



**Urban megaprojects, nation-state politics and regulatory capitalism in Central and Eastern Europe: The Belgrade Waterfront project**

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## Urban megaprojects, nation-state politics and regulatory capitalism in Central and Eastern Europe: The Belgrade Waterfront project

### Abstract

In this paper, we explore how state-led regulatory planning is utilised to push for delivery of an urban megaproject (UMP) in the specific context of post-socialist Central and Eastern Europe. Our focus is on the large-scale brownfield redevelopment project 'Belgrade Waterfront' under implementation in the Serbian capital, a joint venture between the Republic of Serbia and Abu Dhabi-based investor Eagle Hills. We show this UMP to be an extreme example of state-led regulatory intervention, characterised by lack of transparency and haste in decision-making processes, all of which serve to prioritise private investors' interests in project delivery above the principles of representative democracy. Through analysis of legislative and planning documents, expert reports and media coverage from the period between 2012 and 2017, we explore the legislative mechanisms, contractual strategies and modes of governance involved in the project's delivery. This provides two insights: first, it reveals that, in contrast with the active role of local governments in conceiving entrepreneurial strategies that is often assumed today, in the case of Belgrade Waterfront, the national government has instead played the decisive role; second, it shows how modifications to national law were instrumental in defining public interest, in enabling certain types of contracts to become technically legal, and in minimising risks for the private investor. We conclude by highlighting the need to further conceptualize nation-state politics and autocratic rule as driving forces of urban development processes.

**Keywords:** urban megaprojects; waterfront developments; regulatory capitalism; post-socialism; urban politics

### Introduction

Over the past years, urban megaprojects (UMPs) have provided globally circulated images which have re-shaped the way that cities represent themselves (Broudehoux, 2010; Evans, 2003). However, gains and benefits for the wider public are less clear and much-debated (Plaza, 2000; Sandercock and Dovey, 2002). Scholars have criticised UMPs on democratic, economic, and social grounds (Murray 2015; Olds, 2004; Orueta and Fainstein, 2008) and have particularly noted the lack of

