



Strasbourg, 11<sup>th</sup> August 2023

T-PVS/Files(2023)17

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: 2021/7**

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

**- GOVERNMENT REPORT -**

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

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- August 2023 -



**Republic of Serbia  
MINISTRY OF ENVIRONMENTAL  
PROTECTION**

Number: 337-00-00060/2023-04

Date: 7 August 2023.

Belgrade

**Council of Europe  
Biological Diversity Department  
Secretariat of the Bern Convention  
F-67075 Strasbourg  
Mrs. Ursula Sticker, Secretary**

**Subject: Progress report on the Complaint No: 2021/7: the Complaint is being tracked: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley**

Dear Mrs. Sticker,

Regarding the request of the Secretariat of the Bern Convention dated 20 April 2023, which refers to the Complaint No: 2021/7: the Complaint is being tracked: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley, which was filed to the Secretariat of the Bern Convention by the international non-governmental organisation „Earth Thrive”, in its own name and on behalf of the „Protect Jadar and Radevina” Movement and the „Earth Law Centre” Movement, we would like to inform you, on behalf of the Ministry of Environmental Protection, about the following::

In accordance with the Decision of the Bureau of the Bern Convention, the Ministry of Environmental Protection, in the capacity of the competent authority that monitors the implementation of the Bern Convention for the Republic of Serbia, sent a **Request for progress reporting** (No:337-00-00060/2023-04 dated 10 May 2023) to the competent authorities and organisations, as follows: the Ministry of Construction, Transport and Infrastructure, the Ministry of Mining and Energy, the Republic Geodetic Authority and the Institute for Nature Conservation of Serbia, including the internal report of the Ministry of Environmental Protection.

Based on the reports received from the aforementioned authorities and organisations, we would like to inform you of the following:

**1. The Ministry of Construction, Transport and Infrastructure** submitted a Progress Report (No:351-03-1517/23 dated 11 July 2023), which confirms that the Government of the Republic of Serbia has adopted the Regulation on the termination of the Regulation on establishing the spatial plan for the special purpose area for the implementation

of the „Jadar” project of exploitation and processing of Jadarite mineral („Official Gazette of the Republic of Serbia”, number 8/22), that Articles 2 and 3 of this Regulation, specify that the competent authorities shall without delay repeal the individual acts adopted for the purpose of the implementation of the Regulation on establishing the spatial plan for the special purpose area for the implementation of the „Jadar” project of exploitation and processing of Jadarite mineral („Official Gazette of the Republic of Serbia”, No: 26/20), as well as that the competent authorities shall immediately suspend all procedures that have been initiated on the basis of this Regulation.

**2. The Ministry of Mining and Energy** submitted a Progress Report (No:310-02-01722/2022-02 dated 30 May 2023), in which it is stated that upon the inspection of the public register of this Ministry, published on a website, it was determined that the register had not been updated, so that the **exploration area approved to the company Rio Sava Exploration LLC from Belgrade for conducting applied engineering-geological research in the Korenite exploration area, number G-9, was not active.**

They also indicate that the exploitation of mineral and other geological resources is carried out in locations where the economic justification of the exploitation of said resources has been established through applied research.

Geological research and exploitation of mineral and other geological resources shall be carried out on the basis of approval and expert documentation, in accordance with the approval of the Ministry of Mining and Energy, i.e. the competent Provincial Secretariat for the territory of AP Vojvodina, and on the basis of the provisions of the Law on Mining and Geological Research („Official Gazette of the Republic of Serbia”, No:101/2015, 95/2018-other law and 40/2021).

In addition, they notify that there is no Strategy for the use of mineral resources.

**3. The Ministry of Environmental Protection**, pursuant to the Law on Environmental Impact Assessment and in accordance with Articles 2 and 3 of the aforementioned Regulation, the following decisions were rendered:

1) Decision of the Government Administrative Commission (14 No:353-9316/2021-003 of 25 January 2022), which annuls the Decision of the Ministry of Environmental Protection no. 353-02-01163/2021-03 of 18 August 2021; the geological research company Rio Sava Exploration LLC from Belgrade filed a lawsuit against that decision. **The proceeding based on this lawsuit is ongoing before the Administrative Court;**

2) Decision of the Government Administrative Commission (14 No:353-1716/2022-003 of 31 March 2022), which annuls the Decision of the Ministry of Environmental Protection No:353-02-2102/2021-03 of 8 November 2021; the geological research company Rio Sava Exploration LLC from Belgrade filed a lawsuit against that decision. **The proceeding based on this lawsuit is ongoing before the Administrative Court;**

3) Decision of the Ministry of Environmental Protection (No:353-02-1167/2021 of 14 February 2022) suspending the procedure based on the request to determine the scope and content of the Environmental impact assessment study for the "Jadar" project of underground exploitation of lithium and boron deposits, for ore beneficiation plants and disposal of tailings generated during mining activities, on cadastral plots within the cadastral municipalities of Gornje Nedeljice, Brnjac, Veliko Selo, Jarebice, Slatina, Stupnica and Šurice, in the territory of the City of Loznica and the Municipality of Krupanj, within the scope of subzones 1A and 1B - mining activity zones, according to the Spatial plan for the special purpose area for the implementation of the project of exploitation and processing of Jadarite mineral in the „Jadar” deposit („Official Gazette of the Republic of Serbia”, No:26/2020); the geological research company Rio Sava Exploration LLC from Belgrade filed an Complaint against that decision.

**The Complaint procedure is ongoing before the Government Administrative Commission;**

4) Decision of the Ministry of Environmental Protection (No:353-02-2102/2022 of 20 July 2022), suspending the procedure based on the request to determine the scope and content of the Environmental impact assessment study for the road construction project, i.e. IB category state road number 27, section Brezjak (IB category state road 27 Valjevo – Loznica chainage: 16+446 km) – Lipnički šor (IB category state road 26 Šabac chainage: 118+394 km) chainage: from 0+000.00 km to 13 +604.11 km, L=13,604 km; the geological research company Rio Sava Exploration LLC from Belgrade filed an Complaint against that decision. **The Complaint procedure is ongoing before the Government Administrative Commission;**

5) Decision of the Ministry of Environmental Protection (No:353-02-1931/2021-03 of 24 January 2022), suspending the procedure based on the request for deciding on the need for an environmental impact assessment of the construction project of the transmission line TL (DV) 110 kV no. 106A/4 ES (TS) Valjevo 3 - ES (TS) Loznica 2 and the transmission line 110 kV no. 106B/4 ES (TS) Osečina - ES (TS) Loznica, integration into the 110 kV Jadar Switchyard (PRP), on parts of cadastral plots nos. 938, 939, 940, 942/4, 942/5, 943/1, 944/3, 94471, 945, 946, 947, 949/3, 948, all within the Cadastral Municipality of Veliko selo, and on parts of cadastral plots nos. 967, 966, 965, 964, 968/8, 968/7, 968/2, 968/3m 968/6 and 968/1 all within the Cadastral Municipality of Brnjac, the City of Loznica;

6) Decision of the Ministry of Environmental Protection (No:353-02-1932/2021-03 of 24 January 2022), suspending the procedure based on the request for deciding on the need for an environmental impact assessment of the construction project of the 110 kV Jadar Switchyard which consists of 110 kV plant for connecting a 110 kV transmission line, a plant building with an entrance gate facility and a diesel electric generator, on parts of cadastral plots nos. 938 and 939, both within the Cadastral Municipality of Veliko selo and on parts of cadastral plot no. 967, within the Cadastral Municipality of Brnjac, the City of Loznica.

7) Decision of the Government Administrative Commission (14No:353-3848/2023 of 8 June 2023), **rejecting the Complaint of „Rio Sava Exploration” LLC from Belgrade, 1i Bulevar Milutina Milankovića Blvd.**, filed via the Law Firm (AOD) Moravčević Vojnović and Partners from Belgrade, 6-8 Bulevar vojvode Bojovića Blvd., in the capacity of the attorney, against the decision of the Ministry of Environmental Protection suspending the procedure based on the request of the project holder for determining the scope and content of the Environmental impact assessment study for the „Jadar” project of underground exploitation of lithium and boron deposits, for ore beneficiation plants and disposal of tailings generated during mining activities, on cadastral plots within the cadastral municipalities of Gornje Nedeljice, Brnjac, Veliko Selo, Jarebice, Slatina, Stupnica and Šurice, in the territory of the City of Loznica and the Municipality of Krupanj, within the scope of subzones 1A and 1B - mining activity zones, according to the Spatial plan for the special purpose area for the implementation of the project of exploitation and processing of Jadarite mineral in the „Jadar” deposit („Official Gazette of the Republic of Serbia”, No:6/2020) (No:353-02 -01163/2021-03 of 14 February 2022).

8) Decision of the Government Administrative Commission (14No:53-3846/2023 of 8 June 2023), **rejecting the Complaint of „Rio Sava Exploration” LLC from Belgrade, 1i Bulevar Milutina Milankovića Blvd.**, filed via the Law Firm (AOD) Moravčević Vojnović and Partners from Belgrade, 6-8 Bulevar vojvode Bojovića Blvd., in the capacity of the attorney, against the decision of the Ministry of Environmental Protection suspending the procedure based on the request of the project holder for determining the scope and content of the Environmental impact assessment study for the road construction project, i.e. IB category state road number 27, section Brezjak (IB category state road 27 Valjevo – Loznica chainage:

16+446 km) – Lipnički šor (IB category state road 26 Šabac chainage: 118+394 km), chainage: from 0+000.00 km to 13 +604.11 km, L=13,604 km (No:353-02-2102/2022-03 of 20 July 2022).

4. **The Republic Geodetic Authority** submitted a report (No:952-285/2023 dated 7 July 2023), in which it informed that the real estate data registered in the real estate cadastre were publicly available on the website of the Republic Geodetic Authority, through the e-Cadastre application (*eKatastar*), which could be accessed via the following link: <https://www.rgz.gov.rs/usluge/ekatastar-javni-pristup>, by means of which interested parties might also search for cadastral plots of the subject area. The e-Cadastre application (*eKatastar*) for user registration also enables searching of the real estate cadastre database and insight into the expanded data set compared to the data set provided by the web application for public access. Only registered users, who have a contract with the Republic Geodetic Authority on the use of real estate cadastre data, have access to the said web application. A person may become a registered user based on the submission of a request, which is sent to the following address: [webmaster@rgz.gov.rs](mailto:webmaster@rgz.gov.rs).

