



A Support to Urban Development Process

Edited by

Jean-Claude Bolay
Tamara Maričić
Slavka Zeković

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PARTICIPATORY PLANNING IN THE URBAN DEVELOPMENT OF POST-SOCIALIST SERBIA

Tamara Maričić¹, Marija Cvetinović², Jean-Claude Bolay³

Abstract

In recent decades (especially in the most developed parts of the world), researchers, urban decision makers, planning managers and politicians are devoting much greater attention to the opinion of the local population, as long-term experience has shown that meaningful, integrated, interactive and continuous public involvement in decision making will increase the quality, legitimacy, and overall social, economic and environmental efficiency of a planned development.

Especially in more developed democratic societies, citizens are demanding and gaining more power in decision making, and at the same time they have much more influence in planning the development of their own urban environment. This is also being supported through the development of related legislation (hard and soft laws), and traditional/formal and new/informal instruments that have particularly been enabled by the development of ICT.

After explaining the contextual factors, this research will provide a brief historical overview of participatory planning in Serbia. Current trends and tendencies in public participation in post-socialist Serbia will be analysed in more detail, and related legislation compared with some of the countries in the region. A case study of Savamala neighbourhood in Belgrade will be used to portray the multiple actors that exist in a small urban area, and their relations. Beside the traditional participation tools, the paper will propose new instruments suitable for application in post-socialist societies.

Keywords: public participation, urban development, post-socialism, Serbia

¹ Tamara Maričić, PhD, Institute of Architecture and Urban & Spatial Planning of Serbia, Serbia, tamara@iaus.ac.rs

² Marija Cvetinović, PhD, CODEV - EPFL, Switzerland, marija.cvetinovic@epfl.ch

³ Jean-Claude Bolay, PhD, CODEV - EPFL, Switzerland, jean-claude.bolay@epfl.ch

1. INTRODUCTION

Different actors with often conflicting interests shape urban development around the globe, and in this interplay of power the voice of citizens is usually difficult to hear. The majority of researchers agree that active and meaningful public participation and citizen/community engagement in decision making that affects their life should be considered as one of the imperatives of contemporary democratic society. This political act (Legacy, 2017) is essential for sound planning practice (Alexander, 2008) as it fosters the improvement of development management and indirectly raises the quality of life. However, during the first half of the 20th century participatory planning was limited only to the powerful elite, though the planners from this era were certain that they were acting in the public's interest (Hall, 1996). Only in the second half of the 20th century were attempts to increase the direct inclusion of citizens in governmental decision making intensified⁴, both formally and informally, including the development of the legislative framework. So today participation of the public (citizens, private companies, NGOs, expert organisations, universities, etc.) in expressing their opinion, taking part in decision making and complaining against government decisions is based on legal requirements in the majority of countries and it is increasingly being considered to be standard practice. Some researchers (Leal, 2007; Silver et al., 2010) claim that *participation* had already become a buzzword (along with "sustainability" and some other development catchphrases) by the mid-1980s.

Apart from the Western planners and theoreticians who started to engage in researching different options for the (in)direct participation of all citizens, including the poor and powerless (Davidoff, 1965; Arnstein, 1969; Chambers, 1983) especially in the 1960s, the socialist/communist societies in Central and Eastern Europe also practised the inclusion of citizens in the decision making process at the local level. This was particularly the case in the Socialist Federal Republic of Yugoslavia (SFRY), where the six republics (including Serbia) had only a certain degree of autonomy, but the local level had much stronger economic and social independence, and where a unique form of welfare state named 'self-management socialism' ("samoupravni socijalizam") was introduced in the 1950s and established as a form of citizens' rule.

After the breakup of socialist Yugoslavia in the mid-1990s, in the period of transition to a market economy and democracy in Serbia, the system was centralised (local communes lost their previous competences) and the involvement of citizens was no longer supported nor desirable. Since the

⁴ Some researchers call it the renaissance of direct citizen participation in politics and governance at the local level (see Silver et al., 2010).

democratic changes in 2000, the pressures of harmonisation with international legislation and *acquis communautaire* have significantly improved the situation in formal terms, while the practice still lacks “real” participation and mainly serves only to fulfil formal obligations. Citizen involvement is generally identified with public insight, hearings and discussion, which creates great limitations for the “de facto” influence of citizens in the creation of their future.

After a brief theoretical introduction on the significance of greater (in)direct involvement of the wider public in the decision making and planning process, we will provide a historical overview of the practice and legislation related to citizen participation in Serbia during the socialist period of Yugoslavia. Then we will further proceed with a brief presentation and analysis of some current trends and tendencies in public participation in post-socialist Serbian society, including a review of the latest legislative framework in some of the countries in the region. The case study of the Savamala neighbourhood in Belgrade will be used as an example of multiple and various actors with different and even conflicting interests that can exist in a rather small area. For such a diverse group of stakeholders there is a need to develop and implement various instruments in order to ensure that all of them will be heard, and that the majority of their interests will be, at least partly, incorporated in the urban plan for that area.

Based on an analysis of the historical background and current trends, an attempt is made to draw some conclusions regarding the evolving process of citizen empowerment, and some recommendations are made for improving the existing situation.