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3 transparency in the development of these projects, often based on exceptional  
4 measures that serve to circumvent democratic control. Such enterprises are also  
5 prone to planning failures, marked by overspendings and excessive delays (Flyvbjerg  
6 et al., 2003). Swyngedouw et al. have designated UMPs as 'emblematic examples of  
7 neoliberal forms of governance' (2002: 548) that propel socioeconomic restructuring.  
8 In the Western European context, recent civic engagement against particular projects  
9 has gained much attention and has contributed to significant delays in project  
10 implementation (Lauermann, 2016; Novy and Peters, 2013).  
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21 The degree to which UMPs in Central and Eastern Europe (CEE) follow the same  
22 trends and facilitate comparable processes of socioeconomic restructuring as in  
23 Western Europe, North America and other global contexts is under debate (Cope,  
24 2015; Kinossian, 2012; Kinossian and Morgan, 2014; Koch, 2014; Koch and Valiyev,  
25 2015; Müller, 2011). On the one hand, there is ample evidence that cities  
26 throughout the region have embraced entrepreneurial strategies and have in many  
27 cases actively supported the transformation of central urban spaces modelled on  
28 Western examples (see Cook, 2010; Golubchikov, 2010; Temelová, 2007). Yet at the  
29 same time, and particularly with regard to large, prestigious urban development  
30 projects, scholars point out that nation-state politics have considerably more  
31 influence than in Western contexts (Cope, 2015; Kinossian, 2012; Koch and Valiyev,  
32 2015).  
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47 Analysing the 'Belgrade Waterfront' project, a case study situated in post-socialist  
48 Belgrade, we seek to provide insights into the role of UMPs in the process of spatial  
49 and economic change, as well as into the ways in which power relations in the cities  
50 of the CEE region are continuously redefined in the wake of the post-1990 reforms.  
51 Our focus is on legislative dynamics and their effects on power relations between  
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3 different levels of government and between public and private stakeholders in urban  
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5 development politics. We theorise these in terms of the new modes of 'regulatory  
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7 capitalism' structuring the interaction between states, corporations and civil society  
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9 (Braithwaite, 2008; Levi-Faur, 2005, 2011). More specifically, we follow Raco (2014:  
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11 195) in his analysis of the "contractual capture" of state spending on urban projects'  
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13 by exploring the decisive role of procurement and contractual strategies for project  
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15 delivery.  
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19 The particular case of Belgrade has to be seen in the light of Serbia's economic,  
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21 social, cultural and political collapse during the last decade of the twentieth century.  
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23 The period of civil war and political turmoil which ended with the downfall of Slobodan  
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25 Milošević's government in the fall of 2000 had long-term consequences. These have  
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27 ranged from the challenge of reintegrating the country into the European community  
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29 to the overall necessity for urban regeneration and rebuilding efforts in Serbian cities  
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31 after long periods of disinvestment. The development of the brownfield site of our  
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33 case study was recently pushed for by national political elites in a process  
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35 characterised by a lack of public information and consultation to such a degree that  
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37 allegations of corruption and personal enrichment were levelled (Tanjug, 2015a;  
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39 BETA, 2016).  
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44 In this paper, we explore the legislative mechanisms and modes of governance  
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46 involved in the project's delivery based on the analysis of legislative and planning  
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48 documents, expert reports, and media coverage from the period between 2012 and  
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50 2017. We show that in the case of Belgrade Waterfront the national government has  
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52 played a decisive role. It recruited Abu Dhabi-based Eagle Hills as the investor and  
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54 facilitated the project through far-reaching legislative changes. Regulatory and  
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56 contractual strategies in the case of Belgrade Waterfront secured smooth delivery  
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3 and risk-minimization for the investor. We thus emphasise the importance of ‘the  
4 governance of legal governance’ (Valverde, 2009: 141) and demonstrate the need to  
5 further conceptualize nation-state politics and autocratic rule as driving forces of  
6 urban development processes, especially in contexts where a lack of experience in  
7 both democratic involvement and development of projects on this scale is present.  
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14 The first section of this paper discusses UMPs as instruments of regulatory  
15 capitalism and a manifestation of the post-political urban condition. The second  
16 introduces the Belgrade Waterfront project and gives an overview of the  
17 particularities of post-socialist urban transformation in Belgrade. In the third section,  
18 we describe the various legislative mechanisms and regulatory adaptations that  
19 facilitated the advancement of the project, and the fourth reflects on the insights  
20 gained through this case study for wider debates about power relations and modes of  
21 governance in urban development politics. We conclude with an assessment of the  
22 Belgrade case in the light of analyses of UMPs in other CEE and international  
23 contexts.  
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### 36 **Urban megaprojects as instruments of regulatory capitalism in Central and** 37 **Eastern Europe** 38 39