5. **The Institute for Nature Conservation of Serbia** submitted the opinion (03No: 025-1784/2 dated 1 June 2023), indicating the following:

1) The area where Jadarite exploitation is planned in the „Jadar” deposit is not within the protected area for which the protection procedure has been implemented or initiated, nor is it within the boundaries of the ecologically significant area of the national ecological network of the Republic of Serbia.

2) With regard to the question from the request of the Bureau, that reads as follows: „How is the interest of nature included in the relevant environmental impact assessment studies?”, the Institute issued the following acts, which are attached to this Report, namely:

-Decision on the issuance of nature protection conditions for the exploitation and processing of Jadarite minerals in the „Jadar” deposit, in the territory of the City of Loznica and the Municipality of Krupanj (03Nor:020-3128/2 dated 30 November 2020);

-Opinion on the Proposal for a decision on the development of a Strategic environmental impact assessment of amendments to the Spatial plan for the special purpose area for the implementation of the „Jadar” project of exploitation and processing of Jadarite mineral (03No:020-3128/2 dated 22 December 2020);

- Notification regarding the request to determine the scope and content of the Environmental impact assessment study for the „Jadar” project of underground exploitation of lithium and boron deposits (03No:030-2186/2 dated 23 July 2021).

Copies of the aforementioned documents with English translation are attached to this report.

Looking forward to your reply, we would like to thank the Bureau in advance for its highest consideration of this report.

Sincerely,

MINISTER

Irena Vujović  


## Annex 1



Република Србија  
МИНИСТАРСТВО ЗАШТИТЕ  
ЖИВОТНЕ СРЕДИНЕ

Број: 337-00-00060/2023-04

Датум: 07. 08. 2023. године

Београд

Савет Европе  
Одељење за биолошку разноврсност  
Секретаријат Бернске конвенције  
Ф-67075 Стразбур  
Г-ђа Уреула Стикер, Секретар

**Предмет: Извештај о напретку по Жалби број 2021/7: жалба је на праћењу:  
Србија: Наводно угрожавање дивљих животињских врста и  
заштићених подручја услед предложене изградње рудника литијума у  
долини реке Јадар**

Поштована г-ђо Стикер,

У вези захтева Секретаријата Бернске конвенције од 20. 04. 2023. године, који се односи на Жалбу број: 2021/7: жалба на праћењу: Србија: Наводно угрожавање дивљих животињских врста и заштићених подручја услед предложене изградње рудника литијума у долини реке Јадар, коју је Секретаријату Бернске конвенције поднела Међународна невладина организација „Earth Thrive“, у своје име, и у име Покрета „Заштитимо Јадар и Рађевину“ и Покрета „Центар за правну заштиту планете Земље и природе“, у име Министарства заштите животне средине, желимо да вас обавестимо о следећем:

У складу са Одуком Бироа Бернске конвенције, Министарство заштите животне средине је, у својству надлежног органа, који прати спровођење Бернске конвенције за Републику Србију, упутило **Захтев за извештавање о напретку** (Број: 337-00-00060/2023-04 од 10. 05. 2023. године) надлежним органима и организацијама, и то: Министарству грађевинарства, саобраћаја и инфраструктуре, Министарству рударства и енергетике, Републичком геодетском заводу и Заводу за заштиту природе Србије, укључујући и интерни извештај Министарства заштите животне средине.

На основу примљених извештаја надлежних органа и организација, обавештавамо Вас о следећем:

**1. Министарство грађевинарства, саобраћаја и инфраструктуре** је доставило Извештај о напретку (Број: 351-03-1517/23 од 11. 07. 2023. године), којим се потврђује да је Влада Републике Србије усвојила Уредбу о престанку важења Уредбе о утврђивању

Просторног плана подручја посебне намене за реализацију пројекта експлоатације и прераде минерала јадарита „Јадар“ („Службени гласник РС”, број 8/22), да је чл. 2 и 3. ове Уредбе дефинисано да су надлежни органи у обавези да, без одлагања, ставе ван снаге појединачне акте донете ради реализације Уредбе о утврђивању Просторног плана подручја посебне намене за реализацију пројекта експлоатације и прераде минерала јадарита „Јадар” („Службени гласник РС”, број 26/20), као и то да ће надлежни органи без одлагања обуставити све поступке који су започети на основу ове Уредбе.

**2. Министарство рударства и енергетике** је доставило Извештај о напретку (Број: 310-02-01722/2022-02 од 30. 05. 2023. године), у којем се наводи да је увидом у јавни регистар овог Министарства, који је објављен на интернет презентацији, утврђено да регистар није ажуриран тако да, **истражни простор одобрен предузећу Rio Sava Exploration д.о.о. из Београда за вршење примењених инжењерско-геолошких истраживања на истражном простору Корените број Г-9 није активан.**

Указују и на то, да се експлоатација минералних и других геолошких ресурса врши на локацијама где је кроз примењена истраживања утврђена економска оправданост експлоатације наведених ресурса.

Геолошка истраживања и експлоатација минералних и других геолошких ресурса врши се на основу одобрења и стручне документације у складу са одобрењем Министарства рударства и енергетике, односно надлежног Покрајинског секретаријата за територију АП Војводине, а на основу одредби Закона о рударству и геолошким истраживањима („Службени гласник РС”, бр. 101/2015, 95/2018-др закон и 40/2021).

Такође, дају обавештење да не постоји Стратегија коришћења минералних сировина.

**3. Министарство заштите животне средине** у складу са Законом о процени утицаја на животну средину, а у складу са чл. 2. и 3. горе наведене Уредбе, донете су следеће одлуке:

1) Решење Административне коимисије Владе (14 Број: 353-9316/2021-003 од 25. јануара 2022. године), којим се поништава решење Министарства заштите животне средине број 353-02-01163/2021-03 од 18. августа 2021. године; На то решење Предузеће за геолошка истраживања Rio Sava Exploration Д.О.О. Београд је изјавило тужбу. **Поступак по тужби је пред Управним судом у току;**

2) Решење Административне коимисије Владе (14 број 353- 1716/2022-003 од 31. марта 2022. године), којим се поништава решење Министарства заштите животне средине број 353-02-2102/2021-03 од 08. 11. 2021. године; На то решење Предузеће за геолошка истраживања Rio Sava Exploration Д.О.О. Београд је изјавило тужбу. **Поступак по тужби је пред Управним судом у току;**

3) Решење Министарства заштите животне средине (Број: 353-02-1167/2021 од 14. фебруара 2022. године) којим се обуставља поступак по захтеву за одређивање обима и садржаја студије о процени утицаја на животну средину пројекта подземне експлоатације лежишта литијума и бора „Јадар”, постројења за обогаћивање руде и одлагања јаловине настале при рударским активностима, на катастарским парцелама у оквиру катастарских општина Горње Недељице, Брњац, Велико Село, Јаребице, Слатина, Ступница и Шурице на територији града Лознице и општине Крупањ у обухвату подзона 1А и 1Б – зона рударских активности према Просторном плану подручја посебне намене за реализацију пројекта експлоатације и прераде минерала јадарита у лежишту „Јадар” („Службени гласник РС”, број 26/2020); На то решење Предузеће за геолошка истраживања „Rio Sava Exploration” д.о.о. Београд је изјавило жалбу. **Поступак по жалби пред Административном комисијом Владе је у току;**

4) Решење Министарства заштите животне средине (Број: 353-02-2102/2022 од 20. јула 2022. године), којим се обуставља поступак по захтеву за одређивање обима и садржаја студије о процени утицаја на животну средину пројекта изградње саобраћајнице, државни пут IB реда број 27, деоница Брезјак (државни пут IB 27 Ваљево – Лозница на км 16+446) – Липнички шор (државни пут IB 26 Шабац на км 118+394) од км 0+000,00 до км 13 +604,11, L=13,604 км; На то решење Предузеће за геолошка истраживања Rio Sava Exploration Д.О.О. Београд је изјавило жалбу. **Поступак по жалби пред Административном комисијом Владе је у току;**

5) Решење Министарства заштите животне средине (Број: 353-02-1931/2021-03 од 24. јануара 2022. године), којим се обуставља поступак по захтеву за одлучивање о потреби процене утицаја на животну средину пројекта изградње далековода ДВ 110 kV бр. 106А/4 ТС Ваљево 3 – ТС Лозница 2 и далековода 110 kV бр. 106Б/4 ТС Осечина – ТС Лозница, увођење у ПРП 110 kV Јадар, на деловима катастарских парцела бр. 938, 939, 940, 942/4, 942/5, 943/1, 944/3, 94471, 945, 946, 947, 949/3, 948 све КО Велико село, и деловима катастарских парцела бр. 967, 966, 965, 964, 968/8, 968/7, 968/2, 968/3м 968/6 и 968/1 све у КО Брњац, град Лозница;

6) Решење Министарства заштите животне средине (Број: 353-02-1932/2021-03 од 24. јануара 2022. године), којим се обуставља поступак по захтеву за одлучивање о потреби процене утицаја на животну средину пројекат изградње прикључног разводног постројења 110 kV Јадар које чини 110 kV постројење за прикључење 110 kV далековода, зграда постројења са портирницом и дизел електрични агрегат, на деловима катастарских парцела бр. 938 и 939, обе у КО Велико село, и делу катастарске парцеле број 967 КО Брњац, град Лозница.

7) Решење Административне комисије Владе (14 Број 353-3848/2023 од 08. јуна 2023. године), којим се одбија жалба „Rio Sava Exploration“ д.о.о. Београд, Булевар Милутина Миланковића 1и, изјављена преко пуномоћника Моравчевић Војновић и партнери АОД из Београда, Булевар војводе Бојовића 6-8, на решење Министарства заштите животне средине којим се обуставља поступак по захтеву носиоца пројекта за одређивање обима и садржаја студије о процени утицаја на животну средину пројекта подземне експлоатације лежишта литијума и бора „Јадар“, постројења за обогаћивање руде и одлагања јаловине настале при рударским активностима, на катастарским парцелама у оквиру катастарских општина Горње Недељице, Брњац, Велико Село, Јаребице, Слатина, Ступница и Шурице на територији града Лознице и општине Крупањ у обухвату подзона 1А и 1Б – зона рударских активности према Просторном плану подручја посебне намене за реализацију пројекта експлоатације и прераде минерала јадарита у лежишту „Јадар“ („Службени гласник РС”, број 26/2020) (Број: 353-02-01163/2021-03 од 14. фебруара 2022. године).