2. BRIEF THEORETICAL BACKGROUND OF PUBLIC PARTICIPATION

The International Association for Public Participation (IAP2) defines *public participation* rather broadly, as “any process that involves the public in problem-solving or decision making and that uses public input to make better decisions”. The vague concept of *public participation* in planning usually refers to the direct involvement of local citizens in compiling plans that might affect them. Similarly, Midgley (1986) understood *community participation* as a means for creating opportunities that enable people in a community to influence and shape the development process. As there is no single coherent public, but it is constantly being formed and changed depending on the situation (Leino & Laine, 2011), all affected and interested individuals and parties should be able to get involved in the planning process in order to influence planning decisions and outcomes (Alexander, 2008). Consequently, *participatory planning* involves the systematic effort to envision a community’s desired future and the planning for that future,

while involving and harnessing the specific competencies and input of community residents, leaders, and stakeholders in the process (Beyea, et al., 2009).

Starting from John Forester's concept that conflict is an inevitable part of the planning process due to the involvement of different parties with conflicting interests (Forester, 1987), in order to harmonize the great imbalances of power and multiple goals it is necessary to provide the participation of all interested and affected citizens. A turnover from the "technocratic" and "expert" approach to "genuine political life with widespread citizen involvement" is a necessity, since neglecting the socio-political context can lead to diverse negative consequences (Friedman, 1987). The second half of the 20th century was a turning point, and endeavours to make it possible for citizens to have an equal voice with the public administration and politicians in order to directly influence decision making process became dominant. Many scientists and experts insist on this expansion of actors responsible for decision making, starting from Arnstein (1969), Davidoff, (1965) and Chambers (1983) through to the conceptualists and theorists of collaborative planning (Healey, 1997), deliberative planning (Forester, 1999), communicative rationality (Innes and Booher, 2010) and their variations.

From the 1960s many political scientists from the West argued that the majority of the population does not consider politics to be an important part of their lives, and they passively rely on the state (Putnam, 1995) and get involved mainly to protect their own interests (Hahn, 1988). Except for the opponents of a development proposal, many people do not consider involvement in the planning process to be useful, as they fail to understand the ways in which urban and regional planning can affect their lives (Maier, 2001; Lowndes, 2012). Occasionally citizens do get involved, even at considerable personal costs in terms of time and energy for common wellbeing (Hahn, 1988).

There are many scholars who believe that citizen participation can be made to work. In an attempt to empower the poor and powerless, Sherry Arnstein (1969) developed a metaphor of a ladder to outline the main stages of citizen participation in urban planning. There has been some gentle criticism of this approach, mainly regarding amendments to the proposed ladder by a more systematic approach (see Connor, 1988), but her landmark article has influenced thousands of readers and influential researchers. All contemporary approaches to public participation are modernised versions of the main levels that she proposed. Unlike Paul Davidoff (1965), who argued that skilled professionals should advocate on behalf of powerless clients (*advocacy* planning), Arnstein wanted to empower individuals and communities and directly involve them in planning and decision making.

The collaborative planning framework developed by Patsy Healey (1997), drawing on the theory of Jürgen Habermas in particular, avoids conflict situations in which one side is always a loser, concentrating on a “win-win” situation in which collaborative planning is a conceptual framework for resolving complex, multi-stakeholder planning scenarios. This approach is often applied to planning cases for the purpose of encouraging public participation and resolving and mediating stakeholder disagreements. It was “inspired by perception of planning as an interactive process”, a “governance activity occurring in complex and dynamic institutional environments, shaped by wider economic, social and environmental forces” (Healey, 2003).

The stream of research associated with John Forester (2009), Innes and Booher (2004, 2010), and Tore Sager (1994), also based on J. Habermas’ thinking, became a theory of communicative rationality (communicative action theory). It advocates collaborative participation and authentic two-way dialogue among diverse and interdependent agents. It should include citizens, profit and non-profit organisations, planners and public administrators interacting and influencing one another (Innes and Booher, 2004).

In the last few decades, cities in Europe and Anglo-America have practised different forms and approaches to foster public participation in planning urban development. Public dialogue has become important from the political aspect. In order to avoid failure of the top-down approach in development projects, participation of the wider public becomes acceptable for everyone: politicians, administration, planners, economists, private investors and national and international institutions.

Public participation has become very fashionable in Europe (Leino & Laine, 2011), and so diverse methods and techniques have been developed and tried on the wider public and stakeholders. The involvement of interested and affected parties in the planning process can take different forms – traditional or more innovative, it can be direct or indirect (through different non-governmental and other organisations), induced bottom-up or top-down, and it can be formal or informal. It reflects the institutionalised relationship between different actors and processes in a planning system.

3. PARTICIPATIVE PLANNING IN SERBIA

3.1. Contextual factors

One of the characteristics of democratising societies is the attempt to include the opinion of citizens in the decision-making process. In many countries in post-

socialist transition, democracy is still identified with free and fair elections. However, until they provide transparent procedures that incorporate public input in the decision making process, these societies will not attain full democracy (Rose-Ackerman, 2006). Because historically there has been a greater or lesser extent of democracy (Maier, 2001; see also Kovachev et al., 2018) there are variations concerning the acknowledgement of the right to participate in the planning process in the countries of Central and South-Eastern Europe. Since the beginning of the 1990s the legal framework and institutions required to secure public participation and access to justice have slowly begun to emerge. In countries where the NGO (non-governmental organisation) movement has been stronger and some democratic traditions were already in place (like Poland, Hungary, the Czech Republic), public participation has become a part of common practice much more quickly.