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41 In the debate about regulatory capitalism, Levi-Faur (2005) and Braithwaite (2008)  
42 stress how the implementation of neoliberal agendas strongly depends on state  
43 interventions in terms of proliferating mechanisms of regulatory control. This has led  
44 to the widespread creation of new regulatory agencies and the expansion of  
45 voluntary and coercive regulation on various scales and in different spheres of  
46 society. This view also informs political economy analyses which stress the *aidez-*  
47 *faire* aspect of neoliberal planning (Purcell, 2009: 142) and the emergence of a global  
48 rule regime built on ‘common, underlying parameters of marketization and  
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3 commodification' (Brenner et al., 2010: 219). Regulatory processes are increasingly  
4 proceeding beyond national contexts, with transnational norms and standards the  
5 product of struggles for authority between private, national and supranational  
6 organizations (Büthe and Mattli, 2011). The key question for urban development  
7 politics is in how far these new forms of rulemaking serve the interests of (local and  
8 global) economic and political elites, thus overriding principles of representative  
9 democracy.  
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18 The literature on UMPs has highlighted how regulatory capitalism and transnational  
19 forms of rulemaking affect the modes of governance involved in the delivery of UMPs  
20 in several ways. First, the disengagement of politics from policy making becomes  
21 particularly clear. Professionals act in project implementation through hybrid public-  
22 private enterprises with little democratic control. Often driven by elite priorities, UMPs  
23 are used for the establishment of 'exceptionality' measures in planning and policy  
24 procedures (Swyngedouw et al., 2002). This is facilitated by a system of contractual  
25 relationships between global consulting and technology firms and local companies  
26 and municipal governments (Lauermann, 2016; McNeill, 2015; Raco, 2014).  
27 Moreover, the reworking and rescaling of regulatory structures, in the case of UMPs,  
28 also facilitates risk-minimization strategies of private investors. This is important  
29 when securing investment from private international investors, who usually take  
30 greater stakes in low-risk projects that enjoy profound state support. Finally, the  
31 global regulatory explosion argument also implies that regulatory order is created in  
32 some leading sectors and countries of the global West and then made to travel to the  
33 rest of the world (Levi-Faur, 2005: 24). The globalised construction and real estate  
34 industries are ever more shaped by transnational forms of regulation by the way of  
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3 building norms, market standards and sustainable building assessment models  
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5 (Faulconbridge and Grubbauer, 2015).  
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8 Yet, with regard to the specificities of UMPs situated in the context of post-socialist  
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10 Central and Eastern Europe, there is much agreement on the crucial role of the  
11  
12 nation-state in financing, legitimating and instrumentalizing UMPs for its purposes.  
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14 Authors stress how the embrace of neoliberalism in CEE in the wake of the reforms  
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16 of the 1990s constituted 'a messy and uneven process' (Cope, 2012: 162). They  
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18 observe a deep discrepancy between the rhetoric of the market and the reliance on  
19  
20 lucrative state commissions evident in many of the development projects of the  
21  
22 region (Müller, 2011; Kinossian, 2012; Koch, 2014). Moreover, while market-  
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24 economy principles are partly embraced in the non-EU-member states, political  
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26 reforms are often missing.  
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30 Kinossian and Morgan, in their analysis of the Skolkovo Innovation Centre, a regional  
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32 innovation cluster on the outskirts of Moscow, show how political loyalty is the driving  
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34 force in the Russian oligarchic business community (2014: 1679). Koch and Valiyev  
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36 raise similar points in their analysis of development projects for mega-events in the  
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38 three Caspian capitals of Astana, Ashgabat, and Baku. They show how UMPs  
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40 promote images of a 'benevolent and magical state', largely ignoring questions of  
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42 effective demand and appropriate use. They conclude that UMPs in such closed and  
43  
44 illiberal contexts ultimately serve to consolidate 'authoritarian political configurations'  
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46 (Koch and Valiyev, 2015: 575).  
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50 Regulatory capitalism in CEE is then, in the words of Cope, basing his argument on  
51  
52 the case of Poland and its projects for EURO 2012, therefore best understood 'as a  
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54 scenario of complex overlap and interaction between states and major corporations'  
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56 rather than primarily in terms of 'the extension of market competition' (2012, 173).  
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3 The prevailing logic of large-scale urban development in much of post-socialist and  
4 post-Soviet Eastern Europe emerging from these accounts is one of political  
5 patronage, with large potential for corruption and evident efforts on behalf of local  
6 elites to legitimate and mask these illicit schemes by 'dressing up [such projects] in  
7 nationalist and populist language' (Koch and Valiyev, 2015: 579).  
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14 In this paper, we focus on a case study of an UMP in the post-socialist context and  
15 additionally complicated by post-conflict recovery. Belgrade Waterfront is of interest  
16 to us as an extreme case of top-down regulatory implementation led by the national  
17 government that lacks expertise and experience in the field, with democratic  
18 imperatives replaced by contractual requirements imposed by the investor. This was  
19 coupled with a lack of formal public input, which then led to the emergence of  
20 grassroots movements that took over the role of public interest advocates. In the  
21 following section we provide an introduction to Belgrade and the history of the  
22 project.  
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### 33 34 **Belgrade – post-socialist transformation and background to the city's riverfront** 35 **redevelopment** 36

