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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE  
AND NATURAL HABITATS

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**Standing Committee**

44<sup>th</sup> meeting  
Strasbourg, 2-6 December 2024

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**Complaint on stand-by: 2021/07**

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

**- GOVERNMENT REPORT -**

*Document prepared by*

*Ministry for Environmental Protection, Serbia*

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– November 2024 –



**Republic of Serbia  
MINISTRY  
OF ENVIRONMENTAL PROTECTION**

Number: 002965334 2024 14850 004 008 000

001

Date: 1/ 11/ 2024

Belgrade

**Council of Europe  
Biological Diversity Department  
Secretariat of the Bern Convention  
F-67075 Strasbourg  
Mr POUTIERS Mikael  
Secretary of the Bern Convention**

**Subject: Report on Complaint No. 2021/7: Complaint on standby: Serbia: Alleged endangering of the wild animal species and protected areas due to the proposed construction of a lithium mine in the Jadar river valley**

Dear Mr Poutiers,

With regard to the request of the Secretariat of the Bern Convention from 11 October, 2024 referring to Complaint no. 2021/7: Complaint on standby: Serbia: Alleged endangering of the wild animal species and protected areas due to the proposed construction of a lithium mine in the Jadar river valley, the Ministry of Environmental Protection in the capacity of a competent body monitoring the implementation of the Bern Convention for the Republic of Serbia sent a request for reporting on progress to the following competent institution and organisations: The Ministry of Construction, Transport and Infrastructure, the Ministry of Mining and Energy and the Institute for Nature Conservation of Serbia, including the internal report of the Ministry of Environmental Protection.

**Based on the received reports from the competent authorities and organisations (translated copies of which we hereby enclose), we inform you of the following:**

**1. The Ministry of Construction, Transport and Infrastructure** stated that there was no new information compared to the previous response we sent you on 30 July 2024.

**2. The Ministry of Mining and Energy** stated that there was no new information compared to the previous response from 30 July 2024, which stated that the Integrated National Energy and Climate Plan of the Republic of Serbia contained strategic guidelines in the areas of renewable energy sources, energy efficiency and reduction of greenhouse gas emissions, including specific measures and policies for their achievement. Due to your request about further information about the development and the contents of the Integrated National Energy and Climate Plan, here is direct link: <https://www.mre.gov.rs/tekst/en/537/strategic-documents.php>

**3. The Institute for Nature Conservation of Serbia** informed that, at the request of the "RIO SAVA EXPLORATION" LLC from Belgrade, it had issued a Decision on the Conditions for the Nature Protection for the development of the "Jadar" Lithium and Boron Deposit Exploitation Project.

In the Decision on the Nature Protection Condition, the Institute stated that within the spatial scope of the Lithium and Boron Exploitation Project in the "Jadar" deposit, there were no protected areas for which the protection procedure had been implemented or initiated, neither the ecologically significant areas of the ecological network of the Republic of Serbia pursuant to the Decree on the Ecological Network (*The Official Gazette of the Republic of Serbia*, No.102/10).

Accordingly, it issued, among other things, special requirements and conditions for nature protection:

1) In order to protect strictly protected, protected and endangered wild species, the following measures are to be implemented:

Establish a system for monitoring the impact of mining activities in order to monitor all changes in natural and near-natural ecosystems.

Preserve recorded priority habitat types for the protection of:

A1 1 White willow (*Salix alba*) and Poplar (*Populus spp.*) forests,

A1 2 Alder (*Alnus spp.*) and Field ash (*Fraxinus angustifolia*) forests,

A1 3 Pedunculate oak (*Quercus robur.*) and Field ash (*Fraxinus angustifolia*) forests,

A1 4 Pedunculate oak (*Quercus robur*) and Hornbeam (*Carpinus betulus*) forests,

A2 1 Hungarian oak (*Quercus frainetto*) and Turkey oak (*Quercus cerris*) forests,

A2 3 Pedunculate oak (*Quercus robur*) with Tatar maple (*Acer tataricum*) forests,

A2 5 Sessile oak (*Quercus petraea*) and Turkey oak (*Quercus cerris*) forests,

A3 2 Beech forests (*Fagus moesiaca*),

C1 3 Dry carbonate meadows and rocky areas,

C2 2 Moderately moist hilly meadows,

Fl. 2 Permanent mesotrophic stagnant water,

F3 2 Amphibian coastal communities of low sedges and rushes, which are included in the plan along the banks of rivers and other watercourses.