Yugoslavia was never a part of the former Eastern/Soviet block; it practised more liberal self-management socialism and therefore had the biggest prospects for successful transformation to a democratised open-market society. However, the disintegration of Yugoslavia that started in 1991 (including civil wars), the NATO bombing and its isolated position on the European and global scene induced a slower transition in Serbia; and this was combined with less feasible instruments of land-use planning and citizen involvement. The key processes and factors in post-socialist transition (shift from a centralised to a market economy, privatisation accompanied by the plunder of social property, weak instruments for planning and construction regulation, a lack of concern for environment protection, etc.) along with some 'specific circumstances' have led to diverse problems: deep economic crisis and a GDP reduction of over 50%, pauperisation of the majority of the people, an extremely high unemployment rate, a decrease in the life quality, 'brain-drain', over 700,000 refugees and 'temporarily displaced persons' from Bosnia, Croatia and Kosovo (Jacky, 2000), environmental pollution and degradation, the lack of law enforcement along with criminalisation and corruption, enormous illegal construction that brought 'urban chaos' (1.6 million illegal buildings in Serbia, or 33% in 2016), etc. (Vujošević et al., 2010; Petrić et al., 2012; Vujošević et al., 2012).

3.2. Brief historical overview of participative planning in Serbia

Participatory planning is neither a new topic in Serbian planning practice nor in Serbian legislative practice. The involvement of citizens in urban planning has been widely practised since the 1970s. Around a sixty-year-long tradition of participation in planning can be understood through a brief historical analysis of national urban and regional planning legislation.

After the Second World War, legislation in Yugoslavia and Serbia (excluding the Act from 1949) emphasised that public involvement was compulsory. In the former Yugoslavia, the urban planning act 'The Basic Decree on the Master Urban Plan' (Osnovna uredba o generalnom urbanističkom planu) of 1949 was the first to introduce public insight (one month) into the draft version of a plan. Besides the general public, the main actors were experts, politicians, the administration at different levels and the main investors.

Research by Čolić (2006) showed that this and all later planning acts prescribed the basic elements of formal public participation, with public presentation and discussion after the draft version of plan has been prepared, along with the possibility of making remarks and suggestions. These activities are separated from cooperation with official institutions.

The following 'Act on the Urban and Regional Spatial Planning of the Republic of Serbia' of 1961 (Zakon o urbanističkom i regionalnom prostornom planiranju NR Srbije) considered participation as 'societal support and plan verification' and provided a strong basis for public inclusion. This and all later planning acts (of 1974, 1985, 1989, 1995 and 2003) prescribed the inclusion of experts through expert debate, as well as consultation of the public at large through forms of public insight, public debate and the possibility of submitting remarks, opinions and comments on the draft version of plan. Public presentation and public debate are conducted after the draft version of the plan has been made, and that does not leave much free space for actual influence on the plan's proposals. The only exception was the Act of 1985 which prescribed expert debate on the first and final draft version of the plan. The rather extensive participation that started in 1974 periodically included specific instruments depending on the legislation in effect (e.g. the Act from 1989 also included a survey in the analytical phase). However, a regression was introduced in 2003, when expert debate was cancelled, the possibility of informing the public about the beginning of public insight was abolished, and only debate by the planning commission remained (Čolić, 2006).

In the period of socialism, planning reflected the intention to respect the plurality of interests and reach consensus among the delegates of different interest groups: citizens, workers, and members of socio-political organisations. Legislation reforms in the 1970s defined planning at the same time as a right and an obligation of the working class, which made public participation a required, regular and well-codified element. Greater accessibility of information motivated citizens and delegates to actively engage in the planning process (Dabović et al., 2017). The 'bottom up' participatory approach with the principle of 'cross-acceptance' was an essential characteristic of the system, practised in the 1970s

and 1980s (Vujošević and Nedović-Budić, 2006). This 'extensive' participation mainly had the purpose of the societal acceptability of the proposed development solutions (Čolić, 2006).

The preparation, discussion and implementation of planning decisions used to be even over-loaded with various types of individual, group and general public participation. But the question that several national experts (Čolić, 2006; Petovar, 2004; Vujošević and Nedović-Budić, 2006) raised still remains – was it actually pseudo-participation as the planners were not obliged to change the proposed solutions in response to the remarks? It seems that the real contribution was proportional to the level of power of the actors involved.

3.3. Current trends and tendencies in public participation in post-socialist Serbia

In Serbia, as in the majority of ex-socialist countries, the collapse of socialism brought substantial change in the long-established balance within the state–(power)–market–planning–privatisation quadrangle. A search for the new balance is still ongoing, and the existence of misbalance influences the entire system and practice of development planning policy. Therefore, the planning system and practice in Serbia suffer from the so-called democratic deficit syndrome, as well as from their inefficiency (Vujošević et al., 2012).

Until recently, there has not been enough effective political will to introduce more democratic, legal and institutional arrangements and instruments for the higher transparency and meaningful participation of interested and effected citizens and organisations, while the notion of public interest has almost been lost. On the professional side, there has been a lack of both theoretical and methodological knowledge on the formal and informal instruments, methods and techniques of participatory planning, to a large extent as a result of insufficient research. We could say that current practice is characterised by a peculiar mix of various concepts of “quasi/pseudo-planning” exercises, imbued with new biases, partisanship and the so called dark side of planning (Vujošević et al., 2012).

In the last few decades state initiatives have emerged in many countries in the attempt to support various forms of participatory governance, but with different results (Leino & Laine, 2011). After the fall of the Berlin Wall there were many eager attempts from planning experts and academics from Western countries to provide professional support to their colleagues in Serbia in order to have a smooth transition to democratic society. Likewise, the majority of national political and professional elites were keen to implement all those “advanced” practices as soon as possible. However, as many Serbian and foreign researchers

have already recognised (Vujošević et al., 2012; Nedović-Budić, 2001, Čolić, 2006), those changes in planning models could not be adequately applied as they were insufficiently adapted to the specific local circumstances – and they were substantially different, and much more demanding and perplexing than the Western model. This is one of the obstacles that prevents the real application of various forms of participatory governance in Serbia.