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38 For most of the countries and cities of post-socialist CEE the last decade of the  
39 twentieth century was the crucial period of free-market-oriented reforms, setting the  
40 course for extensive and highly dynamic processes of socio-spatial restructuring  
41 (Stanilov, 2007). Belgrade's post-socialist urban transformation has been shaped by  
42 a number of factors. First, technocratic planning principles as the legacy of the former  
43 communist and socialist regimes are reflected in the rigid planning model presently  
44 dominant in municipal government (Vujošević and Nedović-Budić, 2006). Second,  
45 development directions from the period between 1945 and 1992 – when the city was  
46 the capital of socialist Yugoslavia – have also had remarkable influence, especially a  
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3 number of partially realised large-scale infrastructure projects (Blagojević, 2005).  
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5 Finally, the most significant historical effect on the current situation has been the  
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7 rupture that occurred after the breakup of the Yugoslav Federation, as a result of the  
8  
9 ethnic wars of the 1990s. Belgrade as the former federal capital lost much of its  
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11 hinterlands and found itself facing numerous challenges due to political instability and  
12  
13 rapid deterioration of the national economy. At the same time, political elites in Serbia  
14  
15 deliberately delayed socioeconomic reforms in order to keep their power (Vujović and  
16  
17 Petrović, 2007). Among the many lost opportunities that resulted from such tactics  
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19 was the recovery of derelict inner-city brownfield sites, especially those located along  
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21 riverfronts (Vukmirović and Milaković, 2009).  
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25 The much-needed transformation and recovery of Belgrade's urban form and status  
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27 as a European metropolis commenced with a long-awaited political shift that took  
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29 place on the national level. In 2003, a new Master Plan came into effect that  
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31 advocated to make Belgrade more competitive with other European metropolises and  
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33 'to restore Belgrade as the centre of the Danube region and to raise its ranking in the  
34  
35 constellation of European cities' (City of Belgrade, 2015: 1). These objectives were to  
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37 be achieved through utilization of its remarkable locational advantages (City of  
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39 Belgrade, 2015; Vujović and Petrović, 2007), in which the potentials of Belgrade's  
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41 location on the Danube transport corridor would play the crucial role 'as it [the  
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43 corridor] provides the economic, functional, cultural and even spiritual links with  
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45 Germany, Austria, Hungary and other Danubian countries, with incredible and until  
46  
47 now unused development resources [...] (City of Belgrade, 2015: 1). These ambitions  
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49 have been embodied by struggles to implement several development projects for the  
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51 renewal of Belgrade's waterfronts, relying on the flexibility of public-private  
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53 partnerships and investor-friendly planning to attract foreign capital.  
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3 Belgrade Waterfront, the flagship among the projects intended to revive Belgrade's  
4 waterfront area, involves the conversion of about 90 hectares of attractive brownfield  
5 land located in the municipality of Savski Venac (Figure 1). The vast area on the  
6 eastern bank of the River Sava, at the bottom of the so-called Sava Amphitheatre,  
7 was until recently a neglected zone of small business and dilapidated housing, with  
8 much of the area covered by old railway tracks, resulting in a complex ownership  
9 structure with initially both public and various private landowners. The remarkable  
10 locational qualities inspired the idea of establishing a new urban centre at this site; in  
11 fact, such a vision is nearly a century old. The idea was originally coined in the early  
12 1920s in the first master plan of Belgrade, made by the Russian planner Pavlovič  
13 Kovalevski and then revived several times without ever becoming realised. The  
14 Belgrade Master Plan 2021 classified this area as one of the 'most valuable' (City of  
15 Belgrade, 2015: 109) and suggested a large-scale urban redevelopment initiative,  
16 arguing that 'this area has the highest spatial potential for the construction of new  
17 central, commercial and public facilities in the city centre' (City of Belgrade, 2015:  
18 109).