8) Решење Административне комисије Владе (14 Број 353-3846/2023 од 08. јуна 2023. године), којим се одбија жалба „Rio Sava Exploration“ д.о.о. Београд, Булевар Милутина Миланковића 1и, изјављена преко пуномоћника Моравчевић Војновић и партнери АОД из Београда, Булевар војводе Бојовића 6-8, на решење Министарства заштите животне средине којим се обуставља поступак по захтеву носиоца пројекта за одређивање обима и садржаја студије о процени утицаја на животну средину пројекта изградње саобраћајнице, државни пут IB реда број 27, деоница Брезјак (државни пут IB 27 Ваљево – Лозница на км 16+446) – Липнички шор (државни пут IB 26 Шабац на км 118+394) од км 0+000,00 до км 13 +604,11, L=13,604 км (Број: 353-02-2102/2021-03 од 20. јула 2022. године).

4. **Републички геодетски завод** је доставио Извештај (Број: 952-285/2023 од 07.07.2023. године), у којем обавештава да су подаци о непокретностима уписаним у



катастар непокретности јавно доступни на интернет старници Републичког геодетског завода преко апликације еКатастар, којој се може приступити путем линка <https://www.rgz.gov.rs/usluge/ekatastar-javni-pristup>, а путем којег заинтересоване стране могу претражити и катастарске парцеле предметног подручја. Web апликација еКатастар за регистровање корисника, такође, омогућава претраживање базе података катастра непокретности и увид у проширени сет података у односу на сет података, који пружа Web апликација за јавни приступ. Приступ Web апликацији имају само регистровани корисници који имају уговор са Републичким геодетским заводом о коришћењу података катастра непокретности. Регистрован корисник се постаје на основу подношења захтева, који се упућује на адресу [webmaster@rgz.gov.rs](mailto:webmaster@rgz.gov.rs).

5. **Завод за заштиту природе Србије** је доставио Изјашњење (03Број: 025-1784/2 од 01.06.2023. године), којим се указује на следеће:

1) Подручје на којем се планира експлоатација јадарита у лежишту „Јадар“ не налази се у оквиру заштићеног подручја за које је спроведен или покренут поступак заштите нити је у границама еколошки значајног подручја еколошке мреже Републике Србије.

2) У вези са питањем из захтева Бироа „како је интерес природе увршћен у релевантне студије о процени утицаја на животну средину“, Завод је издао следећа акта, која се достављају у прилогу овог Извештаја, и то:

-Решење за издавање услова заштите природе за експлоатацију и прераду минерала јадарита у лежишту „Јадар“, на територији града Лознице и општине Крупањ (03Број:020-3128/2 од 30. 11. 2020.године);

-Мишљење о Предлогу одлуке о изради стартешке процене утицаја на животну средину измена и допуна Просторног плана посебне намене за реализацију Пројекта експлоатације и прераде минерала јадарита „Јадар“ (03 Број 020-3128/2 од 22. 12. 2020. године);

- Обавештење у вези захтева за одређивање обима и садржаја студије о процени утицаја на животну средину Пројекта подземне експлоатације лежишта литијума и бора Јадар (03Број:030-2186/2 од 23. 07. 2021. године).

У прилогу овог извештаја се достављају копије наведених докумената са преводом на енглески језик.

У очекивању вашег одговора, желимо да се захвалимо унапред Бироу за највише разматрање овог извештаја.

С поштовањем,

  
МИНИСТАР  
Ирена Вујовић

Annex 2



**The Republic of Serbia**  
**THE MINISTRY OF MINING AND ENERGY**  
**Number: 310-02-01722/2022-02**  
**Date: 30 May 2023**

**THE MINISTRY OF ENVIRONMENTAL PROTECTION**

Bulevar Mihajla Pupina 2  
11070 Beograd

Dear Sirs,

Pursuant to your request to supplement our reply regarding the complaint filed by the non-governmental organisation „Earth Thrive“ on its own behalf and on behalf of the Movement „Protect Jadar and Radjevina“ and Movement „Centre for Legal Protection of Planet Earth and Nature“ with the aim of taking appropriate legal and administrative measures to preserve the habitats of fauna species protected pursuant to Annexes II and III of the Berne Convention and the protected areas due to the proposed construction of the lithium mine in Jadar valley, we inform you of the following:

Upon inspection of the official record, it was established that the Ministry, in its letters number 310-02-01722/2022-02 dated 23 November 2022 and 30 January 2023, submitted a report in accordance with the request by your Ministry.

With regard to your subsequent request relating to the statement regarding the „permit for engineering-geological exploration issued to Rio Sava Exploration d.o.o.“ we inform you that upon inspection of the public register of the Ministry of Mining and Energy, published on the website, it was established that the request in question has not been updated, and that the exploration area approved to the company Rio Sava Exploration d.o.o, for performing applied engineering-geological exploration on the exploration area Korenita, number G-9, was not active.

Furthermore, we inform you that there is no applicable Mineral Resources Strategy in place.

Exploitation of mineral and other geological resources is being carried out on locations in which the economic profitability of their exploitation has been confirmed by applied geological prospecting. Namely, geological prospecting and exploitation of mineral and other geological resources is carried out in accordance with approvals and professional documentation on the basis of which approvals are issued by the Ministry of Mining and Energy, i.e. the competent Provincial Secretariat for the territory of AP Vojvodina pursuant to the provisions of

the Law on Mining and Geological Explorations (*Official Gazette of the RS*, no. 101/2015, 95/2018 - other law and 40/2021).

Yours sincerely,

Dubravka Đedović

To be delivered to:

- the addressee
- Archives.

Annex 3

**The Republic of Serbia**  
**THE MINISTRY OF CONSTRUCTION,**  
**TRANSPORT AND INFRASTRUCTURE**

Number: 351-03-1517/23

Date: 11 July 2023

TO: THE MINISTRY OF ENVIRONMENTAL PROTECTION  
Omladinskih brigade 1, Beograd

**Subject:** Response to the reporting request related to the Complaint No. 2021/7: Complaint to be followed up: Serbia: Alleged endangering wild animal species and protected areas due to the proposed construction of a lithium mine in the Jadar river valley

Dear Sirs,

Regarding your request number: 337-00-00060/1/2023-04 dated 29 June 2023, for submission of a report from the scope of work of the Ministry of Construction, Transport and Infrastructure, in connection with the activities in the Jadar river valley, we inform you as follows:

The Government of the Republic of Serbia has adopted a DECREE on the cancellation of the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar“ Project of Exploitation and Processing of Jadarite Mineral (*Official Gazette of the RS*, No. 8 dated 20 January 2022). Articles 2 and 3 of the Decree stipulate that the competent authorities shall immediately repeal individual acts adopted for the implementation of the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar“ Project of Exploitation and Processing of Jadarite Mineral (*Official Gazette of the RS*, No. 26/20) as well as that the competent authorities will immediately suspend all procedures initiated based on the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar“ Project of Exploitation and Processing of Jadarite Mineral (*Official Gazette of the RS*, No. 26/20).

The Ministry of Construction, Transport and Infrastructure is engaged in state administration affairs related to: construction; building land; urban planning; spatial planning, i.e. organisation, management and use of the land of the Republic of Serbia. The Department for Spatial and Urban Planning is engaged in preparation, coordination and monitoring of the elaboration of spatial planning documents under the jurisdiction of the Republic of Serbia.

The information we are providing is from the scope of work of the Ministry of Construction, Transport and Infrastructure.

The tasks of establishing inspection supervision related to the enforcement of laws and other regulations, standards and technical norms in the field of exploitation of mineral raw materials and mining and geological research are within the competence of the Ministry of Mining and Energy.

Yours sincerely,

ACTING ASSISTANT MINISTER

Đorđe Milić, MA

Delivered to:

– the addressee, Archives

Under the authority of the Minister

No. 119-01-1117/2022-02 dated 12 December  
2022

Annex 4

**THE REPUBLIC OF SERBIA**  
**THE REPUBLIC GEODETIC AUTHORITY**  
**No. 952-285/2023**  
**Date: 7 July 2023**  
**Belgrade**  
**Bulevar vojvode Mišića 39**

**THE MINISTRY OF ENVIRONMENTAL PROTECTION**

**11070 NOVI BEOGRAD**  
**Bulevar Mihajla Pupina 2**

**Reference:** Your letter No. 337-00-00060/1/2023-04 of 29 June 2023

Dear Sir/Madam,

In your letter to the Republic Geodetic Authority you asked for information on access to publicly available data on cadastral parcels, on which Company Rio Sava is registered in the Real Estate Cadastre as the holder of right, all in accordance with the Decision of the Bureau of the Bern Convention in the Council of Europe, for the purpose of making a statement regarding the Complaint No. 2021/7.

With regards to your request, we would like to inform you that data on real estate registered in the Real Estate Cadastre are publicly available on the website of the Republic Geodetic Authority, through eCadastre application that can be accessed using the link <https://www.rgz.gov.rs/usluge/ekatastar/ekatastar-javni-pristup>.

We would also like to inform you that the web application eCadastre for registered users enables search of the database of the Real Estate Cadastre and insight into an expanded data set in relation to the data set provided through the public access web application. Access to the web application is enabled only to registered users who have a contract with the Republic Geodetic Authority on the use of the Real Estate Cadastre data.

To become a registered user, please send an application to the address: [webmaster@rgz.gov.rs](mailto:webmaster@rgz.gov.rs).

Sincerely,

Prepared by Gordana Korovljev

Acting Assistant Director  
/s/ Ognjenka Ilić, M.Sc. in Geodesy

Annex 5

**THE INSTITUTE FOR NATURE CONSERVATION OF SERBIA**

**TO THE MINISTRY OF ENVIRONMENTAL PROTECTION**

*Your reference: 337-00-00060/2023-04 dated 10 May 2023*

**Subject:** Statement under Complaint number: 2021/7: *„Complaint to be followed-up: Serbia: Alleged endangering wild animal species and protected areas due to the proposed construction of a lithium mine in the Jadar river valley“*

You addressed the Institute for Nature Conservation of Serbia with a request filed with the Institute under 03 no. 025-1794/1 dated 17 May 2023, for statement on the *“Complaint number: 2021/7: „Complaint to be followed-up: Serbia: Alleged endangering wild animal species and protected areas due to the proposed construction of a lithium mine in the Jadar river valley“*.