The second obstacle is the planning professionals and their disinterest, mistrust, scepticism, animosity, arrogance and fear to connect with citizens and include their opinion, knowledge and wishes in plan making. In a situation in which experts were highly dependent on the state sector and one-party structure, the identity and autonomy of professionals (urban planners, architects) and their associations were lost (Petovar, 2004). More important factors were loyalty to the party and personal state structures instead of professional and ethical criteria. Today, the position of planners is even more difficult as the situation is much more complex and the number of interested groups has increased (Vujović, 2004). Planners try to retain a balance between politicians and businessmen on one hand, and citizens and NGOs on the other. Even in developed democratic societies there is a lot of criticism of the attitude and behaviour of many planners who do not believe that they should include citizens' opinions (Allmendinger and Tewdwr-Jones, 2002). Since planners often work for clients with distinctive non-collective goals, they tend to ignore public input and avoid the incorporation of citizens' concerns into plans (Brody et al., 2003). Still, a survey conducted by M. Petrović (Vujović, 2004) among experts working in urban and regional planning institutions in Belgrade showed some positive changes. The majority of them (63%) were convinced that planning effectiveness is greater in a market-oriented economy and democratic institutions than in a controlled planning system. This implies that these experts are probably ready to throw off the burden of pseudo-participation and they are willing to reform and redefine their activities towards a communicative participatory approach.

Despite the transition to democratic society, planning practice is not developing in accordance with the ideals of the democratic, participative and emancipatory model that aspires to communicative-collaborative planning as “an ultimate ideal”. Instead, manipulation, clientelism and paternalism dominate the so-called strategy of persuasion in the “enemy” model (Sager, 1994) in practice (Vujošević et al, 2012). The majority of the ‘historical baggage of self-governance’ needs to be thrown away, but that does not imply that we need to abandon the introduction of new and adequate participatory forms in the system of planning and governance. Unfortunately, existing governing political and economic elites are not making much effort to liberate Serbian society from its socialist heritage. The attitude towards civilian initiatives and associations has not changed much since the one-

party system was cancelled (Petovar, 2004), and even today the majority of politicians, officials and planners do not look favourably on the legal obligation of stakeholder inclusion and consultation in plan making. When citizens try to protect their legal rights during public debate, they are seen as obstructers by developers and some local governments (Maier, 2001), or at least as someone who tries to suffocate planners' creativity. As planners 'do not believe that they should act more democratically' (Allmendinger and Tewdwr-Jones, 2002) they often tend to minimise the degree of public participation and adopt remarks and suggestions that do not oppose the main goals of the plan. That way participation in Serbia is applied strictly formally, in order to provide credibility and legitimacy for a plan.

Apart from a few exceptions in more developed cities/municipalities, the level of negotiating and inclusion of stakeholders in the planning process in Serbia is rather low. Only specific PPPs (programmes, plans and projects) that could induce strong negative effects (expropriation, resettlement; pollution; influx of the poor, refugees; degradation of nature, land, landscape; and others) can expect to involve the public at large. One of the reasons lies in citizens' disinterest. If a citizen in the socialist period had the illusion that he represented an influential 'subject' in decision making concerning urban and regional development, today he has no delusions, but he has no will to take part (Pušić, 2002). The ability of citizens to participate in the development process mainly depends on the level of their trust in institutions, their capacity for collective action and level of development of key democratic institutions.

Today, the main legal acts that regulate participatory planning in Serbia are the Planning and Construction Act (PCA, 2009), Environment Protection Act (2004), Strategic Environmental Assessment Act (2004), and some others.

The most important act in the field of planning is the PCA. The PCA (2009) considers public participation as one of the main principles for the arrangement and use of space (Art. 3). Planning documents with attachments must be provided for public insight (Art. 41). The PCA amendments (132/2014) introduced a novel type of public participation in the form of "early public insight" (Art. 45a) as a special type of participation of legal and physical entities and certain holders of public authority. The main aim is to "avoid potential conflicts in the latter phases of plan compilation" (Republički sekretariat za javne politike, n.a.), i.e. to inform the public about the proposals and options for planned development at the very beginning of the compilation of the plan (after a decision on the compilation of spatial/urban plan has been made, all legal and physical entities are introduced to the general aims, possible solutions and planned effects of the planned

development). All remarks and suggestions must be noted, and they can have an effect on plan proposals.

A legislative analysis of other countries in the region (Table 1), in which Croatia and Slovenia are part of the EU, showed that only the Spatial Planning and Construction Act of Montenegro prescribes “previous public participation” (since 2017). In Macedonia, the Spatial and Urban Planning Act (2005) prescribes a public presentation of the first draft version of the plan, along with a specific form of “public survey”. A public survey, that lasts at least 10 days, implies that all interested physical and legal entities have the opportunity to make remarks and proposals on questionnaires. The same procedure is replicated on the plan proposal.

Here we have analysed only the main planning acts, while each of the countries analysed has regulations that prescribe the required steps and forms of public participation in more detail. In Serbia, public participation in planning is regulated also by: the Rulebook on the content, method and procedure for drafting spatial and urban planning documents (Art. 36-43, 2015) and the Rulebook on the conditions and method of operation of the commission for expert control of planning documents, the commission for controlling the compliance of planning documents and the commission for plans of the units of local self-government (2015).

