

The law on mining in the form as it was presented is, as it is stated by NGOs, “a dramatic and serious step in the direction of turning the parliamentary Republic of Serbia into an oligarchic political creation.”

The Coalition for Sustainable Mining in Serbia (KORS) and the non-governmental organization “Let’s Protect Jadar and Radjevina” requested that the proposal for amendments to the Law on Mining be withdrawn from the procedure and that the proposal be discussed again.

They said that otherwise, if adopted, they would ask the Constitutional Court and international bodies to demand that Serbia abandon such a law.

“The mining law as proposed is worse than the law that the Serbian Progressive Party (SNS) has changed twice in recent years, each time passing a worse law for citizens, but for the private cartel interests of the mining and construction lobbies is extremely favorable,” the statement said. It added that the proposed law would “lead to a remarkable deterioration of the environment, abolish the right of citizens to unhindered use of property and a clean environment, lead to the abolition of democratic rights and processes, but most importantly lead to pollution and plunder of resources common to citizens.”

As it was assessed, the Government of Serbia is “under the direct patronage of the President of Serbia, who with this control of the Government and absolute influence on all processes in Serbia is seriously violating his constitutional powers.”

In this way, as it is stated, the principle of separation of powers is violated, according to which the Government of Serbia has the right to exclusively implement laws, plans and programs, without any control, parliamentary oversight and violation of citizens’ rights to be asked about all plans.

“The previous law provided for direct and secret contracts with mining companies concluded by the Serbian government, which guaranteed the issuance of permits, without consultation, democratic process, environmental impact analysis, property of citizens, but even more that allowed the government to declare public interest and thus enable the purchase of land in the form of expropriation, and the construction of the necessary infrastructure for private companies,” the statement said.

It is added that “such regulations are retained in the Proposal of the new law, which is why it is unconstitutional and legally impossible in the legal system of Serbia.”

The draft law on mining, as assessed, shows the intention of the legislator to provide even greater rights to private mining companies that can completely uncontrolled and without any interaction with local governments to occupy 100 square kilometers of territory and

start mining research without even consulting local governments, without environmental impact assessments, on the property of citizens and local self-government and especially without an analysis of the acceptability of mining destruction of land, water, forests.

“It is completely unacceptable that mining companies, as it is stated, can get 100 times 100 square kilometers of territory, which makes them practically informal rulers on the territory, because if they declare their intention to dig, no one can stop them,” the statement reads.

In the case of oil and gas exploration, this exploration area is as much as 5,000 square kilometers.

The ore rent is, as it is estimated, “ridiculously low, and it will practically have to be used for reclamation of destroyed areas, rivers, land, and instead it is necessary to drastically increase it to at least 20 to 50 percent of the market value of ore on the world market, plus drastically increase pollution taxes, taxes on the use of other public goods that will be used in the process, water, land, overburden.”

“Damage insurance must be up to 100 percent of the estimated and actual damage, and not, as the Bill provides for only up to 30 percent,” the statement said.

KORS and the NGO Protect Jadar and Radjevina pointed out that the proposed law gives the company the right to expand its research to 500 meters to two kilometers from the mine, which prohibits all other citizens, companies and local governments from planning any other activities.

It is emphasized that it is necessary to introduce the analysis of a company anywhere in the world and to completely ban it from working in Serbia if it has a “history of destruction of historical heritage or the environment”.

It is also not acceptable that, as they stated, “the state can write separate and non-transparent contracts with companies and promise them protection, permits and missing infrastructure, from public money,” Novi Magazin reports.

Source: novimagazin.rs