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FIGURE 1 HERE

Figure 1. The location for the proposed 'Belgrade Waterfront' project at the bottom of the so-called Sava Amphitheatre in the Municipality of Savski Venac in Belgrade.  
Source: <http://www.bing.com/mapspreview> accessed on 24 June 2016 with authors' additions)  
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The Belgrade Waterfront project has faced numerous issues since its early announcement in mid-2012. First of all, completion of the district, with high-rise buildings, offices, hotels and luxury apartments, was initially estimated to take only six to eight years, although the real prerequisites for its implementation depended on extensive preparatory work with unforeseeable completion dates (Slavković, 2014).

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3 The most important groundwork was the displacement of all railway facilities on site,  
4 the construction of a relocated new main bus terminal, and the particularly  
5 challenging finalization of the new train station building, an ambitious project started  
6 in the mid-1970s. In addition, overall lack of transparency and questionable forms of  
7 citizens' participation in decision-making processes led the implementation of  
8 Belgrade Waterfront to be contested by both the general public and local experts  
9 (see Academy of Architecture of Serbia, 2015; Belgrade Association of Architects  
10 and Association of Architects of Serbia, 2014; Belić, 2016; Serbian Academy of  
11 Science and Arts, 2014; Stojanović, 2016). Despite these and many other  
12 implementation challenges that arose before the foundation stone was finally laid in  
13 2015, there were numerous supporting government interventions ranging from  
14 justifications of the project's necessity to concrete actions on comprehensive  
15 adaptation of legislative barriers for its smooth execution (Table 1).  
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31 Table 1. Overview of the major regulatory/legislative changes for implementation of the Belgrade  
32 Waterfront project.  
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Action	Date	Major actor	Description
Agreement on Cooperation between the governments of Serbia and the UAE	March 2013	Serbian Government	Set the ground for mutual interest in investments for redevelopment of Belgrade's brownfield areas
Modifications of the Belgrade Master Plan 2021 from 2003	September 2014	Belgrade Government	Discarded international competition as obligatory; allowed independent interventions on the spatial entity of the Sava riverbanks; enabled complete relocation of the existing railway infrastructure; made more flexible the restrictions of height and position of buildings on plots
Modifications of the Planning and Construction Act from 2009	December 2014	Serbian Government	'Specially Designated Areas' expanded to include areas with 'specific locational values' or with a 'potential for tourism development'; set grounds for conversion of leasehold into freehold upon request and without surcharge
Legal decision enforced	May 2014	Serbian Government	Belgrade Waterfront declared of special importance for economic development of the republic; thus gained legitimacy to be constructed on a specially designated area
Legal decision enforced	June 2014	Serbian Government	Spatial Plan and environmental impact assessment drafted for the Specially Designated Area for Development of a Part of the Coast of the City of Belgrade Waterfront – River Sava Waterfront Area for the 'Belgrade Waterfront' Project
Public insight on the Draft Spatial Plan Belgrade Waterfront	November 2014	RASP*	Most complaints rejected; as in accordance to previously made legislative adaptations
Environmental impact assessment finalised	December 2014	RASP*	Excepting some possible negative effects on the environment, agency approval of the proposed spatial plan due to the significant effects the project would presumably deliver
Decree setting out the Spatial Plan Belgrade Waterfront	January 2015	Serbian Government	Served as the major legitimation tool for the proposed intervention; ultimately established the development concept, planning documents, rules and conditions of use, organisation, planning and protection of the area
'Lex specialis' enacted in urgent procedure	April 2015	Serbian Government	Overriding all laws that govern general matters; determined both the public interest status and the specific procedures for expropriation and issuance of a building permit for Belgrade Waterfront