Experience has shown that the participation of citizens in public debate in the final phase of a plan’s compilation creates great obstacles for making *real* changes to the plan. Inquiries conducted in the city of Novi Sad (Pušić, 2002) show the alarming fact that 71% of citizens interviewed did not know that urban planners organise public consultations about urban development plans. The new approach of early public insight has only been applied for a short time, since the end of 2014, and experience of it is a bit scarce. However, it has been noted (Radosavljević et al., 2015) that in the case of more complex plans there is a need for “early public discussion” that would help citizens to clarify the rather general proposals provided in the material presented for early public insight. Even though the general public and especially representatives from different organisations and institutions come to early public insights, the number of written remarks and suggestions usually varies from zero to only a few. Therefore, some experts (Čolić, 2016) have recognised a need for guidelines for implementation of the procedure, especially regarding: advertising, material preparation, processing the remarks, writing report, and raising transparency (informing the citizens about the results).

Regarding the other aspects of participation, analysis (Table 1) shows that there are not many differences. They mainly refer to the duration of public insight and mention the possibility of repeated public insight in case of substantial changes in the draft version of plan. In Bosnia and Herzegovina each of the 10 cantons has its own planning act that provides public participation requirements in detail, but there are not many differences (three cantons have been analysed). The availability of proposed plans on the internet is very important today, but not all of the countries analysed have this requirement in their acts.

3.4. A short overview of formal and informal participation in Serbia

The type of forms, methods and techniques of public participation applied has a significant impact on the output – on the level of local knowledge, ideas and proposals collected, on the level of public opposition/acceptance, and on the overall quality of planning solutions. The primary classification of participatory techniques (Hampton, 1977 in Čolić, 2006) is: (1) techniques for information dispersion; (2) techniques for collecting information; and (3) techniques that promote interaction between planning experts, the administration and the public. There are two basic modes of direct involvement of the public in urban planning.

Traditional or *formal participation* is prescribed by legislation and it is an obligatory way of including the public in the decision-making process. It is actually based on the political human right of each individual to participate in community development. In urban legislation the most commonly applied forms are public insight, public presentation, public discussion, and the provision of comments and suggestions. Those forms mainly serve to disseminate and collect information, and they do not provide many opportunities for true interaction.

Traditional ways of involving the public in the planning process are public presentations with discussions and the possibility of making comments and remarks on strategic documents and urban and regional plans, usually in the final phases of their production, when changes to the proposed solutions would be more complicated, costly and time consuming. Perhaps it is because of this (low expectations of stakeholders that their effort and time investment can make a difference, based on previous experience) that the public response is rather scarce and sporadic. Public interest is greater when there are more detailed plans (citizens are mainly interested in their own parcel) and it is lower at a strategic level. This attitude can be observed as a consequence of the Serbian political and

Table 1 – The main legislative framework for public participation in urban and regional planning in Serbia and countries in the region

State		Act	Year of Act adoption	Changes and amendments	Early public insight	Forms of public participation	(draft) Plan available on internet	Public insight duration
Serbia		Planning and Construction Act	2009	2010, 2011 2012, 2013 2014	Yes (since 132/2014)	Early public insight (giving comments and suggestions); Public insight, comments and suggestions on Draft	yes	Early public insight 15 days, Public insight 30 days, repeated public insight min 15 days
Bosna i Hercegovina ⁵	Federation of Bosnia and Herzegovina	Act on Spatial Planning and Land Use	2006	2007, 2008 2010	No	Public discussion on Draft (details prescribes each of 10 cantons)	/	Max 3 months
	1. Sarajevo canton	Act on Spatial Arrangement of Sarajevo Canton	2017	2018	No	Public insight and public discussion on Draft	Yes	Canton level 60-90 days; city and municipality level up to 30 days;
	2. Tuzla canton	Spatial Arrangement and Construction Act	2011	2013, 2015, 2016	No	Public insight and public discussion on Draft	Yes	Canton level 60-90 days; municipality level 30-60 days; detail plan 30 days
	3. Hercegbosna canton	Spatial Arrangement Act	2014		No	Public insight and public discussion on Draft	Yes	Canton level 30-90 days; spatial and urban plan of municipality Plan 30-60 days; detail plan 30 days
	Republika Srpska	Spatial Arrangement and Construction Act	2013	2015	No	Public insight and public discussion on Draft	No	Minimum 30 days
Crna Gora		Act on Spatial Planning and Construction	2017	/	Yes (Preliminary public	Public discussion on Draft (round tables,	Yes	Preliminary public participation min 30 days; public insight

⁵ BiH is a country with a four-tier system of governance at State, Entity (and District), Cantonal, and municipal level.

State	Act	Year of Act adoption	Changes and amendments	Early public insight	Forms of public participation	(draft) Plan available on internet	Public insight duration
				participation), min 30 days	presentations, delivering proposals, suggestions and comments)		Min 30 workdays; for changes and amendments min 15 workdays
Croatia	Spatial Arrangement Act	2013	2017	No	Public insight and public discussion on plan Proposal	Yes	State plan 60 days, other plans 30 days; changes and amendments and repeal 8-15 days (exceptions 30 days); repeated public discussion 8-15 days
Macedonia	Act on Spatial and Urban Planning	2005	2013, 2014	Yes	On Draft: expert discussion, public presentation, expert presentation, and public survey ⁶ . On Plan Proposal: expert review, expert discussion, public presentation and public survey	/	Public survey min 10 workdays
Slovenia	Spatial Planning Act	2007	2008, 2009 2010, 2011 2012, 2014	No	Public insight and public discussion on Draft	Yes	Min 30 days, 15 days for changes and amendments

⁶ Public survey lasts min 10 workdays; administration, experts and institutions, scientific institutions, NGOs, and all interested physical and legal entities provide comments and suggestions on questionnaires.

socio-economic past (participation is sometimes still looked at as a relic of the self-management past, Čolić, 2006), as well as the slow process of urbanisation (due to the rural background of the majority of the population, and a lack of the sense of belonging to a place). What is lacking is, obviously, better education and informing of the general public about the reasons, motives, possible outcomes and personal and public benefits (private interest and public interest) of their direct involvement in the creation of a plan. More innovative and appropriate methods and techniques that would manage to adequately involve different groups of stakeholders are also lacking.