Preserve the ecosystem and landscape characteristics of the given area, with special reference to biodiversity, the structure and origin of the ecosystem as well as the structure of the landscape (homogeneity, granularity, mosaic-like structure).

Pursuant to Article 7 of the Rulebook on Proclamation and Protection of Protected and Strictly Protected Species of Plants, Animals and Fungi (*The Official Gazette of the Republic of Serbia*, Nos. 5/2010, 47/2011, 32/2016, 98/2016), provide the implementation of measures and activities for the protection and preservation of strictly protected and protected wild species of plants and animals, with special reference to the group of the most endangered and rare species, such as: turtle dove (*Streptopelia turtur*), black woodpecker (*Dryocopus martius*), wood lark (*Lullula arborea*), mistletoe thrush (*Turdus viscivorus*), gray woodpecker (*Picus canus*), Syrian woodpecker (*Dendrocopos syriacus*) and beaver (*Castor fiber*).

In all stages of the development of the Project, foresee a ban on catching, killing, collecting, disturbing wild species.

If during the implementation of the project it is planned to cut the migratory corridors of wild animals, it is necessary to foresee the establishment of green land and water corridors that will allow the unhindered movement of wild animals between different parts of the area and their activities.

Plan the obligation to build anti-erosion dams in places where there is a risk of erosion, washing away, landslides, torrents and deposition of all forms of sediments in water courses, with the fact that corridors must be provided for the unhindered movement of animals. It is forbidden to remove cut high and low vegetation in the protection zone of hydrological phenomena (rivers, streams, springs, watering holes, wells, irrigation canals, etc.), as well as damage or destruction of natural hygrophilous forests, marginal habitats, hedges, borders, individual trees, moist ecosystems with natural or semi-natural woody, shrubby, meadow or swamp vegetation outside the microlocations intended for the construction of stationary facilities and mine infrastructure. Special attention is to be paid to the preservation of the structure and function of ecological corridors such as watercourses, canals and their riparian belt;

It is necessary to provide unhindered reproductive cycles of aquatic species and those species whose development cycle is part of aquatic ecosystems.

It is forbidden to destroy or alter microhabitats, such as wet meadows, ponds, puddles and sandbanks, which represent the reproductive centres of insects, amphibians and reptiles.

Envisage the installation of barriers that prevent the entry of wild species into mine areas.

Provide adequate isolation of the entire electrical distribution system in order to prevent collision and electrocution of birds.

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;

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;

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;

2) If it is necessary to cut down trees in locations with priority protected habitats (forests of Pedunculate oak and Field 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 to Article 12 of the Law on Nature Protection and the Rulebook on Compensation Measures;

3) When carrying out work on the organisation and preparation of the field area for the opening of the mine and the construction of stationary facilities within the mine circle, the removal of emerging forest vegetation is allowed to be carried out to the smallest, necessary extent and scope and only at micro-locations within the exploitation field where the construction of stationary facilities and supporting infrastructure is envisaged. For the removal of forest vegetation, it is necessary to obtain a remittance from PC "Srbijašuma", i.e. the competent forest estate, regardless of whether the trees are in state or private ownership;

4) 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;

5) Plan to leave a protective green belt of high vegetation with a width of at least 10 m, around the area of the mine and the exploitation field. In areas where there is no high vegetation, envisage greening with mainly autochthonous, fast-growing species, which have pronounced aesthetic values. It is not allowed to use species that have been identified as allergens (poplars, etc.), as well as invasive, non-native species in Serbia: *Acer negundo* (Manitoba maple), *Amorpha fruticosa* (False indigo), *Robinia pseudoacacia* (Black locust), *Ailanthus altissima* (Tree-of-Heaven), *Fraxinus americana* (White ash), *Fraxinus pennsylvanica* (Green ash), *Celtis occidentalis* (Hackberry), *Ulmus pumila* (Siberian elm), *Prunus padus* (Bird cherry), *Prunus serotina* (Black cherry);

6) 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 must be met. Any observed animals must be safely evacuated to the same type of habitat in which they were found.