In connection with the request submitted by the Berne Convention Bureau of the Council of Europe regarding the consideration of the Report of the Republic of Serbia on the aforementioned Complaint *number: 2021/7*, and/or in respect of the question "in what way was the interest of nature conservation included in the relevant environmental impact studies“, we inform you that the Institute has issued the following:

- Decision on issuing requirements and conditions pertaining to nature conservation for the exploitation and processing of jadarite mineral in the „Jadar“ deposit, in the territory of the city of Loznica and the municipality of Krupanj (03 no. 020-3023/4 dated 30 November 2020)
- Opinion on the Proposal for decision to abort preparation of the strategic impact assessment of Amendments to the Special-Purpose Area Spatial Plan (SPSPA) for the implementation of the „Jadar“ project of exploitation and processing of the jadarite mineral (020-3128/2 dated 30 November 2020),
- Notification with regard to the requirements for defining the scope and content of the environmental impact study for the project of underground exploitation of lithium and boron at the „Jadar“ deposits (Rio Sava Exploration d.o.o.) (03 no. 030-2186/2 dated 23 July 2021).

The area in which exploitation of jadarite from the „Jadar“ deposit is planned is not located within the protected area for which the protection procedure has been implemented or initiated, nor within the boundaries of the ecological focus area of the ecological network of the Republic of Serbia.

We are attaching all the above mentioned documents

Attachment:

- Decision 03 No. 020-3023/4 dated 30 November 2020;
- Opinion 03 No. 020-3128/2 dated 22 December 2020;
- Notification 03 No. 030-2186/2 dated 23 July 2021.

To be delivered to:  
- Applicant

Acting DIRECTOR  
Marina Šibalić





The Republic of Serbia  
**INSTITUTE FOR NATURE CONSERVATION OF SERBIA**  
Dr Ivana Ribara no. 91, Novi Beograd  
Phone:+381 11/2093-802; 2093-803  
Telefax: + 381 11/2093-867

The Institute for Nature Conservation of Serbia, Dr Ivana Ribara no. 91, Novi Beograd, based on Article 9 of the Law on Nature Protection (*Official Gazette of RS*, No. 36/2009, 88/2010, 91/2010 - correction, 14/2016 and 95/2018- other law), and Article 136 of the Law on General Administrative Procedure (*Official Gazette of RS*, Nos. 18/2016 and 95/2018 - authentic interpretation), acting upon the request no. 663 dated 24 November 2020 of Rio Sava Exploration d.o.o, Resavska No. 23, Beograd, for issuing requirements and conditions pertaining to nature conservation for the exploitation and processing of jadarite mineral in the „Jadar“ deposit, in the territory of the city of Loznica and the municipality of Krupanj on 30 November 2020 under 03 no. 020-3023, issues the following

### DECISION

1 The area in which the exploitation of jadarite in the „Jadar“ deposit is planned is not located within the protected area for which the protection procedure has been implemented or initiated, nor within the boundaries of the ecological focus area of the ecological network of the Republic of Serbia. Accordingly, the following requirements and conditions pertaining to nature conservation are issued:

- 1) The mining operations shall be carried out within the exploitation fields, defined by the coordinates of breakpoints shown in the below tables:

Coordinates of points of the exploitation field  
at the Jadar deposit locations

	X	Y
1	7369802.6	4932940.0
2	7370636.4	4932001.7
3	7370929.4	4932238.4
4	7372316.3	4932530.8
5	7373112.9	4932246.4
6	7373602.3	4931423.0
7	7373567.7	4930481.1
8	7372720.1	4929580.7
9	7371466.5	4929664.5
10	7370485.9	4930615.0
11	7370151.8	4930578.3
12	7369755.1	4930722.9
13	7369590.4	4931130.0
14	7369618.6	4931264.7
15	7369703.4	4931296.8
16	7369783.2	4931410.1

17	7369793.5	4931646.3
18	7369695.3	4931975.1
19	7369883.8	4932140.1
20	7369845.5	4932253.5
21	7369580.0	4932660.1
22	7369802.6	4932940.0

Coordinates of points of the protective area around exploitation field at the Jadar deposit locations

	X	Y
1	7369781.4	4933716.6
2	7370693.3	4932690.4
3	7370708.7	4932702.8
4	7372351.4	4933049.2
5	7373450.7	4932656.7
6	7374107.3	4931551.9
7	7374060.4	4930275.1
8	7372922.4	4929066.1
9	7371250.2	4929177.8
10	7370306.7	4930092.3
11	7370090.3	4930068.5
12	7369375.0	4930329.4
13	7369069.8	4931083.6
14	7369185.5	4931635.3
15	7369265.9	4931665.7
16	7369124.4	4932139.8
17	7369250.5	4932250.2
18	7368964.0	4932689.0

Location of Štavica dump

	X	Y
1	7373830.7	4923535.3
2	7374416.8	4923460.7
3	7374634.1	4923466.1
4	7374698.0	4923492.0
5	7374881.2	4923563.8
6	7374944.0	4923750.4
7	7374977.3	4923938.4
8	7374904.5	4924466.1
9	7374463.3	4925483.4
10	7373453.5	4925314.5

11	7373388.7	4924419.0
12	7373603.6	4923905.9
13	7373672.5	4923695.2
14	7373752.9	4923545.2
15	7373830.7	4923535.3

Location of Štavica dump

	X	Y
1	7373767.6	4923039.3
2	7374391.3	4922959.9
3	7374737.5	4922968.5
4	7374883.2	4923027.5
5	7375280.6	4923183.3
6	7375429.8	4923626.4
7	7375483.4	4923928.8
8	7375390.4	4924602.3
9	7374766.4	4926041.1
10	7372983.2	4925742.8
11	7372881.4	4924336.0
12	7373134.7	4923731.3
13	7373211.0	4923497.8
14	7373434.0	4923081.9
15	7373767.3	4923039.3

- 2) The works must be consistent with the intended purposes of the Special-Purpose Area Spatial Plan for the implementation of the „Jadar“ Project of exploitation and processing of the jadarite mineral;
- 3) Picking, destroying and collecting protected and strictly protected plant species and destroying their habitats, as well as habitats of other strictly protected and protected species shall be avoided within the exploitation area (Attached map: Location of exploitation fields);
- 4) The immediate and narrow zone of the source of water supply system or sources of water used for other purposes shall be excluded from the area intended for mining operations;
- 5) The mine is to be developed in accordance with certified exploitation reserves to the extent to which it is possible to adapt excavation technology that ensures minimum effects or complete absence of negative effects on the surrounding environment, the existing road, the nearest individual residential buildings or buildings with other purposes;
- 6) When constructing access roads, care is to be taken to avoid cutting down trees. However, if trees have to be cut down, a remittance from PE „Srbijašume“, i.e. the competent forest authorities has to be obtained before removal of the trees, regardless of whether the trees are state owned or private property;

- 7) Avoid damage to or destruction of natural hygrophilous forests, marginal habitats, hedges, field margins, individual trees, wet ecosystems with natural or semi-natural woody, shrub, meadow or swamp vegetation. Special attention is to be paid to the preservation of the structure and function of ecological corridors such as watercourses and canals and their riparian belt;
- 8) If it is necessary to cut down trees in locations with priority protected habitats (forests of pedunculate oak and narrow-leaved ash, and forests of Hungarian oak and Turkey oak), the establishment of forest plantations has to be planned to compensate for the removed vegetation. Compensation measures shall be determined by the competent Ministry, based on Article 12 of the Law on Nature Protection and the Rulebook on compensation measures;
- 9) When cutting down trees in locations with priority protected habitats, preserve forest edges as much as possible and provide the necessary percentage of mature, old and dry trees, especially trees with holes;
- 10) The work on land preparation and removal of vegetation are to be carried out before or after the bird nesting period, i.e. before 1 March or after 10 July;
- 11) If nests are present on individual trees, posts or structures, they are to be relocated pursuant to the special conditions obtained from the Institute, outside the nesting period, when the nests are not active;
- 12) If an active nest with eggs or baby birds is encountered during the execution of works in the concerned area, the works at the location shall be discontinued and the Institute for Nature Conservation of Serbia shall be informed;
- 13) If material that can serve as a good shelter for reptiles and other animals must be disposed of during the execution of works, the disposal time shall be shortened as much as possible and the condition prohibiting killing and catching of reptiles and other animals shall be met;
- 14) Take measures to ensure prevention and/or reduction, control and remedial treatment of all forms of pollution;
- 15) Equip the underground and open cast mining with corresponding infrastructure, especially the infrastructure relating to the electricity grid, water supply and waste water evacuation;
- 16) Water supply for the open cast mining is to be provided for by connecting to the water supply network or delivery by tanker (bottled water can be delivered for drinking);
- 17) In case of capture of surface water from the Jadar river or any other watercourse for any purpose, the maximum quantity of captured water must not exceed 1/3 of the current flow at the moment of capture;
- 18) Aqueous effluent of any kind from the mine complex must be treated, purified and brought to the water quality equal to the stream into which it is discharged, before being discharged into the ground or surface run-off;
- 19) Different types of aqueous effluent - oily and cloudy water, sanitary wastewater and stormwater must be treated, stored and transported according to the regulations into appropriate facilities (or containers) and devices;
- 20) In designing the underground rooms, take into account the terrain stability in order to prevent the engineering-geological occurrences (falling stones, landslides, depressions, etc.);
- 21) Envisage application of technologies for which measures of prevention and elimination of potentially negative impacts and effects in space, as well as measures of environmental protection and monitoring can be planned and implemented in all

