement notice referring to Decision on temporary construction permit ROP-MGSI-2652-TCPIH-7/2022; 351-02-02775/2022-07 of 15.09.2022, date of the planned commencement of works is 15.12.2022, while the planned completion date is 15.12.2023.

**The bridge and access roads construction schedule shall be defined by a Contract in the following manner:**

- Pursuant to the Contract, the deadline for designing Sections 1,2,3 and 4 is 5 months from the date of signing of the Contract (Preliminary design, Construction approval plan and Main design) excluding the time required for the Road Safety Audit, Technical Control, etc.;

- The time frame for completing a part of the connection to Fruška Gora Corridor, which includes Conceptual project design, Preliminary design, Construction approval plan and Main design, is 12 months, excluding the time required for the Road Safety Audit, Technical Control, etc.;

- duration of the construction works based on the Contract is 31 months as of the works commencement date;

- the works commencement date, pertaining to the Contract, is the date when the licenced Engineer submits the authorization and construction permit and makes an entry in the construction logbook thereof; It is also required that the Financier and the Investor have previously completed the expropriation and other relevant procedures in accordance with Article 53 of the Contract;

- planned duration of the construction works on the connection to Fruška Gora Corridor is 11 months as of the works commencement date.



3. **The Ministry of Environmental Protection** passed the following Act in accordance with the Law on Environmental Impact Assessment:

- In accordance with the application submitted by the company Koridori Srbije d.o.o. of 18.04.2022, requesting the Ministry to determine whether or not the Bypass route construction project around Novi Sad including the bridge over the Danube and related access roads on the route of II A category state road number 111 requires an EIA, the Ministry of Environmental Protection issued Decision No.: 011-00-00511/2022-03 dated 22.06.2022 requiring the development of the Environmental Impact Assessment Study for the Bypass route construction project around Novi Sad.

Company Koridori Srbije d.o.o. submitted a request for consent to the Environmental Impact Assessment Study on 28.12.2022. Currently, an administrative check of the request is being carried out, i.e. checking whether the request is orderly and complete, whether the Study was carried out in accordance with the decision on the scope and content of the study and whether it has adequate scope, presentation of the factual situation, analysis in thematically defined chapters, considered alternative solutions, comprehensively reviewed the possible negative impacts of the project, as well as accordingly designed protection measures, etc.

4. **The Institute for Nature Conservation of Vojvodina Province** submitted Progress Report pertaining to deliberation of Complaint filed under code 03 number 922-3058/2 of 27 October 2022 and Additional Notice (03 number: 022-206 of 25 January 2023), thus specifying as follows:

In accordance with the request of the Ministry of Construction, Transport and Infrastructure, the Institute for Nature Conservation of Vojvodina Province issued the following:

4.1. **Decision on nature conservation requirements referring to the location conditions for the phased construction of the bypass around Novi Sad with a bridge over the Danube on the route of the IIA category state road number 111 (03 No. 020-3709/6 of 24 January 2022)**, thus prescribing the following:

1) The content and activities relating to bridge construction and usage in the area in question that includes spatial units of importance for biodiversity conservation (habitat NSA22a and the international Danube ecological corridor) shall be designed in accordance with the Rulebook on the Proclamation and Protection of Wild Species of Strictly Protected and Protected Plant, Animal and Fungi (Official Gazette of the Republic of Serbia, Nos. 5/2010, 47/2011, 32/2016 and 98/2016) and the Decree on Ecological Network (Official Gazette of the Republic of Serbia, No. 102/10).

2) During the bridge construction:

- It is prohibited to open borrow pit(s), dispose of waste material and install any temporary facility/structure for the needs of construction works outside the planned route of the bridge in the area within the boundaries of habitat NSA22a and in the zone of immediate hydrological impact (200 m from the river basin) on the habitat, as well as in the areas within the ecological corridor which are in natural or near-natural state;

- In all phases of construction and landscaping, the existing natural vegetation within the boundaries of the habitats of strictly protected and protected species and the ecological corridor shall be preserved to the greatest extent possible.

3) Measures for preserving functionality of the ecological corridor include as follows:

- Conceptual design of the bridge, as well as the conceptual layout plan of the riverbanks under the bridge shall ensure free movement of animals along the Danube riverbanks, including big game and small, less mobile species;

- The continuous vegetation belt shall be preserved/planted along the riverbank and it shall be similar to the vegetation of the surrounding area, since this is a prerequisite for the functionality of the corridor;

- Develop technical and biotechnology solutions which ensure the unobstructed mobility along the Danube riverbank under the bridge:

- a) Build paths, i.e., belts along the slopes of artificial sections of the riverbank (these should have rough surface and a slope of less than 45°) and on horizontal surfaces of the banks, providing clear of obstacles and safe passage even for small animals, at the same time avoiding the construction of vertical surfaces (e.g., stairs) and larger artificial surfaces;