4. In September 2024, the **Ministry of Environmental Protection** received from "RIO SAVA EXPLORATION" LLC Belgrade, a new request for determining the scope and content of the Environmental Impact Assessment Study of the underground exploitation project of lithium and boron deposits entitled "Jadar", on cadastral parcels within the cadastral municipalities of Gornje Nedeljice, Brnjac, Veliko Selo, Jarebice, Slatina, Stupnica and Šurice, the city of Loznica, in the scope of subzones 1A and 1B - the zone of mining activities according to the Spatial Plan of the area of special purpose for the implementation of the project of exploitation and processing of jadarite minerals in the "Jadar" deposit" based on the Decree on determination of the Jadar Project Spatial Plan of the Special Purpose Area (SPSPA), (*The Official Gazette of the Republic of Serbia*, No. 26/2020) and in order to implement the Decision of the Constitutional Court, which was published in the Official Gazette of the Republic of Serbia No. 59/2024 and entered into force on 12 July, 2024.

Public hearing of the content of the request was organised on 17 September, 2024, every working day from 11:00 a.m. to 2:00 p.m. in the premises of the Ministry of Environmental Protection in Belgrade, 1 Omladinskih Brigada St., conference room 320, on the website <http://www.ekologija.gov.rs/obavestjenja/procena-uticaja-na-zivotnu-sredinu/>, in the City of Loznica Assembly hall, 2 Karadorđeva St. on the website of the City <https://loznica.rs/>, in the Krupanj Municipality Assembly hall, 2 Maršala Tita St., on the website of the Municipality <http://www.krupanj.org.rs/> and to submit an opinion within 15 days from the date of publication of this notice in the printed newspaper and on the website <http://www.ekologija.gov.rs/obavestjenja/procena-uticaja-na-zivotnu-sredinu/>.

Within the given period, 147 comments and opinions were received at the request in printed form and via official e-mail from citizens, civil society organizations, as well as political parties. All comments and opinions have been considered and will form an integral part of the legal document determining the scope and content of the Environmental Impact Assessment Study.

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

In the attachment of the official letter, we hereby submit the supporting documentation.

Sincerely,

VICE PRESIDENT OF THE GOVERNMENT AND  
MINISTER

Mrs. Irena Vujović

– July 2024 –



**Republic of Serbia**  
**MINISTRY**  
**OF ENVIRONMENTAL PROTECTION**  
No. 001818316 202414850 004 008 000 001  
Date: 30 July 2024  
Belgrade

**Council of Europe**  
**Directorate General of Democracy**  
**Secretariat of the Berne Convention**  
**F-67075 Strasbourg, France**  
**Mr. Mikael POUTIERS,**  
**Secretary of the Berne Convention**

**Subject: Progress Report concerning the Appeal No. 2021/7: the Appeal is being monitored: Serbia: Alleged threat to wild animal species and protected areas due to the proposed construction of a lithium mine in the valley of the Jadar River**

Dear Mr. Poutiers,

As regards the Request of the Secretariat of the Berne Convention of 3 October 2023 concerning the Appeal No. 2021/7: the Appeal is being monitored: Serbia: Alleged threat to wild animal species and protected areas due to the proposed construction of a lithium mine in the valley of the Jadar River, the Ministry of Environmental Protection has, in its capacity as the competent authority monitoring the implementation of the Berne Convention for the Republic of Serbia, sent a Request for progress reports to the competent authorities and organisations, namely to the: Ministry of Construction, Transport and Infrastructure, Ministry of Mining and Energy and the Institute for Nature Conservation of Serbia, including an internal report of the Ministry of Environmental Protection.

**On the basis of reports received from the competent authorities and organisations (the translated copies of which are attached herewith), we hereby inform you of the following:**

We have been informed by the Ministry of Construction, Transport and Infrastructure that the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite "Jadar" (*Official Gazette of the Republic of Serbia*, No. 26/20) was adopted by the Government at its session of 20 February 2020, in accordance with the Constitution and the Law on Planning and Construction, which stipulate that the Spatial Plan of the Special Purpose Area shall be adopted by the Government upon a proposal of the ministry in charge of spatial planning affairs.

As you were informed in the previous report, the Government of the Republic of Serbia adopted the Regulation repealing the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite "Jadar" (published in the *Official Gazette of the Republic of Serbia*, No. 8/22 of 20 January 2022).

Nevertheless, **the Constitutional Court Decision determined that the Regulation repealing the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite "Jadar" was not in accordance with the Constitution and the law.** The said Decision was published in the *Official Gazette of the Republic of Serbia*, No. 59/2024 and came into force on 12 July 2024.

Recognizing the legal opinions of the Constitutional Court, particularly the statement that the procedure of establishing the reasons for a possible repeal of the 2020 Regulation had not been implemented in a legal manner, the Government concluded that, for the purpose of executing the Constitutional Court Decision, the possibility of further application of the Regulation needed to be ensured, with a view to completing the initiated procedures in a constitutional and legal manner.