- phases of implementation, normal operation and operation in the case of an accident;
- 22) Provide conditions for resource conservation, i.e. rational use of the land during the execution of earthworks. In this regard, the humus layer must be removed and deposited separately to be used for remedial treatment and grassing;
  - 23) Infrastructural equipment is to be carried out according to ecological standards that prevent negative effects on nature and according to the intended purpose of the facilities, and the network is to be installed underground. All underground infrastructure facilities have to be insulated and leakproof;
  - 24) During the execution of works and the entire mining project it is necessary to monitor hydrogeological phenomena and objects, and in the case of sudden changes in yield, underground water level or changes in quality and ordinary regime of water supply to the existing users, the works must be discontinued until the cause is removed;
  - 25) During the execution of works on the location in question, it is necessary to protect and preserve watercourses from degradation and pollution. Uncontrolled waste disposal of any kind in river beds and along river banks is forbidden;
  - 26) It is necessary to provide effective monitoring of the quality of air, water and soil in accordance with the legal regulations and to establish a single functional system for monitoring and control of the pollution level;
  - 27) Waste disposal on river banks, in ponds, wetlands and existing permanent puddles, as well as on agricultural land is forbidden during the execution of works and after their completion;
  - 28) During mining operations, it is necessary to maintain safety at work and the inclination, height of each floor, as well as the total number of floors and the final slope are to be designed so as to ensure the stability of the terrain as a whole;
  - 29) During the execution of works, continuously monitor the stability of the underground and open cast mining and the surroundings and register all changes (instances of soil instability - landslides, settling, falling stones, washing, dredging, etc.). In case of occurrence of such events, appropriate remedial measures are to be applied;
  - 30) It is necessary to successively secure upper edges of underground and open cast mining in order to prevent the suffering of people and animals;
  - 31) Provide for a protective green belt around the open cast mining (by maintaining the existing greenery), and preferably along the access road;
  - 32) For the protective green belt envisage the selection of dendroflora species for possible planting, while avoiding the species determined as allergens (poplar, etc.), as well as invasive *Acer negundo* (ash-leaved maple or box elder), *Amorpha fruticosa* (Indigo Bush), *Robinia pseudoacacia* (Black Locust), *Ailanthus altissima* (tree of heaven, ailanthus), *Fraxinus americana* (American ash), *Fraxinus pennsylvanica* (Pennsylvania ash, Green Ash), *Celtis occidentalis* (Nettle Tree), *Ulmus pumula* (small-leaved or Siberian elm), *Prunus padus* (bird cherry), *Prunus serotina* (black cherry);
  - 33) Determine the area for deposition of tailings. It is not allowed to deposit tailings in and along watercourses or on other wet and boggy areas;
  - 34) During the execution of works, backfilling, casing and any partitioning or displacement of watercourses is not allowed;
  - 35) When depositing tailings, engineering and geological processes and/or phenomena of instability on the tailing ponds and the terrain must not be caused;
  - 36) Drilling rigs for drilling mine holes must be equipped with a dedusting system;
  - 37) Blasting is to be carried out in a way to avoid negative impacts on the facilities or to

- reduce such impacts to the smallest possible extent;
- 38) The crushing plant must have dedusting equipment in order to reduce or avoid air pollution;
  - 39) Various deposited fractions of material must be protected from being blown away by wind and water;
  - 40) When storing and transporting raw materials, apply measures to prevent spillage, both inside the open-cast mining and outside it (along traffic roads);
  - 41) Define fuel, oils and lubricants used for the engaged machinery, method of their delivery and storage (provide for appropriate tankers, area/plateau on which the transfer or other activities will be carried out); in handling fuel, lubricants and oils, apply adequate measures to protect the soil by placing appropriate containers, foils, etc. for collecting any spilled material. Substances from containers, foils, etc. are to be treated in an appropriate manner (prepared for reuse or disposed of in a manner and in location prescribed by law). The same applies to oil and lubricant packaging;
  - 42) Provide for organised collection and disposal of used and replaced equipment parts;
  - 43) Servicing of machinery is to be carried out in professional mechanical workshops or, if this is not possible, on a space within the exploitation field equipped with infrastructure in order to prevent pollution of soil and underground and surface watercourses;
  - 44) The protective measures taken shall ensure that the noise from the equipment engaged during the work process does not exceed the prescribed levels;
  - 45) Maintain the internal access roads within the mine / on the floors on a regular basis by applying adequate measures to eliminate air pollution during machinery operation.
  - 46) Upon completion of mining operations, carry out appropriate remedial treatment and recultivation of the land (underground and open-cast mining, tailing ponds, access roads, etc.), in accordance with a special Remedial Treatment and Recultivation Design, the preparation of which is defined by the legislation;
  - 47) Establish an obligation that in case of discovery of geological and paleontological documents (fossils, minerals, crystals, etc.) during the mining activities that could represent a protected natural value, the finder shall report it to the Ministry of Environmental Protection within eight days from the day of the discovery and shall take protection measures against their destruction, damage or theft. Establish an obligation to monitor soil, water, air and noise on an annual basis and to submit reports to the competent institutions;
  - 48) Establish an obligation to monitor state of the environment on an annual basis and to submit reports to the competent institutions;
2. On the date of this Decision, the Decision 03 no. 019-1075/8 dated 19 November 2020 is repealed.
  3. This Decision shall not release the applicant from the obligation to obtain other conditions, permits and consents stipulated by positive regulations.
  4. For all other works/activities in the subject area or changes to the design documentation, the operations manager shall submit a new request for issuing the requirements and conditions pertaining to nature conservation to the Institute for Nature Conservation of Serbia.
  5. The applicant shall obtain location conditions for the construction of the mining and other non-mining facilities located within the exploitation field, and in order to obtain

- location conditions, he shall submit to the Institute a new request for issuing the requirements and conditions pertaining to nature conservation for construction.
6. Taking into consideration that exploitation of jadarite mineral in the „Jadar“ deposit is on the List II (Projects that may require an environmental impact assessment) of the Regulation on Establishing the List of Projects Requiring a Mandatory Impact Assessment and List of Projects that May Require an Environmental Impact Assessment (*Official Gazette of the RS*, no. 114/2008), from the aspect of nature protection, it is necessary to initiate the proceedings with the competent Ministry.
  7. If the applicant fails to commence the works and activities for which this Decision has been issued within two years from the date of delivery of this Decision, he shall submit a request for issuing a new decision. The fee for issuance of this Decision in the amount of 25.000,00 dinars is established in accordance with Article (3)(3) of the Rulebook on the amount and method of charge calculation for the issuance of the act on the conditions and requirements regarding nature conservation (*Official Gazette of the RS*, No. 73/2011, 106/2013).

### ***Reasoning***

The Institute for Nature Conservation of Serbia received on 24 November 2020 a request filed under 03 no. 020-3023/1 by Rio Sava Exploration d.o.o., Resavska No. 23, Beograd, for issuing requirements and conditions pertaining to nature conservation for the exploitation and processing of jadarite mineral in the „Jadar“ deposit, in the territory of the city of Loznica and the municipality of Krupanj.

The works mentioned in this Decision are to be carried out on the exploitation field defined in point 1(1) of this Decision.

Based on the submitted request and documentation, it has been established that the complex for exploitation and processing of jadarite mineral in the „Jadar“ deposit consists of:

1. Underground part of the mine (mining of the jadarite mineral ore),
2. Above-ground part of the mine (ore enrichment and jadarite concentrate production),
3. Ore processing plants.

By inspecting the Central Register of Protected Natural Resources and the Institute's documentation, and in accordance with the regulations governing the field of nature protection, the conditions from the enacting terms of this Decision have been laid down. It was taken into account that the area in which the exploitation of jadarite in the „Jadar“ deposit was planned was not located within the protected area for which the protection procedure has been implemented or initiated, nor within the boundaries of the ecological focus area of the ecological network of the Republic of Serbia.

The presence of the protected species was recorded in this area, in accordance with the Rulebook on declaration and protection of protected and strictly protected species of plants, animals and fungi (*Official Gazette of the RS*, no. 5/2010, 47/2011, 32/2016 and 98/2016). The following bird species have been recorded in the subject area: European turtle dove *Streptopelia turtur* (Linnaeus, 1758), black woodpecker *Dryocopus martius* (Linnaeus,

1758), wood lark *Lullula arborea* (Linnaeus, 1758), mistle thrush *Turdus viscivorus* (Linnaeus, 1758, grey-headed woodpecker *Picus canus* (Gmelin, 1788, Syrian woodpecker *Dendrocopos syriacus* (Ehrenberg, 1833).

Within the exploitation fields, priority protected habitats were identified in accordance with the Rulebook on criteria for distinguishing endangered, rare, and sensitive habitat types and for the protection of priority habitat types, as well as protective measures for their conservation (*Official Gazette of the RS*, no. 35/2010), i.e. the forests of English oak (*Quercus robur*) and narrow-leaved ash (*Fraxinus angustifolia*) and forests of Hungarian oak (*Quercus frainetto*) and Turkey oak (*Quercus cerris*). English oak and ash forests are fragile habitats due to functional instability and sensitivity to degradation, while Hungarian oak and Turkey oak forests are representative habitats in the territory of Serbia and fragile habitats due to weak and slow regeneration.

Legal basis for the Decision: the Law on Nature Protection (*Official Gazette of RS*, No. 36/2009, 88/2010, 91/2010, 14/2016 and 95/2018- other law), Law on Environmental Protection (*Official Gazette of RS*, No. 135/2004, 36/2009, 72/2009, 43/2011-CC Decision, 14/2016, 76/2018 and 95/2018- other law), Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar“ Project of Exploitation and Processing of Jadarite Mineral (*Official Gazette of RS*, No. 26/2020), Rulebook on declaration and protection of protected and strictly protected species of plants, animals and fungi (*Official Gazette of the RS*, no. 5/2010, 47/2011, 32/2016 and 98/2016); Rulebook on criteria for distinguishing endangered, rare, and sensitive habitat types and for the protection of priority habitat types, as well as protective measures for their conservation (*Official Gazette of the RS*, no. 35/2010), Law on environmental impact assessment (*Official Gazette of RS* no. 135/2004 and 36/2009), Regulation on Establishing the List of Projects Requiring a Mandatory Impact Assessment and List of Projects that May Require an Environmental Impact Assessment (*Official Gazette of the RS*, no. 114/2008).

On the basis of all the above mentioned, it has been decided as provided in the enacting terms of this Decision.

