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ORGANISATION OF MUNICIPALITIES IN SERBIA – PROS AND CONS FROM THE PERSPECTIVE OF URBAN AND SPATIAL PLANNING

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ABSTRACT

The fields of urban and spatial planning have been significantly changed in Serbia during last 25 years of post-socialist era. These fields have witnessed great changes in legislative framework, socio-economic structure, and implementation connected with everyday practice. The main intention of these changes has been the customization of the entire system of territorial planning to new post-socialist reality. However, municipalities as well as the other levels of the territorial organisation of Serbia have stayed almost intact by their number and size for decades, despite the shift of demographic and economic conditions. But, Serbian municipalities have been particularly important for territorial planning, because they have been the only active level of self-government below national one. This position has given them more active role in territorial planning.

Understanding that both urban and spatial planning is strongly connected with territorial organisation, it is questionable how these two sectors have functioned during the last 25 years within the unchangeable shape of municipalities. The purpose of this paper is to explore this issue. The first step, organized as an argumentative essay, will be dedicated to the advantages and disadvantages of the current and prospective organisation of municipalities in Serbia. Then, presented discussion will be an overview from the stance of adequate levels of territorial planning. It is expected to find is current territorial organization of Serbian municipalities suitable for contemporary urban and spatial planning and, if not, which are the ways of its improvement.

Keywords: municipalities; Serbia; urban planning; spatial planning; post-socialist period.

1. INTRODUCTION

The enactment of new Law on territorial organisation of the Republic of Serbia in 2007 has reopened the many discussions about this issue among both experts and public last years. They include the questions of the regionalisation, decentralisation, competence of municipalities and cities, etc.

One of the reasons for the new law was certainly general tendency for the innovation and customization of Serbian legislative system to the system of the European Union (EU). But, there is no evident 'pattern' for territorial organisation among EU countries. Actually, every EU country has its own approach to territorial organization, depending on its history, size, demographics, governance tradition, etc. (Baldersheim, 2009). In the other hand, there is a unique system for the European Union – Nomenclature of Units for Territorial Statistics, better known as NUTS¹. But, this is a Geocode standard used mainly for country division for statistical

¹ Serbia enacted a special decree about the Nomenclature of Units for Territorial Statistics at national level, further customized with EU legislation (PS, 2009-10).

purposes, i.e. without other competences. A. Faludi described the existence of both systems as a 'European model', which clearly presented European official motto 'Unity in diversity' (Faludi, 2005).

However, more important element of the entire process in probably to develop democracy in Serbia with the improvement of all elements of territorial organization, where '[K]ey principle is that all decisions will be enacted at the level more close to citizens' (RTS, 2010). But, implementation of this principle has not been simple. As in cases with other important questions in Serbia, polarisation between supporters and opponents was observable during the enactment of the Law on regional development and accompanying acts in 2009 and 2010 (Martinovic, 2010). Furthermore, different views how regions should be formed and how they will function in reality was also evident (Bakovic, 2009; DJordjevic et al, 2009). This clarifies that all issues regarding territorial organisation are complex and interconnected and they need thereby thoughtful overview and action.

From the position of urban and spatial planning, the possible reorganisation of municipalities in Serbia is a significant issue. The change of their size and number as well as the new relation between included settlements can trigger some of the fundaments of territorial planning in the country. Moreover, municipal level is also important because it is an 'elementary territorial unit of local self-government' (DJordjevic et al, 2009, p. 12). In Serbia, it is the only active governance level under national one (Vasiljevic, 2009); regions are just the units for statistical purposes and administrative districts have a very limited competence and independence, being typical examples of the de-concentration of national government (Milosavljevic, 2009, pp. 13-15). Finally, there have been a lot of local initiatives across the country to form new, smaller municipalities last years. Therefore, this is an issue for contemporary urban and spatial planning in Serbia.