- b) Ensure safe movement of large wild species by adequate landscaping (natural surface on the largest possible area of the riverbank, decreased impacts of lighting). The width of the horizontal space favorable for the movement of game at the middle water-level should be at least 4 m, while the height should be at least 4 m;

- Technical solutions (e.g., rough surfaces, horizontal trenches, slopes of less than 45°) which ensure the safe movement of small animals along the riverbed, i.e., enable their exit from the riverbed or structures, should be provided for all hydrotechnical facilities that create a barrier for the movement of animals along the riverbed or shore (e.g., steep artificial surfaces, shafts, storm water drains with vertical or steep walls);

- Develop technical solutions for noise protection, in order to protect the population in the impact zone, and with the aim of reducing the disturbance of wild habitats and ecological corridors. If transparent noise barrier panels are used, it is mandatory to stick a picture of a predator on all transparent panels larger than 1 m<sup>2</sup> in order to minimize accidental bird deaths.

- 4) For the purposes of protecting the air and river migration corridor, lighting models for direct lighting with protection from scattering of light towards the sky and towards the Danube, i.e., towards the specified habitat, are to be chosen. The installation height, mutual distance and direction of the light fixtures should be determined in accordance with the identified needs relating to protecting the undefended part of the floodplain and the Danube coastal zone from lighting.

**4.2. At the request of the Ministry of Construction, Transport and Infrastructure, a Decision on conditions for nature conservation referring to location conditions for phased construction of the bypass route around Novi Sad including the bridge over the Danube connected to the route of II A category state road number 111 (03 No. 020-3709/6 of 24 January 2022) has been issued, with particular reference to the following conditions:**

- 1) The content and activities relating to construction of temporary roads with temporary bridges in the area in question, shall be designed in accordance with the Law on National Parks (Official Gazette of the Republic of Serbia, No. 84/2015 and 95/2018 – other law), the Decree on the Ecological Network, the Rulebook on the Proclamation and Protection of Strictly Protected and Protected Wild Species of Plants, Animals and Fungi as well as in accordance with the concerned Conceptual design;

- 2) During the construction of temporary roads with temporary bridges in the concerned area:

- It is prohibited to open borrow pit(s), dispose of waste material for the needs of construction works outside the planned route of temporary roads with temporary bridges within the boundaries of habitat NSA22a and in the zone of immediate hydrological impact (200 m

from the river basin) on the habitat, as well as in the areas within the ecological corridor which are in natural or near-natural state;

- In all phases of construction and landscaping, the existing natural vegetation within the boundaries of the habitats of strictly protected and protected species and the ecological corridor shall be preserved to the greatest extent possible.

- It is prohibited to temporarily and permanently deposit material and soil for execution of the works within the boundaries of habitat NSA22a;

- All the material for construction works and earthworks can be deposited at the planned locations;

- It is necessary to prevent material and soil from entering the watercourse;

3) Ensure the protection of wild species during execution of the works:

- If earthworks (digging trenches, foundations, etc.) take place between February 10 and October 15, ensure regular monitoring of all excavations that are open for more than one day. In the event of death of amphibians or other protected or strictly protected animals (shrews, hedgehogs, turtles, frogs, etc.) in trenches/holes, it is necessary to apply protection measures by installing a temporary fence (low plastic fence, etc.) that prevents entry of small animals in them, or provide ramps for animals to exit (slats, boards and other objects with a rough surface placed at an angle of less than 45° allowing animals to exit the trench/hole).

4) Measures aimed at protecting the functionality of the ecological corridor:

- Conceptual design of the temporary roads and bridges, shall ensure free movement of animals along the Danube riverbanks, including big game and small, less mobile species;

- For all hydrotechnical facilities creating a barrier for the movement of animals along the riverbed or along the coast (e.g. steep artificial surfaces, shafts, storm water drains with vertical or steep walls) technical solutions should be provided (e.g., rough surfaces, horizontal trenches, slopes of less than 45°) which ensure the safe movement of small animals along the riverbed, i.e., enable their exit from the riverbed or structures;

5) Apply appropriate technical solutions ensuring a sustainable lighting solution for temporary roads and bridges (economic and ecological aspects) and reduce the negative effects of night lighting on wild species:

The Provincial Institute for Nature Conservation subsequently informed the Ministry of Environmental Protection that it had received a letter with 9 enclosures from the Non-Governmental Organization "World and Danube", which was also sent to the Secretariat of the Bern Convention. Considering the fact that the invoice for compensating the service of collection, processing and entering of georeferenced data into the appropriate tables is attached to the letter with enclosures, and that no agreement with the Institute regarding the services was previously signed and that also there is no legal basis for such compensation, **the Institute did not open, take into consideration, or use the submitted data, which it reported to the non-governmental organization "World and Danube".**