The request fee and the issuance of the Decision fee, according to tariff number 1 and tariff number 9 were charged in accordance with the Law on the Republic Administrative Fees (*Official Gazette of the RS*, nos. 43/2003, 51/2003, 61/2005, 5/2009, 54/2009, 50/2011, 93/2012, 65/2013-other law, 83/2015, 112/2015, 113/2017 and 3/2018 - correction and Harmonised dinar amounts from Tariff of Republic Administrative Fees - 98/2020).

Instruction on legal remedy: A complaint against this Decision can be lodged with the Ministry of Environmental Protection within 15 days from the date of receipt of the Decision. The complaint is to be submitted in writing or stated orally on the record to the Institute for Nature Conservation of Serbia, with the proof of payment of the Republic Administrative fee in the amount of RSD 480.00 to the current account no. 840-742221843-57, reference number 59013, model 97.



DIRECTOR

**Aleksandar Dragišić**

Attached map: Location of exploitation fields

Delivered to:

- Applicant
- Archives x 2

INSTITUTE FOR NATURE CONSERVATION OF SERBIA

**MINISTRY OF CONSTRUCTION,**

**TRANSPORT AND INFRASTRUCTURE,**

**Department for Spatial and Urban Planning,**

**11000 BEOGRAD**

**Str. Kralja Milutina no. 10a**



The Institute for Nature Conservation of Serbia, based on Article 11 of the Law on strategic environmental assessment (*Official Gazette of RS* no. 135/2004 and 88/2010), in respect of Article 9 of the Law on Nature Protection (*Official Gazette of RS*, Nos. 36/2009, 88/2010, 91/2010 - correction 14/2016 and 95/2018- other law), delivers its

### **OPINION**

on the Proposal for the decision to abort preparation of the strategic impact assessment of Amendments to the Special-Purpose Area Spatial Plan (SPSPA) for the implementation of the „Jadar“ project of exploitation and processing of the jadarite mineral (hereinafter: Proposal for decision).

Ministry of construction, transport and infrastructure, Department for spatial and urban planning, addressed the Institute for Nature Conservation of Serbia with the request no. 350- 01-1933/2020-11 dated 1 December 2020 for issuing an opinion on the Proposal for decision.

The attached Proposal for decision specifies that the preparation of a Strategic Environmental Assessment (SEA) will be aborted due to the fact that in 2020 the Government adopted the Special Purpose Area Spatial Plan for the implementation of the „Jadar“ project of exploitation and processing of the jadarite mineral (*Official Gazette of RS*, No. 26/20, hereinafter: Spatial Plan) for which a strategic environmental assessment has been made, and that the Amendments to the Spatial Plan will not change the scope of the Spatial Plan and no significant impact on the environment and sustainable development is expected.

In the light of the above stated and taking into account that, in the opinion of the Ministry of Construction, Transport and Infrastructure, the main reason for adoption of the Decision to abort preparation of the strategic environmental assessment is the fact that, for the area of coverage of the Amendments to the Spatial Plan, the aspects of environmental protection and possible impacts on the environment were already discussed in the Report on the Strategic Environmental Assessment of SPSPA on the implementation of this project, the Institute for Nature Conservation of Serbia points out that it has no objections to the Proposal for decision and delivers its positive opinion on the submitted act.

In drafting the Amendments to the SPSPA for the implementation of the

„Jadar“ project of exploitation and processing of the jadarite mineral, it is necessary to obtain the requirements and conditions pertaining to nature conservation, to be issued by the Institute in accordance with Article 9 of the Law on Nature Protection (*Official Gazette of RS*, Nos. 36/2009, 88/2010, 91/2010 – correction, 14/2016 and 95/2018- other law).

Yours sincerely,

DIRECTOR  
Aleksandar Dragišić

Delivered to:

- Applicant
- Archives



INSTITUTE FOR NATURE CONSERVATION OF SERBIA

MINISTRY OF ENVIRONMENTAL  
PROTECTION

**11070 NOVI BEOGRAD**  
**Str. Omladinskih brigada no. 1**

Based on Article 14 and 29 of the Law on environmental impact assessment (*Official Gazette of the RS* 135/04, 36/09), you have submitted a notification to the Institute for Nature Conservation of Serbia, that the leading contractor „RIO SAVA EXPLORATION d.o.o.“ Beograd, has submitted a request for determining the scope and content of the Environmental impact study of the „Jadar“ project of exploitation and processing of the jadarite mineral, ore enrichment plants and disposal of tailings resulting from the mining operations on cadastral parcels within the cadastral municipalities of Gornje Nedeljice, Brljac, Veliko Selo, Jarebice, Slatina, Stupnica and Šurice (territories of the city of Loznica and the municipality of Krupanj), within subzones 1A and 1B - the zone of mining activities according to the Special Purpose Area Spatial Plan for the „Jadar“ project of exploitation and processing of the jadarite mineral (*Official Gazette of the RS* no. 26/2020),

The Institute has reviewed the concerned documentation on the website of the Ministry, <https://www.ekologija.gov.rs/obavestjenja/procena-uticaia-na-zivotnu-sredinu/zahtevi/zahtevi-za-odredivanje-obima-i-sadrzaja/zahtev-za-odredivanje-obima-i-sadrzaj-a-studi-e-o-proceni-uticaia-na-zivotnu-sredinu-nprojekta-podzernne-ek-sploatacije-l-ezista-1-itijuma-i-bora-i-adar>

Upon review of the Institute's documentation the following has been stated:

- The Institute for Nature Conservation of Serbia has issued to RIO SAVA EXPLORATION d.o.o. 23, Beograd, the Decision on the requirements and conditions pertaining to nature conservation for the exploitation and processing of jadarite mineral in the „Jadar“ deposit, in the territory of the city of Loznica and the municipality of Krupanj (03 no. 020-3023/4 dated 30 November 2020) and Decision on the correction of technical error (03 no. 020-3023/6 dated 21 December 2020);

Upon reviewing the above mentioned documents, we are of the opinion that in preparing the subject Environmental impact study, the person who elaborates the study must also elaborate the following:

- The study must contain a detailed description of flora and fauna, rare and endangered plant and animal species and their habitats in the subject area. In this regard, in Chapter 4, Description of environmental factors that may be exposed to risk caused by the implementation of the project, as well as in Chapter 6, Description of the measures envisaged in order to prevent, reduce or eliminate any significant adverse effect on the environment, in the part related to fauna, a part related to bird fauna has to be added;
- The study must contain an analysis of habitat types as well as measures in the case of cutting down trees in the locations of priority protected habitats when it is mandatory to

- establish forest plantations to compensate for the removed vegetation. Compensation measures are determined by the competent Ministry of Environmental Protection;
- The study must contain an analysis of natural riparian forests, marginal habitats, hedges, field margins, individual trees, wet ecosystems with natural or semi-natural woody, shrubby, meadow or swamp vegetation, as well as possible impacts on the structure and functions of ecological corridors such as watercourses and canals and their riparian belt;
  - Define all stages of the technological process of ore processing and further depositing of tailings from the lithium and boron mine „Jadar“;
  - The study shall illustrate the present state of nature, as well as the impact of all future phases of technological process on the state of nature (exploitation phase of mining activities, processing phase, transport of ore concentrate, tailing deposition phase, works on the construction of mine facilities and plants, etc.). In this regard, in Chapter 5, Description of possible significant environmental impacts of the project, description of possible impacts on nature has to be added;
  - The study shall define all types of facilities (permanent and temporary) necessary for the smooth operation of the „Jadar“ lithium and boron mine, ore enrichment and tailing disposal facilities;
  - The study shall predict and analyse adequate means to prevent the suffering of animals during the mining activities (possible installation of a protective fence, possible use of tailings by animals for shelter, etc.);
  - The study shall comprise analysis of the possible causes for erosion, possible land settlement during exploitation, landslides, falling stones, etc., as well as measures for their prevention and remedial treatment;
  - The study shall include protection measures against destruction, damage or theft until the arrival of an authorised person, if during the mining activities geological and paleontological documents (fossils, minerals, crystals, etc.) that could represent a protected natural value are discovered;
    - Analyse risk prevention, remedial measures after the anticipated accidents and assessment of their efficiency, as well as the obligation to notify competent inspection services and institutions. In this regard, provide for all the necessary measures for protection of nature and for its remedial treatment in accidental situations;
  - The study should contain measures and solutions planned in order to protect the tailing transport system, as well as all phases of the tailing disposal process;
    - The study should contain measures and solutions to define the protection of ground and surface water, as well as the need for and choice of appropriate treatment of water from tailing ponds in the recirculation system, with the aim of eliminating harmful and dangerous substances before discharge into the recipient. Define the recipient for all types of waste water;
  - The study should contain measures and solutions to be taken in order to ensure the continuous proper operation and functionality of the drainage system and measures to prevent pollution of watercourses and ground water in case of its malfunctioning;
    - The study should contain measures and solutions aimed at protecting the air, relating to spreading of dust particles created by mining excavation operations, ore crushing, in tailing ponds, on access roads within the mining complex as well as outside it, etc.;

- The study should contain measures and solutions taken gpt transport, depositing and handling of different fuels, lubricants and oils, as well as for collection and depositing used lubricants and oils and their transport to the location at which interested and authorised persons and organisations can take them over;
- The study should contain measures and solutions for keeping and storing dangerous substances used during exploitation (explosives, etc.) and primary ore processing;
- The study should contain measures and solutions taken during the collection and disposal of replaced and worn out parts of machinery, equipment and tools;
- The study should contain measures and solutions in the event of accidental or other spillage of fuel, lubricants and oil used for supply of engaged machinery, as well as the obligation and measures of protection and remedial treatment;
- Define the legal basis for preparation of the study which must include all applicable legislation in the field of nature protection in Serbia, inter alia: the Law on Nature Protection (*Official Gazette of RS*, No. 36/2009, 88/2010, 91/2010 - correction, 14/2016 and 95/2018 - other law), Rulebook on declaration and protection of protected and strictly protected species of plants, animals and fungi (*Official Gazette of the RS*, no. 5/2010, 47/2011, 32/2016 and 98/2016); Rulebook on criteria for distinguishing endangered, rare, and sensitive habitat types and for the protection of priority habitat types, as well as protective measures for their conservation (*Official Gazette of the RS*, no. 35/2010), Regulation on ecological network (*Official Gazette of the RS*, no. 102/2010), Directive on the conservation of natural habitats and wild fauna and flora (Council Directive 92/43/EEC), Directive on the conservation of wild birds (Council Directive 2009/147/EC), etc.