2. MUNICIPALITIES IN SERBIA – GENERAL CHARACTERISTICS AND TENDENCIES

First, traditional Serbian term Општина (eng. Municipality) was officially changed into Јединица локалне самоуправе (eng. Unit of local self-government)² 1990. In everyday life, both terms were almost synonyms in the next 15 years. Since 2005, demographically and economically major municipalities have been 'renamed' as cities. As a result, there are 24 ULSs in Serbia with the status of city today. They have a bit wider competences than other ULSs or 'normal' municipalities (MNGLS, 2007-16). The administrative name City is considered as confusing one; traditional Serbian meaning City is an urban settlement. New meaning was strictly administrative, but it usually does not cover one (urban) settlement, but several of them at least. Usual situation is the main urban settlement with many other ones (suburban or rural) in vicinity. This is also a problem for documents in urban and spatial planning, where the term City can be found in both meaning.

The main facts about ULSs (municipalities and cities) in Serbia from the last national census in 2011 are (RORS, 2012)³:

- Number: Serbia has 145 ULSs with 49,565 inhabitants on average.
- Population: The majority of ULSs has 10-50 thousands inhabitants (103/71%). 13 ULSs (9%) can be considered as big ones, i.e. with more than 100,000 inhabitants. There are only 9 municipalities (6%) with less than 10,000 inhabitants, but their number is increasing there were 6 of them by the previous census in 2002.
- Area: Average size of the area of Serbian ULS is 534 km². There are 11 extraordinary spacious ULSs in Serbia, which area is more than 1,000 km². The spatially biggest is the City of Kraljevo with 1,529 km², which is almost three times more than national average.
- Settlements⁴: Using the data of 4,706 settlements in the country (RASP, 2010, p. 138), typical Serbian ULS includes 32.45 settlements. However, the number of officially existed settlements (MNGLS, 2007-16) per a ULS is very variable. It is just one settlement in the case of the municipality of Sremski Karlovci. The Municipality of Lapovo has two settlements. In contrast, City of Leskovac occupies 144 settlements. Generally, there is a huge difference of the number of settlements per a ULS between the northern Serbian province of Vojvodina and the rest of Serbia, which the consequence of different historical conditions. For example, the ULS in Vojvodina with the biggest number of

² Hereinafter for Serbian case: ULS

³ Data for Serbia without Kosovo

⁴ Here, Belgrade is a specific case, due to its size and the long history of urban municipalities with allot of settlements. Therefore, it is not counted by this issue.

settlements is the City of Sremska Mitrovica with 26 settlements, which is actually below the aforementioned national average.



Figure 1: Municipalities and cities in Serbia (Source: SORS, 2014); Figure 2: Varda (Kosjeric) - Many small centres of rural areas will benefit with the formation of new rural municipalities (Source: B. Antonic).

Considering given extremes, it is understandable why there are needs and incentives across Serbia for a new organisation of ULSs and their division into smaller ones. Several recent successful examples have not considered as a real attempt to open this issue; this has been the formation of urban municipalities by the division of newly-named cities (Milosavljevic, 2005). For illustration, the urban municipality of Vranjska Banja is separated in the City of Vranje (Veljkovic, 2011) and the urban municipality of Kostolac is separated in the City of Pozarevac (Vuckovic, 2010). However, urban municipalities have not a real independence and they therein cannot be counted as full ULSs.

At the end, the position that Serbian ULSs are very big and there is an argument to consider their division into smaller ones is also widespread among relevant experts. This is the stance of K. Petovar (2003), B. Milosavljevic (2005; 2007), Vucetic, D. & Janicijevic, D. (2006), D. Vasiljevic (2007; 2009) and Baldersheim (2009).

3. ADVANTAGES OF THE FORMATION OF NEW MUNICIPALITIES IN SERBIA

Thesis: The current organisation of municipalities in Serbia by their size and number is not adequate for general development of the country. Thus, it is necessary to reduce their area, i.e. to increase their number.

The first and, probably, the most important advantage for the previous thesis is based on the linkage of local self-government with the fundamental values and principles of democracy. Local self-government is considered as a 'school of democracy' (Vucetic & Janicijevic, 2006, p. 33) or a 'pillar of democracy' (Milosavljevic, 2009, p. 3). In contemporary system of representative democracy, which is by far prevalent today, the influence of every individual is more visible in smaller local self-government (Begovic et al, 2000, p. 22). In other words, the strengthening of local self-government makes the place for decision-making closer to every citizen. Hence, the size of a municipality is a direct indicator of democracy (DJordjevic et al, 2009, p. 12).