Informal participation is not legally binding, and it refers to different, “alternative” participatory methods and techniques that can go beyond the legislative framework. Their main aim is to truly motivate all stakeholders to get actively involved in compiling plans for the overall benefit. That means applying specific techniques for involving the elderly, women, youth and children, minorities and indigenous peoples. Political will is necessary for their implementation, as well as financial and time resources, knowledge and institutional support. The visualisation techniques applied can also be of great help in encouraging maximum public input and participation (see e.g. Al-Kodmany, 1999).

In recent decades, the medium of the Web and new internet technologies are becoming more important in Serbia in terms of increasing and widening participatory planning. They enable us to harness the collective intellect among the population in ways face-to-face planning meetings cannot by providing a communication platform which defeats the barrier of non-professionalism and allows distant contacts. Some of the main information technology applications used worldwide include: participatory planning GIS, 3D models, communication platforms, computer games (see e.g. Reinart and Poplin, 2014), augmented reality systems (see e.g. Hanzl, 2007), crowdsourcing (Brabham, 2009), and others.

In Serbia, in the last decade, there have been several attempts by foreign institutions and organisations (UNDP, UN Habitat, GIZ and others) by means of pilot projects to engage in applying different forms of informal participation, mainly for local plans, and in cooperation with national and local authorities. These include: round tables, info points, workshops, discussion groups, internet consultations and advertising, drawing competitions for kids, questionnaires, “world café”, citizen forums, web consultations and exhibitions (see e.g. Čolić, 2016). The application of different (formal and informal) methods of informing, consultations, direct and active participation, and the provision of feedback enable greater inclusion of all groups of stakeholders, improved definition of problems, greater legitimacy and acceptability of plans, and the inclusion of user

and investor requests and needs. This will abolish the manipulative approach and enable a genuine partnership relation between the state and its citizens.

4. CASE STUDY OF SAVAMALA, BELGRADE

In the course of post-socialist urban development, the Savamala neighbourhood has become a condensed example of overlappings, collisions and linkages of different layers of decision making. This is an attractive but deteriorating neighbourhood with undeniable potential for renovations and refurbishments, located within walking distance from the city centre and almost in the geometrical centre of the current physical layout of the city of Belgrade. Top-down impositions of urban frameworks, national and supra national regulatory mechanisms, flows of international capital, local real estate arrangements, global cultural trends, and bottom-up civic arrangements have established a range of activities among the urban actors and stakeholders in Savamala. The purpose of this case study is to establish a context for the identification and description of various actor groups and their relations, as a basis for applying a communicative-collaborative participatory approach in planning the development of this area.

The social circumstances in Savamala show that the contextual capital there has always been a driver of top-down propositions and solutions for the Sava amphitheatre and the corresponding waterfront area (Cvetinović and Bolay 2017). In recent years, it has also been gradually attracting a number of small-scale civil initiatives and creative services to settle in Savamala (Cvetinović et al. 2013). Only later, and independently, did the attractiveness of the waterfront bring a very powerful international actor to the neighbourhood. The links to high political structures enabled tremendous changes to the regulatory framework. The negligent and violent attitude of the dominant and powerful actor new to the context in Serbia and Savamala was later the main source of local conflicts.

Ever since the Serbian capital has spread to the left bank of Sava River, its right bank – Sava Amphitheatre – has been recognised as a prime location for urban redevelopment with central urban functions (GUP 1950, 1972, 1985). Since WWII, there have been multiple national and international competitions, analysis and studies that have aimed to optimise the urban design solution for the Sava Amphitheatre and the pertaining waterfront. Several professional organisations (The Associations of Architects, Engineers and Planners) scientific and educational communities (research institutions and architectural schools) and national and local planning executives (Urban Planning Institute) have been taking an active part in designing the future for the area, relying on an up-to-date account of the preferences and needs of the Serbian society, the city of Belgrade and the local population as well as tending to address global development trends

and local capacities (Perović 2008, Urbanisticki zavod Beograda 2012, "Udruzenje Arhitekata Srbije" 2014). However, none of these solutions has ever been realized nor have they influenced the recent Belgrade Waterfront Megaproject in the area (SANU 2014).