With the above mentioned additions, the Institute delivers its positive opinion on the request for determining the scope and content of the Environmental impact study of the „Jadar“ project of underground exploitation of lithium and borone deposits „Jadar“, ore enrichment plants and disposal of tailings resulting from the mining activities on cadastral parcels within the cadastral municipalities of Gornje Nedeljice, Brljac, Veliko Selo, Jarebice, Slatina, Stupnica and Šurice (territories of the city of Loznica and the municipality of Krupanj), within subzones 1A and 1B - the zone of mining activities according to the Special Purpose Area Spatial Plan for the „Jadar“ project of exploitation and processing of the jadarite mineral.

Yours sincerely,

Acting DIRECTOR

Submitted to:

Marina Šibalić

- Applicant
- Archives x 2

Elaborated by: Marina Ilić, PhD

Chief of Department: Vladan Bjedov

Head of Department (signature)

- February 2023-



**Republic of Serbia  
MINISTRY OF ENVIRONMENTAL  
PROTECTION**

Number: 337-00-00127/2022-04

Date: 18 January 2023

Belgrade

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

**Subject: Progress Report on deliberation of Complaint number 2021/7: Complaint on stand-by: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley**

Dear Ms. Sticker,

On behalf of the Ministry of Environmental Protection, referring to the Request of the Secretariat of the Bern Convention dated 6 May 2022, pertaining to Complaint No. 2021/7: Complaint on stand-by: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley, filed to the Secretariat of the Bern Convention by the international non-governmental organization „Earth Thrive” acting on its own behalf and on behalf of the association „Let’s Protect Jadar and Radjevina” and the international non-profit organization „Earth Law Center”, 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. 337-00-00127/2022-04 dated 18. 10. 2022.) to the competent authorities and institutions, namely: the Ministry of Construction, Transport and Infrastructure of the Republic of Serbia, the Ministry of Mining and Energy of the Republic of Serbia and the Institute for Nature Conservation of Serbia, as well as asked for the submission of an internal Report drafted by the competent departments of the Ministry of Environmental Protection.

Based on the reports submitted by the competent authorities and institutions, as well as the internal report of the Ministry of Environmental Protection, we hereby inform you of the following:

**I. The Government of the Republic of Serbia** passed the Decree Revoking the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the



„Jadar” Project of Exploitation and Processing of Jadarite Mineral (published in the "Official Gazette of the Republic of Serbia", number 8/22, on 20 January 2022).

In accordance with Article 2 of the aforementioned Decree, the competent authorities are to immediately repeal individual acts passed for the purpose of implementation of the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite mineral („Official Gazette of the RS”, No. 26/20), as well as immediately suspend all procedures initiated based on this Decree.

2. In accordance with the Decree Revoking the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite Mineral („Official Gazette of the RS”, No. 8/22), the following administrative acts pertaining to the competencies of **the Ministry of Environmental Protection** were passed:

- Decision of Administrative Commission of the Government (14 No. 353-9316/2021-003 of 25 January 2022) **annulling Decision** of the Ministry of Environmental Protection number 353-02-01163/2021-03 of 18 August 2021 determining the scope and content of the Environmental Impact Assessment Study for the project referring to the underground exploitation of lithium and boron deposits in Jadar, ore beneficiation plant and disposal of tailings generated by the mining activities on the cadastral parcels belonging to the cadastral municipalities Gornje Nedeljice, Brnjac, Veliko Selo, Jarebice, Slatina, Stupnica i Šurice on the territories of the City of Loznica and the Municipality of Krupanj which are situated within subzones 1A and 1B that are part of the mining activity zone defined by the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite Mineral. The company Rio Sava Exploration d.o.o. from Belgrade filed an appeal against the Decision of the Administrative Commission of the Government. The administrative adjudication proceedings before the Administrative Court referring to the aforementioned appeal have been undertaken and are currently in progress;

- Decision of Administrative Commission of the Government (14 No. 353-1716/2022-003 of 31 March 2022) **annulling Decision** of the Ministry of Environmental Protection (No. 353-02-2102/2021-03 of 8 November 2021) determining the scope and content of the Environmental Impact Assessment Study of the road construction project, state road 27, categorized as an IB-class road, section Brezjak (state road IB 27 Valjevo – Loznica, chainage 16+446 km) - Lipnički šor (state road IB 26 Šabac, chainage 118+394 km), from reference marker 0+000.00 km to reference marker 13 +604.11, L=13.604 km. The company Rio Sava Exploration d.o.o. from Belgrade filed an appeal against the Decision of the Administrative Commission of the Government. The administrative adjudication proceedings before the Administrative Court referring to the aforementioned appeal have been undertaken and are currently in progress;

- Decision of the Ministry of Environmental Protection (No. 353-02-1167/2021 of 14 February 2022), suspending the procedure initiated at the request of Rio Sava Exploration d.o.o. from Belgrade pertaining to determining the scope and content of the Environmental Impact Assessment Study for the project referring to the underground exploitation of lithium and boron deposits in Jadar, ore beneficiation plant and disposal of tailings generated by the mining activities on the cadastral parcels belonging to the cadastral municipalities Gornje Nedeljice, Brnjac, Veliko Selo, Jarebice, Slatina, Stupnica i Šurice on the territories of the City of Loznica and the Municipality of Krupanj which are situated within subzones 1A and 1B that are part of the mining activity zone defined by the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite Mineral („Official Gazette of the RS”, No. 26/2020). The geological research company Rio

Sava Exploration d.o.o. from Belgrade submitted a complaint against the Decision of the Ministry of Environmental Protection. The adjudication proceedings before the Administrative Commission of the Government referring to the aforementioned complaint have been undertaken and are currently in progress.

- Decision of the Ministry of Environmental Protection (No.353-02-2102/2022 of 20 July 2022.), suspending the procedure initiated at the relevant request pertaining to determining the scope and content of the Environmental Impact Assessment Study of the road construction project - state road 27, categorized as an IB-class road, section Brezjak (state road IB 27 Valjevo – Loznica, chainage 16+446 km) - Lipnički šor (state road IB 26 Šabac, chainage 118+394 km), from reference marker 0+000.00 km to reference marker 13 +604.11, L=13.604 km. The geological research company Rio Sava Exploration d.o.o. from Belgrade submitted a complaint against the aforementioned Decision. The administrative adjudication proceedings before the Administrative Commission of the Government referring to the aforementioned complaint have been undertaken and are currently in progress;

- Decision of the Ministry of Environmental Protection (No. 353-02-1931/2021-03 of 24 January 2022.) suspending the procedure relevant for determining whether an EIA is required for the project of constructing a 110 kV overhead power transmission line No.106A/4 TS Valjevo 3 – TS Loznica 2 and of a 110 kV overhead power transmission line No. 106B/4 TS Osečina – TS Loznica, connecting to a 110kV switching station Jadar;

- Decision of the Ministry of Environmental Protection (No. 353-02-1932/2021-03 of 24 January 2022.), suspending the procedure relevant for determining whether an EIA is required for the project of constructing a 110kV switching station Jadar consisting of a facility for connecting a 110 kV overhead power transmission line, a facility building with gatehouse and diesel electric generator, in cadastral municipalities Veliko selo and Brnjac, city of Loznica.

**3. The Ministry of Construction, Transport and Infrastructure** (hereinafter: MCTI) has submitted a Progress Report (No: 337-00-00201/2022-01 of 16 January 2023.) documenting the repealing of the location conditions previously issued based on the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite Mineral („Official Gazette of the RS, 26/20), namely:

- ROP- MGSI -1245-Loc-2/2021;
- ROP- MGSI -4675-Loc-1/2021;
- ROP- MGSI -32973-Loc-1/2020;
- ROP- MGSI -32973-Loc-2/2021;
- ROP- MGSI -34044-Loc-2/2020;
- ROP- MGSI -37455-Loc-1/2020;
- ROP- MGSI -37456-Loc-1/2020;

The report also lists the regulations falling under the competence of the Ministry of Construction, Transport and Infrastructure, which govern the area of issuing permits for the construction of buildings:

- Law on Planning and Construction („Official Gazette of the RS”, No. 72/2009, 81/2009-corr., 64/2010-Decision of the Constitutional Court (hereinafter: CC), 24/2011, 121/2012, 42/2013-Decision of CC, 50/2013-Decision of the CC, 98/2013-Decision of the CC, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019-other law, 9/2020 and 52/2021);
- Decree on Site Conditions („Official Gazette of the RS”, No. 115/2020);
- Rulebook on the process of electronic implementation of the integrated procedure („Official Gazette of the RS”, No. 68/2019);

- Rulebook on the content, manner and procedure of developing, and the method of controlling the technical documentation according to class and purpose of facilities („Official Gazette of the RS”, No. 73/2019).

4. **The Ministry of Mining and Energy** has submitted a Report (No.310-02-01722/2022-02 of 23 November 2022. and Additional notes from 30 January 2023.) in which it is stated that the procedure initiated by the Request of the Rio Sava Exploration Company Ltd. from Belgrade, dated 6 January 2021, for the issuance of Exploitation field approval pursuant to Article 70 of the Law on Mining and Geological Exploration („Official Gazette of the RS”, No. 101/2015 and 95/18 other law), has not been completed, since the proceedings are before the Administrative Court, according to the lawsuit of the company Rio Sava Exploration d.o.o., still ongoing.

#### **4.1. An Overview of the National Legislation concerning Licensing and Exploitation**

Exploitation of mineral resources is carried out in accordance with Article 68 of the Law on Mining and Geological Exploration („Official Gazette of RS”, No. 101/2015 and 95/18 other Law), and based on the following approvals:

- 1) exploitation field approval or approval for exploitation;
- 2) approval for construction of the mining facilities and/or conducting of the mining operations; and
- 3) approval for the use of mining facilities.

Considering the fact that the above request from on 06. 01. 2021 refers to the future underground exploitation of lithium and boron mineral reserves found in „Jadar” deposit area, this request had to be related to the issuance of the exploitation field approval submitted in accordance with the aforementioned article of the Law on Mining and Geological Exploration.