Joint Venture Agreement signed	April 2015	Serbian Government	Suspended the highest-level national legislative institutions and laws; suspended regulations regarding conditions for land use and obligatory tender procedures; set the rules for newly formed public-private partnership
Legal decision enforced	May 2015	Commission for Protection of Competition	Investor granted full anonymity
Joint Venture Agreement on public display	September 2015	Serbian Government	English and Serbian versions available on the website of the Serbian government not fully synchronised; only the English version legally binding

\* Republic Agency for Spatial Planning

### **Legislative modification as a regulatory tool for the implementation of Belgrade Waterfront**

The very top level of the Serbian political establishment adopted an autocratic role from the very beginning of the project, assuming decision-making power, excluding municipal authorities and local experts, and circumventing effective legal regulations. This corresponds with an overall loss of democratic accountability in Serbia over the past years due to a marked concentration of power. As noticed by international observers, Serbian president Aleksandar Vučić and his allies from the Serbian Progressive Party have seized near-monopoly control over the country's political institutions and the media (New York Times, 2017). The background for the newly adopted role of the state in facilitating the Belgrade Waterfront project was the previously signed Agreement on Cooperation (Serbian Government, 2013) between the governments of Serbia and the United Arab Emirates (UAE) from 2013. That agreement was marked by the personal connections of key stakeholders from both parties, with Aleksandar Vučić, minister of defence (2012-2013) and the future prime minister (2014-2017) and now president of Serbia (since May 2017), claiming friendship with Abu Dhabi's royal family, the Al Nahyans (Filipovic and El Baltaji,

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3 2014). In addition to setting up some initial cooperations,<sup>1</sup> the agreement also  
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5 established the base for mutual interest in investments for redevelopment of  
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7 Belgrade's brownfield areas (Serbian Government, 2013: 3). Due to the strategic  
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9 interests of the investor, the Serbian capital was selected as the proper location for  
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11 investments, as