The process of decentralisation is strongly connected with the aforementioned stance. Territorial decentralisation is one the main factors to enhance citizens, who are usually less presented in centrist democratic systems (Petovar, 2008). B. Milosavljevic claims that the recognition of local uniqueness and the initiation for local development are among major values for the process of decentralisation, aside of the general stance toward democracy (Milosavljevic, 2005, p. 20). This means that local needs and specificities are better and simpler recognisable in small municipalities with a lot of independence, obtained by decentralisation. Perhaps, this can be especially usable for small rural communities in remote parts of Serbia, which are in 'shadow' of major cities.

The history of local self-government in Serbia also supports the reorganisation of Serbian ULSs into smaller ones. Till 1965, Serbia had much more municipalities, which were the representation of local identity. The example of the current ULS of Leskovac with 144 settlements is particularly illustrative: 'In current size, the municipality of Leskovac has existed since 1965, when the amalgamation of four former municipalities was done: Leskovac, Grdelica, Vucje and Brestovac ... This form of territorial-political division signalises the beginning of the loss of local identity for local citizens, the suspension of their possibilities to independently make decisions about their everyday, and the collapse of numerous traditional and long-lasting local communities' (Dimitrijevic, n.d.).

Parallel with the reduction of the number of municipalities, new conditions for the decentralisation of governance and development in newly-formed bigger municipalities have not been achieved. In contrast, the gap between municipal seats and other settlements in new municipalities have deepened. K. Petovar names this phenomenon as 'municipal centrism' (Petovar, 2003, p. 26). A good example is the municipality of Kursumlija, which is one of the most spacious and the most underdeveloped ULSs in Serbia at the same time. In the period 1961-1991, the town of Kursumlija, as a municipal seat, had witnessed the rise of population for 4 times; in contrary, other, rural settlements lost more than 50% of their population during the same period⁵. This is clear evidence that this process of amalgamation in the 1960s has produced many negative problems in territorial development.

European experience also supports the idea of small and numerous units of local self-government. The ULSs in Serbia are among the biggest ones in Europe and there are examples where average ULS is ten times smaller by population than in Serbia (Baldersheim, 2009). Only Denmark and Lithuania have bigger municipalities by area than Serbia (Baldersheim, 2009). But, this territorial division is a novelty in both countries. Therefore, it is hard to talk about the advantages and disadvantages of these 'territorial projects'. Supervening to the issue of the age of current territorial organisations, the territorial reorganisation of municipalities is always an actual and never unfinished process, characteristic for democratic societies (Milosavljevic, 2009, pp. 16-17). This 'approach' is quite different in Serbia, where major changes in this issue have not been made since the 1960s (Zlokapa, 2007, p. 232).

Similarly to Europe, small and numerous ULSs exist at regional level. The most of ex-Yugoslavian countries have formed such municipalities after their independence. Except Bosnia and Herzegovina⁶, all other countries have implemented new organisation by national consensus. The new number of ULSs in following:

Country	Number	Number of ULSs	Source
	ofbULSs	2007/1991	
Croatia	556	5	Kopajtih - Skrlec, 2007, pp. 55-56
Macedonia / FYROM	84	2.5	Angelov, 2007, pp. 140-141
Slovenia	212	3	Plastainer 2007 nn 11-15

Table 1: New ULSs in some neighbour countries

The example of Slovenia is a very interesting case due to the gradual process of the formation of new municipalities, with cooperation with EU institutions. Slovenia has got several new municipalities in the last years (Plostajner, 2007, pp. 11-15). However, some voices say that this is just the begging of decentralisation in the country. Thus, there are still many misunderstandings, such about problems in small municipalities regarding human resources. All these information present the complexity of this issue, but also clarify that the formation of new/small ULSs is a part of the development of democracy.