In accordance with article 70. of the aforesaid Law prescribes that together with the request for issuing the exploitation field approval, the following shall be submitted:

- 1) proof of payment the republic administrative fee, i.e., provincial administrative fee when the exploitation activities are carried out on the territory of the Autonomous Province;
- 2) topographic map in a scale 1:25000 or at corresponding scale with drawn-in boundaries of the exploitation field and contours of determined reserves of mineral resources, public roads and other facilities located on the territory of the exploration field concerned and clearly marked cadastral plots in both written and digital form;
- 3) a confirmation on mineral resources and mineral reserves, which is issued on the basis of research conducted in accordance with existing regulations concerning the classification of resources and reserves;
- 4) a certificate of registration and a copy of an appropriate act listing the activity codes for which the applicant has registered, the company registration number and the corresponding licence;
- 5) a feasibility study for the exploitation of mineral deposits; and
- 6) an act issued by the local government unit in charge of urban planning, regarding compliance of the exploitation with the corresponding spatial, i.e. urban plans, stating also possible development of lower rank planning documents where needed.

Prior to developing a *feasibility study on exploitation*, the applicant is obliged to obtain:

- 1) an act on conditions for developing an environmental impact assessment study issued by the competent authority or a nature protection organization;
- 2) an act on conditions prescribed by the institution competent for cultural heritage protection; and

3) an act on conditions prescribed by the ministry in charge of water management.

After obtaining the above stated approval, the company Rio Sava Exploration d.o.o. from Belgrade is obliged to submit a request, in accordance with Articles 101-103 of the Law on Mining and Geological Research („Official Gazette of RS”, No. 101/2015, 95/2018 - other law and 40/2021), for the issuance of an approval for the construction of mining facilities and/or conducting the mining operations.

Upon obtaining the approval for conducting the mining operations and/or constructing the mining facilities, the company is obliged to submit a request, in accordance with Article 109 of the law, for the issuance of an approval for all the operations conducted and the use of all the facilities constructed.

5. **The Institute for Nature Conservation of Serbia** has submitted Report (No.030-3761/2 of 10 November 2022.), which points to the fact that the Institute did not receive a single request regarding this case after the adoption of the Decree Revoking the Decree on Establishing the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite mineral.

We should also take into account that nature protection conditions for developing the Spatial Plan for the Special Purpose Area for the Implementation of the „Jadar” Project of Exploitation and Processing of Jadarite mineral (Decision No. 019-2773/2 of 26 December 2017) expired after 2 years, in accordance with Article 9 of the Law on Nature Protection („Official Gazette of the RS”, No. 36/09, 88/10, 91/10-corr, 14/16, 95/18-other law and 71/21).

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

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

**ANNEX I**  
**REPORT OF THE MINISTRY OF CONSTRUCTION,**  
**TRANSPORT AND INFRASTRUCTURE**



Republic of Serbia  
**MINISTRY OF CONSTRUCTION,**  
**TRANSPORT AND INFRASTRUCTURE**  
Number: 337-00-00201/2022-01  
Date: 16 January 2023  
Nemanjina 22-26  
Belgrade

11000 Belgrade  
Nemanjina 22-26

To Whom It May Concern,

Your Ministry addressed the Ministry of Construction, Transport and Infrastructure, requesting the submission of a Progress Report pertaining to deliberation of Complaint number 2021/7: Complaint on stand-by: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley.

The Complaint attached to your report request asserts that the Bureau of the Standing Committee of the Bern Convention requests further information from the authorities as to whether the approval of the exploitation field will be confirmed and what would be the next step. A brief overview of national legislation concerning licensing and exploitation is also requested.

In reference to your letter No. 337-00-00127/2022-04 of 18.10.2022, the Ministry of Construction, Transport and Infrastructure states as follows:

The Government of the Republic of Serbia passed the Decree Revoking the Decree on Determining the Spatial Plan for the Special Purpose Area for the Implementation of the “Jadar” Project of Exploitation and Processing of Jadarite Mineral (Official Gazette of the Republic of Serbia, No. 8/22).

In accordance with the aforesaid Decree, the Ministry of Construction, Transport and Infrastructure issued following Decisions repealing the location conditions previously issued based on the Spatial Plan for the Special Purpose Area for the Implementation of the “Jadar” Project of Exploitation and Processing of Jadarite Mineral (Official Gazette of the Republic of Serbia, No. 8/2022):

ROP-MGSI-1254-LOCH-2/2021;

ROP-MGSI-4675-LOCH-1/2021;

ROP-MGSI-32973-LOCH-1/2020; ROP-MGSI-32973-LOCA-2/2021;

ROP-MGSI-34044-LOCH-2/2022;

ROP-MGSI-37455-LOCH-1/2020;

ROP-MGSI-37456-LOCH-1/2020;

Attached to this letter are the copies of the aforementioned Decisions.

Please note that in accordance with the national legislation, the licensing procedure, i.e., issuance of building permits within the competence of the Ministry of Construction, Transport and Infrastructure is regulated based on the following acts:

- Law on Planning and Construction (Official Gazette of the Republic of Serbia, No. 72/2009, 81/2009-corr., 64/2010-Decision of the Constitutional Court (hereinafter: CC), 24/2011, 121/2012, 42/2013-Decision of CC, 50/2013-Decision of the CC, 98/2013-Decision of the CC, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019-other law, 9/2020 and 52/2021);
- Decree on Location Conditions (Official Gazette of the Republic of Serbia, No. 115/2020);
- Rulebook on the process of electronic implementation of the integrated procedure (Official Gazette of the Republic of Serbia, No. 68/2019);
- Rulebook on the content, manner and procedure of developing, and the method of controlling the technical documentation according to class and purpose of facilities (Official Gazette of the Republic of Serbia, No. 73/2019);

Concerning the questions whether the approval of the exploitation field will be confirmed and what would be the next step we would like to inform you that the Ministry of Construction, Transport and Infrastructure is not in possession of such information, thus we suggest that you contact the Ministry of Mining and Energy, as the competent ministry, regarding the matter at hand.

## **ANNEX II**

### **REPORT BY THE OF MINING AND ENERGY**



Republic of Serbia  
MINISTRY OF MINING AND ENERGY  
Number: 310-02-01722/2022-02  
Date: 23.11.2022

2 Mihajla Pupina Blvd.  
11070 Belgrade

In your letter No.: 337-00-00127/2022-04 dated 18.10. 2022 you informed the Ministry of Mining and Energy that the non-governmental organization “Earth Thrive”, acting on its own behalf and on behalf of the association “Protect Jadar and Radjevina” and the non-profit organization “Earth Law Center”,

filed a complaint in order to undertake appropriate legal and administrative measures to preserve the habitats of fauna species protected under Appendices II and III of the Bern Convention and protect the protected areas threatened by the proposed construction of a lithium mine in Jadar River Valley.

Enclosed with the letter to the Ministry of Mining and Energy, you submitted the Decision of the Bureau of the Standing Committee of the Bern Convention (Council of Europe), regarding the deliberation of the Report of the Republic of Serbia on the complaint number: 2021/7: New Complaint: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in Jadar River Valley, submitted by the Secretariat of the Bern Convention.

In accordance with the aforementioned letter, in which you request the Ministry of Mining and Energy to provide you with a report on the Ministry's competencies and scope of work pertaining to this matter, we inform you of the following:

- Rio Sava Exploration d.o.o. from Belgrade submitted to the Ministry of Mining and Energy on 06.01.2021 a request for the issuance of the approval for exploitation field in accordance with Article 70 of the Law on Mining and Geological Exploration (Official Gazette RS, No. 101/2015 and 95/18 other law).
- Considering the fact that a certain number of complaints were filed by the interested public concerning the Decision of the Ministry of Environmental Protection No. 353-02-1163/2021-03 dated 18.08.2021, determining the scope and content of the Environmental Impact Assessment Study to be developed by the project holder Rio Sava Exploration d.o.o. from Belgrade for the project referring to the underground exploitation of lithium and boron deposits in Jadar, ore beneficiation plant and disposal of tailings generated by the mining activities, as well as the fact that Rio Sava Exploration d.o.o. from Belgrade informed the Ministry on this matter in a letter dated 01.10.2021, as well as requested an extension of the deadline for deciding on the company's request until the Administrative Commission of the Government of the Republic of Serbia issued its decision pertaining to the complaints in question. Taking this fact into account, the Ministry extended the deadline for deciding on the request submitted by the aforementioned company.
- The Decree Revoking the Decree on the Spatial Plan for the Special Purpose Area of the "Jadar" Project for the Exploitation and Processing of the Jadarite Mineral was published on 20.01.2022 in the Official Gazette of the Republic of Serbia, number: 8/2022. Article 3 of the Decree stipulates that the competent authorities shall immediately suspend all procedures initiated on the basis of the Decree on the Spatial Plan for the Special Purpose Area of the "Jadar" Project for the Exploitation and Processing of the Jadarite Mineral (Official Gazette RS 26/20).
- The Ministry of Environmental Protection submitted a letter on 18.04.2022 thus informing the Ministry of Mining and Energy that the Decision number: 353-02-01163/2021-03 dated 18.08. 2021, which, at the request submitted by the company Rio Sava Exploration d.o.o. determines the scope and content of the environmental impact assessment study of the project of the underground exploitation of lithium and boron deposits in Jadar, was annulled by the Decision of the Administrative Commission of the Government 14 number 353-9316/2021-003 of 25.01.2022, as well as that the Ministry of Environmental Protection accordingly adopted the Decision number: 353-02-01163/2021-03 of 14.02.2022, thereby suspending the procedure initiated at the request of the company Rio Sava Exploration d.o.o. for the purpose of determining the scope and content of the environmental impact assessment study of the project of the underground exploitation of lithium and boron deposits in Jadar.
- By letter dated 04.05.2022, the company Rio Sava Exploration d.o.o. informed the Ministry of Mining and Energy that on 29.04.2022, that it filed an appeal against the Decision issued by the Ministry of Environmental Protection, and in subsequent letter dated 02.09. 2022 that a lawsuit was filed with the Administrative Court on 13.05.2022, against the decision of the Administrative Commission of the Government. In accordance with all the above stated, the procedure initiated based on the request by the

company Rio Sava Exploration d.o.o. from Belgrade submitted on 06.01.2021, has still not been completed.