Bottom-up, step-by-step urban transformations have been promoted as inclusive, gradual and effective in cities that are going through traumatic urban transitions, also in post-socialist cities. The boom in bottom-up spatial interventions and small-scale cultural projects in the Savamala neighbourhood in the period 2012-2015 has aimed at setting up just such a specific micro environment for gradual urban change through public participation and professional engagement in Belgrade (Muller-Wieferig and Herzen, 2013). What at first seemed like a sum of ephemeral local activities has become a driving force for the possible urban future of Savamala, at least the future preferred by most local urban actors who have taken an active role in it. Without questioning the civic nature currently advertised as such, these pillars of Savamala's urban reactivation are found in:

(1) Savamala cultural hubs – KC Grad, Mikser, Magacin in Kraljevic Marka Street (MKM) and Nova Iskra were the forerunners of cultural and artistic crowdsourcing, the participatory engagement of activating Savamala's public spaces and unconventional education and business model in Belgrade and generally in Serbia (Vanista Lazarevic, 2015, Cvetinovic et al., 2016);

(2) urban transformation programmes – Savamala Civic District and Urban Incubator Belgrade (UIB) gathered around an international group of experts supported by Goethe Institute and Mikser Festival, who worked on innovative models for bottom-up urban development (Cvetinovic et al., 2013). These programs included a series of meetings, debates, collaborative works and public space installations taking place in the Savamala neighbourhood. More specifically, Urban Incubator Belgrade, a Goethe Institute umbrella initiative comprising 10 site-specific projects, targeted urban design and regeneration, art and culture in Savamala for a period of one year (2012-2013). All the actions within this project relied on communication between individuals, self-organised associations, public services and private enterprises as equal participants in the societal realm which would demonstrate its influence by performing spatial changes as social exchange.

(3) Individual urban projects – Master Class for urban students and young professionals organised by Stadslab European Urban Design Laboratory Belgrade international week of architecture BINA, Urban Planning Institute Belgrade and the Serbian Railways and an international partner (Amsterdam Institute for Physical Planning); "Savamala, a place for making" was a participatory project in

conjunction with UIB and the design class from The University of Fine Arts of Hamburg, that proposed collective performative actions for revitalising neglected community space in Savamala (Studio in Kraljevic Marka 6 and steam boat Zupa); “The game of Savamala” was a participatory urban planning workshop organised for foreign students and locals under the umbrella of the Mikser Festival in 2015; “ My piece of Savamala” was an urban design workshop organised by the School of Urban Practices, City Guerilla and Mikser and monitored by the city authorities and the City Architect himself. Young designers, artists, architects and urban professionals from these organisations worked with citizens during 3 sessions in order to produce different urban solutions for the urban block at the crossings in front of the Belgrade Cooperative and Mixer House in Savamala. The resulting design solution and the report from the workshop were given to the city authorities and the Belgrade Waterfront company (BWC).

(4) NGOs addressing Savamala’s socio-spatial issues – Even though UIB managed to activate and collaborate with all important civil sector agencies in Savamala, there are still several organisations whose agendas diverge from that of UIB. “Streets for cyclists” is an NGO founded in 2011 and located in Savamala. Even though their main activity is promoting biking culture in Belgrade, they played a crucial role in confronting local authorities and Belgrade Waterfront investors when they closed the principle cycling path along the river for construction purposes. “Ministry of space” is an informal collective focusing on critical approaches to urban transformations in Belgrade. The organisation collaborates with national and international research and activist networks. With a similar purpose, the collective participated in UIB within the Bureau Savamala framework. As a response to the investor urbanism embodied in the Belgrade Waterfront Project, Ministry of space formed another NGO Ne da(vi)mo Beograd initiative (NDVBD) with the sole purpose of gathering human and material resources and proof in order to fight the project and any negative effects that it has on the overall urban development in Belgrade.

In practice, the small-scale vision of the cultural cluster in Savamala was replaced with a waterfront megaproject assigned as a national priority of strategic importance (*Government Decision 2014; Ordinance 2015*). The idea for this project began in 2012 as a part of the political campaign for the national elections. It later transcended into city gossip, explained as a testing strategy for the Belgrade city authorities governed by the opposition party (*Georgijev, 2014*). Apart from a profit-oriented strategy typical for megaprojects, the flawed circumstances of the Serbian regulatory framework contributed well to the feasibility of such a project from the investors’ point of view. In the case of BWP, in the agreement between the RS and the investor, these legal instruments were improved to provide maximum financial benefits for the investor. Over a period of less than 3 years,

several legal and planning documents have been enacted that will forever change the balance of power between the political and financial poles on one side and the citizenry and general public on the other:

- A study of the high-rise buildings in Belgrade ceased to be valid in April 2014;
- The 2015 changes to the Amendments of the GUP 2021 removed the obligation of international competition and changed the land-use rules;
- The Amendments of the PCA, without real constitutional background, introduced projects of national importance as a source of "protected status" for certain projects;
- Adoption of the BWSPSP offers a special status to the Belgrade Waterfront Project and gives the exclusive decision-making role to the Government over the central area of the capital city;
- The discontinuation of the Republic Agency for Spatial Planning (RASP) is a direct intervention of the high national authorities in the urban planning cycle and another act of power centralisation.
- Fast-lane enactment of *Lex specialis*, the special law regulation for the expropriation of land for BWP.
- The Joint Venture Agreement (JVA) is formulated in such a way that it guarantees profit to the foreign investor whatever may happen with the implementation of the project.

All these issues make the actual future of the Belgrade waterfront murky and uncertain. Taking a closer look at the neighbourhood, only the investor of the BWP and his closed circle within the national political elite know what is going to happen and can make strategies for their own gain in Savamala (Cvetinović and Bolay 2017). In this respect, certain people are opening businesses and renting spaces in Savamala, while local entrepreneurs feel frustrated and scared about what is going to happen (*ibid.*). Taking into account the privileged position of the investor according to the JVA, suspense follows the question of what is actually going to be built, except for the two residential towers whose construction already started in 2016.

In these circumstances, citizens and the civil sector have no efficient civil society tools and mechanisms at hand to claim their rights. The people and the public interest are seen as the victim in this case. They are scared to express their discontent and protest, because in the Serbian patriarchal and nepotistic context their personal and professional lives depend on the whims of political actors (*ibid.*).