Then, demographic parameters of Serbian ULSs have changes sharply in the last half of century. Typical example is the Municipality of Crna Trava with 1,500 inhabitants. This very small municipality with expected further population decline is not ready for the basic elements of decentralisation. To conclude – the tiny municipalities (<3,000 inh.) hardly can cope with current administrative duties and competences. They are thereby obvious indicator that new territorial organisation in Serbia is almost required.

The reason for the new division of ULSs in Serbia can be found also in the characteristic of their 'monotypism'. A monotypic municipality in Serbia always implies an 'urban centre and rural surrounding' (DJordjevic et al, 2009, p. 31). This is not a historical perspective. For example, the first law regarding this issue in modern Serbia, the law on the organisation of municipalities from 1839, differentiated rural and urban municipalities (Milosavljevic, 2009, p. 23). D. Vasiljevic noticed that the difference between cities and 'named' municipalities was only in their name before the last law from 2007 (Vasiljevic, 2007, p. 185). Thus, it is questionable is a 'simple' division in two or more parts with similar areas is adequate. Mentioning again the problem with rooted 'municipal centrism', this question is even more emphasised. The other approach, based on the division of bigger Serbian ULSs into urban and rural municipalities with totally different characteristics, is maybe more

⁵ Data from the Strategy of Sustainable Development of the Municipality of Kursumlija 2010-2020.

⁶ In Bosnia and Herzegovina, new ULSs were formed by 'Dayton demarcation'.

appropriate. European tradition recognised this approach in many cases. Some of them are among newest ones, such as ULSs in Latvia⁷.

4. DISADVANTAGES OF THE FORMATION OF NEW MUNICIPALITIES IN SERBIA

Antithesis: The current organisation of municipalities in Serbia by their size and number is adequate for general development of the country. Thus, changes of their size and number are not necessary.

Probably the strongest argument for this statement is current tendencies in Europe, where the process of the merging of municipalities is ongoing (Milosavljevic 2005; Baldersheim, 2009; DJordjevic et al, 2009). The merging is done in several ways. The most often of them is a simple amalgamation, but there are various strategies for this process, from high-rank decisions to locally-organised referendums (Baldersheim, 2009, pp. 4-6). Moreover, there are many reasons for this process. The most usual reason for the merging is the strengthening of local capacities (DJordjevic et al, 2009), which consequently enables wider competences of newly-formed bigger municipalities (Milosavljevic 2005, p. 37). As a final result, municipalities become more independent. Theoretically speaking, the strengthening of independence is related to the development of democracy. Nevertheless, the other element of democracy – accessibility of local self-government to citizens - is certainly threatened by this process (Baldersheim, 2009, p. 4).

In the case of Serbia, the obstacles for new and smaller municipalities can be also found in the territorial organisation of the country with one-level local self-government⁸. Small municipalities have very limited capacities in complex and experts-led competences and doings, which make them dependent to upper levels (district, regional, and national). This has been noticed in Slovenia, where the financial, professional and organising support from state level is inevitable for small municipalities (Plostajner, 2007, pp. 40-43). The other option is cooperation among municipalities (Petovar, 2008). The municipalities in France and Czech Republic are a role-model for this option – bigger (urban) municipalities do some competences for smaller ones in vicinity (Baldersheim, 2009, p. 6).

Some authors accent that there are other modes of territorial decentralisation at the level of municipalities instead of their reducing. The examples are wards as a territorial-administrative level below municipal one in Anglo-Saxon countries. They roughly correspond to the term *mesna zajednica* (eng. *the office of local community*) in the former Yugoslavia (DJordjevic et al, 2009, p. 12). However, D. Vucetic and D. Janicijevic (2006) concluded that the importance of offices of local community was very restricted, because they were strongly dependent to upper levels. They have not had the character of territorial units for decades (Milosavljevic, 2009, pp. 103-104). Accordingly, it is very doubtful can this option with completely underdeveloped basement be used for future decentralisation.