As the 2022 Regulation had repealed the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite "Jadar", which had been adopted in accordance with the Constitution and the Law on Planning and Construction, the Government, upon a proposal of the Ministry of Construction, Transport and Infrastructure, adopted the **Regulation on the application of the Regulation on the designation of the Spatial Plan of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite "Jadar"**, thereby undertaking measures to revert the legal order into the state prior to the adoption of the unconstitutional Regulation. This Regulation was adopted by the Government on 16 July 2024.

As regards the adoption of the **Integrated National Energy and Climate Plan of the Republic of Serbia (INECP)** by the Ministry of Mining and Energy, we have been informed that it was **adopted at the Government's session on 25 July 2024.** This Plan is a key strategic document which, in terms of renewable energy sources, energy efficiency and reduction of greenhouse gas emissions, defines and provides for concrete measures and policies for the achievement of these targets.

The **Institute for Nature Conservation of Serbia** has informed us that, on the basis of an inspection of the Central Register of Protected Natural Assets and the Institute's documentation, it does not have any new data relative to the previous Report of the Ministry, and that, on the basis of an inspection of the GIS database on habitats and protected species, maintained by the Institute as a part of the information system on nature conservation, it has ascertained that **it does not have any new data on the distribution and status of the existing or new recorded wild species and habitat types in the said area.**

In addition, the Institute for Nature Conservation of Serbia has stated that the Rio Tinto Mining Company, through its legal entity in Serbia, Rio Sava Exploration d.o.o. Beograd, submitted an application for issuance of environmental protection requirements on 23 July 2024, for the purpose of filing an application for the volume and contents of an environmental impact assessment study of the Project for exploitation and processing of the mineral jadarite "Jadar".

With regard to the previously submitted report of January 2023, we would like to hereby inform you that the parts concerning the reports of the Ministry of Environmental Protection do not contain any new information or activities.

While eagerly awaiting your reply, we would like to thank the Office in advance for its consideration of this Report.

Sincerely,

DEPUTY PRIME MINISTER AND  
MINISTER



Irena Vujović



Republic of Serbia

MINISTRY OF CONSTRUCTION,  
TRANSPORT AND INFRASTRUCTURE

No. 000398708 2023  
Date: 23 July 2024  
Nemanjina 22-26, Beograd

MINISTRY OF ENVIRONMENTAL PROTECTION

BELGRADE  
Bulevar Mihajla Pupina 2

**Subject:** Supplement to the reply to the request for a progress report concerning the Appeal No. 2021/7 relating to the threat to fauna species and protected areas due to the proposed construction of a lithium mine in the valley of the Jadar River.

To Whom It May Concern,

As regards your request addressed to the Ministry of Construction, Transport and Infrastructure in respect of the progress report concerning the Appeal No. 2021/7 relating to the threat to fauna species and protected areas due to the proposed construction of a lithium mine in the valley of the Jadar River, we hereby provide you with an additional statement:

Namely, the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite “Jadar” (*Official Gazette of the Republic of Serbia*, No. 26/20) was adopted by the Government at its session of 20 February 2020, in accordance with the Constitution and the Law on Planning and Construction, which stipulate that the Spatial Plan of the Special Purpose Area shall be adopted by the Government upon a proposal of the ministry in charge of spatial planning affairs (Article 35, paragraph 2 of the Law on Planning and Construction).

The Constitutional Court Decision No. 1Uo-39/2022 determined that the Regulation repealing the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite “Jadar” (*Official Gazette of the Republic of Serbia*, No. 8/22) was not in accordance with the Constitution and the law. The said Constitutional Court Decision was published in the *Official Gazette of the Republic of Serbia*, No. 59/2024 and came into force on 12 July 2024.

Recognizing the legal opinions of the Constitutional Court, particularly the statement that the procedure of establishing the reasons for a possible repeal of the Regulation had not been implemented in a legal manner, the Government concluded that, for the purpose of executing the Constitutional Court Decision, the possibility of further application of the Regulation needed to be ensured, with a view to completing the initiated procedures in a constitutional and legal manner.

As the said Regulation had repealed the Regulation on the designation of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite “Jadar”, which had been adopted in accordance with the Constitution and the Law on Planning and Construction, the Government, upon a proposal of the Ministry of Construction, Transport and Infrastructure, adopted the Regulation on the application of the Regulation on the designation of the Spatial Plan of the Special Purpose Area for the execution of the Project for exploitation and processing of the mineral jadarite “Jadar”, thereby undertaking measures to revert the legal order into the state prior to the adoption of the unconstitutional Regulation. This Regulation was adopted by the Government under the number 110-6672/2024. on 16 July 2024.