Acting upon request of the Provincial Secretariat for Urban Planning and Environmental Protection – Inspection Service, the Institute conducted a professional supervision in the area of Šodroš, on 28 December 2022, based on the complaint submitted by the Ecological Front Novi Sad, dated 16 December 2022. On that occasion, it was concluded that the protection measure defined under the previously adopted Decision 03 No. 019-384/2 of 7 March 2022, and which reads as follows: "felling of the trees containing hollows that are a nesting place for birds or are used for hibernation of bats, may be carried out in the period from August 1 to November 1", was not violated as stated in the complaint.



5. **The Public Company “Urbanizam” from Novi Sad** submitted Progress Report pertaining to deliberation of the Complaint filed under code: 1040-1/22 of 23 November 2022), which indicates the importance of the Strategic Environmental Assessment Report of the General Urban Plan of Novi Sad until 2030, and also assesses the impact on the area in question with special emphasis on the measures to protect the habitats of strictly protected species and the measures to preserve and improve natural and near-natural ecological elements of ecological corridors, namely:

5.1. Protection measures for habitats of strictly protected and protected wild species of national importance (Natural habitats of strictly protected and protected species NSA22a):

- The following is prohibited: changing habitat morphological and hydrological characteristics; disposing waste and hazardous materials, bringing in invasive plant and animal species;

- The following is restricted: changing the vegetation composition and structure in the habitat fringing areas, where it is possible to raise green belts and form pedestrian/recreational paths, if in accordance with the species protection requirements in the respective habitat; purpose of spatial wholeness, to protecting greenery (or park-forest in forest habitats); planning activities for ecological education, habitat conservation, as well as spatially and time-limited recreation in accordance with the space characteristics and capacity;

- The following shall be obtained: special requirements and conditions for nature conservation for all activities in these areas, including activities for the spatial wholeness maintaining and/or arranging.

5.2. Measures for the conservation and improvement of natural and near-natural elements of ecological corridors:

- It is prohibited to change the purpose of surfaces under vegetation in natural and near-natural status (meadows, pastures, reed beds, etc.) as well as clear cutting of forest belts or other types of greenery with the role of ecological corridors;

Connectivity of the following habitats of protected species shall be provided:

- forest habitats by raising/restoring belts of high greenery connected into a green network;
- forest and steppe habitats by raising windbreaks containing a continuous belt of grass vegetation;

- swamp habitats by conservation of open melioration channels and their bank belts;

- connecting the rest of natural habitats by intensifying urban edge effects in a single green infrastructure of multifunctional character (parks, streets and protecting greenery, habitat protection, recreation, etc.);

- providing canal/waterway openness with their ecological corridor role in full length (revitalization of corridors in pipe sections); providing free flow in the pumping stations and other hydrotechnical structure zones by arranging greenery and applying planning and technical solutions in accordance with the Law;

- waterway regulation (meander cutting, construction of embankments and coastguards, deepening riverbeds), bank paving and construction;

- conservation of the riverbank area vegetation belt (willow and swamp vegetation) as long as possible along the waterway/canal banks;

- there should be at least 50 % of high greenery in the sport and recreation areas in the ecological corridor of the Danube, and 30-40 % on other surfaces;

- it is necessary to provide continuous green corridor 20-50 m wide in the flooding Danube area. Continuity of the grass and forest vegetation corridors shall be provided by forming treelines and arranged green surfaces with shrub species along the open and/or constructed parts of the space.



We particularly wish to note that all the aforementioned measures have been prescribed by the Institute for Nature Conservation of Vojvodina Province, and therefore compliant with all regulations and principles of environmental protection, especially those pertaining to nature protection. We also wish to emphasize that the Institute for Nature Conservation of Vojvodina Province had given their consent to all the planning documents that were prepared regarding the area in question (General regulation plan for the bridge extending onto Bulevar Evrope street and the General Urban Plan of Novi Sad until 2030), which additionally confirms that all environmental protection measures have been properly implemented and are binding during the implementation of the project concerned.

We hereby enclose the requested map showing the area where the works in question are planned to take place, which was delivered to you before, attached with the first Statement on the Complaint.

Please find attached the copies of the mentioned documents translated into English.

Whilst looking forward to your kindest response, we wish to thank the Bureau in advance for their thorough consideration of this report.

List of annexes:

- [Report by the Ministry of Construction, Transport and Infrastructure;](#)
- [Report by the City of Novi Sad;](#)
- [Opinion by the Institute for Nature Conservation of Vojvodina Province;](#)
- [Report by the Urban Planning Institute;](#)
- [Map of the planning area.](#)