Bureaucratic obstacles' are also a potential disturbance for the formation and functioning of smaller municipalities. The formation of smaller municipalities is usually considered as a process of decentralisation, but their small size and big number can be negatively reflected on the efficiency of local governance, which is in the essence of decentralisation. The problem with the increase of the number of employees in municipal institutions and bodies is one of the most noticeable problems (Vucetic and Janicijevic, 2006, pp. 19-20). Disproportionally huge municipal bureaucracy in such municipalities can be a big obstacle for local finances. Neighbouring Croatia with more than 500 independent cities and municipalities is a very illustrative example for this, because approximately one third of them cannot independently cover their own expenses, let alone to do other duties from their competences (Bajrusi, 2009). This is also evident in smallest of existing municipalities in Serbia, which have disproportionally high number of employees in local administration (Baldersheim, 2009). Moreover, smaller municipalities do not mean the decrease of corruption; corruption can be just transferred to local level (DJordjevic et al, 2009, p. 11). There are also other minor problems, but there similarly more refer to the organisation and character of local administration than strictly to the process of the formation of smaller municipalities.

⁷ Latvia introduced new territorial organisation 2009, recognising urban, rural, and 'classic' municipalities. The first ones occupy only the physically-built areas of major cities; rural municipalities include dependent villages around them; the third municipalities are 'classic', because they consist of one town-seat and villages in surrounding.

⁸ As it was previously mentioned, the role of districts and regions is very limited in present-day Serbia.

5. INSTEAD OF 'CLASSIC' CONCLUSION -PROSPECTIVE UNITS OF LOCAL SELF-GOVERNMENT AND TERRITORIAL PLANNING

The previous explanation of the advantages and disadvantages regarding the possible formation of smaller ULSs clearly demonstrates that this process is not alone – it is just one segment of wider and constant aspirations to improve territorial governance. The position of urban and spatial planning is very challenging in relation to this issue. Here, the most interesting element is to determine the challenges for the creation and the implementation of the spatial plans of the units of local self-government and general urban plans, mainly dedicated for their seats, which are usually the only urban settlements there.

In the case of the spatial plans of the unit of local self-government, smaller municipalities will enable the creation of simpler plans due to smaller area and the lower number of included settlements. Knowing that the current law to planning and construction prescribes special schemes or base-plans for all settlements uncovered by more detailed plans (MCTI, 2009-14), new plans will be certainly simplified by fewer settlements. Then, smaller municipalities with smaller areas for consideration mean better focus to major territorial potentials and obstacles and easier contact with local people and their representatives. Finally, spatial planning had to be ready to adapt spatial plans for smaller municipalities. Nowadays, this is not an issue – spatial plan for the aforementioned Crna Trava with 1,500 inhabitants in municipality is the same by structure as spatial plans for much bigger and well-developed UCSs. It is questionable is this 'universal' approach is compatible for every ULS.

General urban plans have different questions regarding this topic. The borders of general urban plans are mostly defined by real needs at local/urban level instead of official administrative lines. Therefore, general urban plans can be good role-models for the 'framing' of area for new urban municipalities in Serbia. In this way, administrative borders can concur with real-life conditions, i.e. with real built-up and functionally organised settlement areas. This option will reduce problems with 'spatial gaps' between urban and rural areas, which have had the most triggering planning history in Serbia (illegal suburbia, unfinished urban periphery, etc.). Furthermore, new municipal seats will contribute with more general urban plans. This situation will enable broader urban planning at national level and consequently will support socio-economic perspectives of these settlements, which are usually in decline today.

The major problem for both spatial and urban plans will be the implementation of new plans. The municipalities should organise relevant services and bodies for 'territorial affairs'. They should be smaller by the number of staff, but with the same competence. This is a challenging issue in Serbia, where this problem is even evident in many cases today. Furthermore, transitive period for the creation of new plans or the harmonization of existing plans is also inevitable.

Therefore, possible process of territorial decentralisation with the establishment of new and smaller municipalities will face several complex and interconnected challenges for territorial planning as well as for other segments of territorial development and governance. However, there is no reason to halt this process, because it is a quite normal element of the functioning of every country. The knowledge and experience from urban and spatial planning can be very useful for this process due to their connection and respect of local specificities and real-life conditions and borders. Finally, both territorial planning and territorial organisation are not a final solution, but tools which should initiate and endorse overall development of a territory. Therefore, the most important issue is to organise both segments properly and to insist on gradual implementation of all its elements.

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