The engagement of the NDVBGD initiative and their partner organisations is seen as a brave upswing toward the overused and abused concepts of democracy and

civil society. At every stage of the BWP, the NDVBG continually reacted in opposition to them (NDVBGD 2016):

1. official complaints to urban, national and city authorities regarding the project and consecutive regulatory framework changes;
2. organised actions for filing complaints against the BWSPSP and Amendments of GUP 2021 and protest performances against irregularities around public hearing events;
3. urban protest against signing the JVA contract, construction works and opening events, destruction of bicycle paths etc.;
4. letters and declarations, printed media issues, web publishing, press conferences, critical and expert documents;
5. a set of 6 massive urban protests against the irregularities of night demolitions in Savamala, requesting identification of those responsible for the obvious criminal offence.

Even though these actions did not really endanger the implementation of the BWP, they had quite a large effect on the mindset of Belgradians through the slow incremental transformation of behaviour, at least among the young, toward a more participatory approach and the practical application of the civil right to disobey and intervene when the public interest is threatened, and, above all, to apply an educative approach to the urban regulatory framework and rights to the city (Cvetinović and Bolay, 2017).

5. CONCLUSIONS

Comprehension of the role of public participation has been changing in planning thought – in the 1990s the literature was replete with laments about limited opportunities for the public (see Lane, 2005). Today, there is an overwhelming consensus that inclusion of all physical and legal entities in plan preparation is of mutual interest, besides being one of the human rights of political participation. The concept of participatory planning has shown to be significant from various aspects, but it still seems to be accepted more in theory than in practice, even in societies with developed democratic institutions (see e.g. Leino and Laine, 2011).

The application of various forms of participatory governance in Serbia still remains more declarative than essential. Citizen involvement is generally identified with public insight, hearings and discussion, which creates great limitations for the “de facto” influence of citizens in the creation of their future. The practice of urban planning does not sufficiently support the exchange of local citizens’ urban knowledge and the knowledge of planning professionals. There have been many attempts by international donor agencies and collaborations

with foreign (EU, USA, and others) experts to train Serbian experts and implement best-practice approaches (often as pilot projects) to improve the practice of public participation. However, the success has been limited and in the majority of cases only formal instruments of public participation are applied. The reasons for that partly lie in scarce interest from the political and planning elites, and the lack of institutional support.

Introduction of the new participatory form in Serbian legislation, i.e. early public insight in December 2014, makes a step forward. Early consultation, while alternatives are still under consideration, is much more significant and makes more sense than calls for comment before the plan is adopted (Alexander, 2008). There are several reasons (formal application of the process, lack of understanding by experts in administration and planning, lack of guidelines) why this instrument has not yet shown its full capacity.

The application of different participatory tools, both formal and informal, for meaningful inclusion of all groups of stakeholders is especially important in the case of urban planning, in which various groups of actors appear. This is the case in the example of the rather small urban Savamala neighbourhood that was analysed.

In this local framework, the decision making is moved up (to international corporate capital) and out (to private investors). One powerful means of profit and source of corruption that stems from such shifts in decision making is the megaproject developments in metropolises around the world. Within the local contexts in which urban planning institutions and policies are weak and inconsistent, they usually jeopardise the position of low-income people and marginalised groups, minimise public amenities and entail gentrification, large-scale unitary projects, exclusive developers and non-existent and insufficient public participation (Fainstein, 2010). Local authorities also emphasise that the lack of financial institutional capacity (means and resources) contributes to poor public participation. Following this example, opening to the international markets, democratic social values and EU joining procedures introduces global cultural practices into the local system with traditional cultural values. In this blending, the local population with its contextually rooted priorities and needs become side-lined in this quest for internationally recognised innovation, creativity and diversity.

Serbian society is fundamentally authoritarian, and decision making is extensively marked by the hierarchical conformation of institutional roles and individual political figures within the institutions. In this setting, locals are the underprivileged group. Even though a significant number of Savamala citizens

identify themselves with the neighbourhood, their needs have not been a priority of the civil initiatives present there, and even more so they are victims of the Belgrade Waterfront Project and its investors' whims. The recent situation in Savamala is an example of the transitional blend of the global and local that is happening above all in the civil and real estate domains in Serbia. The artistic and cultural activities in Savamala have been an exercise in democracy, while the BWP deal is a school of free market mechanisms at play in class societies. Without judging its positive and negative influences, the case of Savamala brings this new mind-set inherent in the capitalist order to the local stage.

Unfortunately, based on what is happening on site, Savamala could not be saved from the destiny prescribed to it from the top-down. Yet the scientific results taken from this case study might be a strategic basis for more effective reactions in the future and didactic material for further education that address the on-going generation of urban conflicts and bottom-up interventions and offer a summary of small movements and partial approaches that surpass the post-socialist urban development pattern on which it was built and target an integrated system of urban development processes.

The current planning practice in Serbia is predominantly planner centred, whereby political elites still retain a large influence. Consequently, there is hardly any room left for the participation of various stakeholders and actors in the planning process (Djordjević and Dabović, 2009). Despite the introduction of early public insight as a formal procedure, and some localised attempts to raise participatory planning by introducing several informal participation procedures, in Serbian practice quasi participation still prevails. This is especially evident in case of politically important (sensitive) and financially notable urban plans and projects, in which public participation is reduced to a mere form and compliance with the legislative framework, with a tendency to discredit opposing views (see e.g. Zeković et al., 2018). However, Serbia will not be able to attain full democracy until the planning process becomes more accountable to all citizens through transparent procedures that attempt to truly incorporate public input.

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