Sincerely,

MINISTER

Goran Vesić



**Republic of Serbia**  
**MINISTRY OF MINING AND ENERGY**  
No.: 001930629 2024 14820 007 000 000 001  
Date: 24 July 2024

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

Nemanjina 22-26,  
11000 Belgrade

Dear Ms. Vujović,

Enclosed to your letter No.: 001818316 2024 14850 004 008 000 001 of 4 June 2024, you submitted to the Ministry of Mining and Energy the Decision of the Bureau of the Standing Committee of the Bern Convention on Complaint No. 2021/7: *Complaint on stand: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley*. In accordance with the letter sent, you have requested a progress report from the Ministry of Mining and Energy from its scope of work.

By inspecting the official record, it has been established that the Ministry of Mining and Energy submitted with its letters No.: 310-02-01722/2022-02 of 27 December 2022, 30 January 2023, 30 May 2023 and 15 December 2023 reports on the information required. There is no further information or activities regarding the scope of work of the Ministry of Mining and Energy.

Also, we take the opportunity to inform you that the Integrated National Energy and Climate Plan of the Republic of Serbia (INKEP) was adopted at the Government session, which is a key strategic document that defines and predicts renewable energy sources, energy efficiency and the reduction of greenhouse gas emissions. concrete measures and policies to achieve them.

Sincerely yours,

MINISTER

/s/ Dubravka Djedović Handanović

Delivered to:  
- Addressee;  
- Archive.

INSTITUTE FOR NATURE CONSERVATION  
OF SERBIA

03 No. 025-2354/7

**MINISTRY OF ENVIRONMENTAL PROTECTION**

Omladinskih brigada no. 1  
11070 Novi Beograd

*Your reference: 00818316 2024 14850 004 008 000 001 of 9 July 2024*

The Institute for Nature Conservation of Serbia received your request registered under 03 no. 025-2354/1 of 14 June 2024 for the supplement to the report on progress on the Complaint No. 2021/7: „*Complaint on stand: Serbia: Alleged threat to fauna species and protected sites due to the proposed construction of a lithium mine in the Jadar River Valley*“.

With reference to your request related to the text of 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 of 3 October 2023, related to the obligation of Contracting Parties signatories of the Bern Convention to protect habitats and species throughout their territory, i.e. to submit information on the implementation of actions for the protection of species and habitats under Annexes II and III of the Bern Convention, which could be endangered due to the proposed construction of a lithium mine in the Jadar River Valley, we would like to inform you of the following:

- By inspecting the Central Register of Protected Natural Resources and the Institute's documentation, it has been found that for the respective site (The Jadar River Valley), the Institute does not have any new data concerning the answer to the Complaint submitted on 24 January 2022 (Case-file 03 No. 025-3970/3; Your Ref. No.: 337-00-00154/2021-04 of 22 November 2021);
- Pursuant to insight into the GIS database on habitats and protected species kept by the Institute within the information system on nature conservation, it has been established that the Institute does not have any new data on distribution and status of the existing or newly recorded wild species and habitat types in the respective area;
- According to the Natural Resource Protection Plan 2024, and because of pre-defined commitments, the Institute has not conducted any research or monitoring of wild species and habitat types under Annexes II and III of the Bern Convention in the Jadar River Valley.

Based on the aforementioned, we would like to inform you that the Institute for Nature Conservation of Serbia has no new available data relevant for the supplement to the report on progress on the Complaint no. 2021/7.

We hereby inform you that the Mining Company Rio Tinto submitted, through its legal entity in Serbia, Rio Sava Exploration d.o.o. Belgrade, a request no. 462 of 23 July 2024, registered by the Institute under 03 no. 021-2818/1 of 23 2024, for the issuance of nature protection conditions for the purposes of submission of application for the scope and content of the Environmental Impact Study for the „Jadar“ project for exploitation and processing of jadarite mineral. In this regard, the Institute will provide you with this answer as well, possibly in the form of a supplement for reporting purposes on this case.

HEAD OF LEGAL,  
PERSONNEL AND GENERAL AFFAIRS

Goran Drmanović

as per Decision 02 No. 012-1 164/6 of 24 July  
2024

Cc:  
- The Applicant  
- Archive

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