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14 the whole of South-Eastern Europe, primarily the developing Serbian market, is considered  
15 to be a geographic region attractive for investors. (...) The strategic position of the Serbian  
16 capital, with close transport links to other major European cities, is fully in line with the plans  
17 of the Belgrade Waterfront Capital Investment related to the expansion of its operations  
18 globally (Commission for Protection of Competition, 2015: 8).  
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22 Introduced as one of the cornerstones of Serbia's anticipated renewal, the initiative to  
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24 revive waterfronts received its highest level of publicity before the national  
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26 parliamentary elections in March 2014 (Bakarec, 2015). However, along with  
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28 publicity, concerns rose as well, due to a number of contradictory pieces of  
29  
30 information, such as the initially announced €3 billion (US\$4.08 billion) which the  
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32 investor and developer Eagle Hills was supposed to invest in Belgrade Waterfront  
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34 (Sekularac, 2014). The eye-catching sum surely contributed to public reassurance  
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36 regarding the importance of the project, especially in the phases preceding its  
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38 implementation. However, much later when the investment was confirmed, the  
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40 contract was made available to the public, revealing a significantly reduced amount.  
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42 The investor is finally to put up €150 million of investment, with additional loans up to  
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44 €150 million (Serbian Government, 2015: 33). Regarding the Serbian share, the  
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46 agreement foresees an initial €130 million of loans extended by the Emirati partner,  
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48 exclusively for legal and physical clearance and for necessary project infrastructure  
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54 <sup>1</sup> The cooperation between the two countries started with a US\$1 billion 10-year loan to prop up Serbia's budget  
55 from the weight of transitional reforms. The rapidly developing partnership secured some initial economic  
56 investments, of which the most significant was the thorough restructuring and restoration of the national airliner in  
57 2013.  
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3 (Serbian Government, 2015: 35). In the subsequent course of events, the opposition  
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5 openly accused the ruling political establishment of corruption (BETA, 2016), claiming  
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7 that the initiative aimed to conceal a massive looting of city and state finances  
8  
9 (Tanjug, 2015a). Despite rising public concerns and contestations, the Serbian prime  
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11 minister continued to strongly advocate for implementation of the Belgrade  
12  
13 Waterfront project, publicly describing it as ‘the future and the new image of Serbia’  
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15 (RTS, Tanjug, 2016) that is being implemented ‘against the will of the narrow-minded  
16  
17 majority’ (Tanjug, 2015b).  
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21 As the initially signed Agreement on Cooperation only set grounds for a potential  
22  
23 cooperation, it was of extreme importance for Vučić to ensure conditions for the  
24  
25 enactment of a more binding and comprehensive legal document – the Joint Venture  
26  
27 Agreement, which was signed later in 2015 (Serbian Government, 2015). To facilitate  
28  
29 the Joint Venture Agreement, several modifications to the existing national and local  
30  
31 legislative framework were enacted: 1. the urban planning document with greatest  
32  
33 legal authority, the Belgrade Master Plan 2021, was modified; 2. the Belgrade  
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35 Waterfront area was declared of special importance for national economic  
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37 development; 3. a special law to regulate procedures for expropriation and issuance  
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39 of building permits was adopted by the national parliament; and 4. a joint venture  
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41 agreement served to suspend national law regarding conditions for land use and  
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43 tender procedures.  
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47 *1. Adapting the Belgrade Master Plan 2021 and the national Planning and*  
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49 *Construction Act*  
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52 Although enacted by the first democratic government after Milošević’s regime in  
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54 2003, the Master Plan 2021 was generally considered an outdated policy instrument  
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56 not capable of meeting the complexity of the transitional challenges (Belgrade  
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3 Planning Institute, 2003; Blagojević, 2005). Yet, the plan explicitly advocated for an  
4 international competition as an obligatory element of the planning process, as well as  
5 for the Sava Amphitheatre and the land on the opposite side of the river to be treated  
6 as a single spatial entity (City of Belgrade, 2015: 109). A number of such obstacles to  
7 investor interests were removed by the plan's 2014 update (City of Belgrade, 2014:  
8 2). In the same year, the Serbian government implemented changes to the existing  
9 national Planning and Construction Act from 2009 in order to redefine how public  
10 interest in planning projects is confirmed. 'Specially Designated Areas' ('područja  
11 posebne namene')<sup>2</sup> were redefined to also include those with 'specific locational  
12 values', with a 'potential for tourism development', as well as for those 'for which the  
13 Government determined that the projects are of importance for the Republic of  
14 Serbia' (Republic of Serbia 2014b: Article 21)<sup>3</sup>. The Planning and Construction Act  
15 also enabled conversion of leasehold into freehold upon request and without  
16 surcharge. This meant, quite bluntly, that private investors can take ownership of  
17 state-owned land once the occupancy permit for a structure erected on the plot is  
18 issued, i.e. after construction is finalised (Republic of Serbia 2014b: Articles 102–  
19 104). The matter was further regulated by the separate Act on Conversion of  
20 Leasehold into Freehold, enacted by the parliament in July 2015. The main purpose  
21 of this law was to end the ownership transformation of the building land and to unlock  
22 investments, as the then-minister of construction Mihajlović explicitly stated  
23 (Marinković, 2016).

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<sup>2</sup> According to the updated Planning and Construction Act from 2009, 'Specially Designated Areas' are areas that require a special regime of organization, development, use and protection of space; projects of importance for the Republic of Serbia; or areas designated by the Regional Plan of the Republic of Serbia or other spatial plan. In particular, this term refers to areas with natural, cultural, historical and environmental values; areas with the possibility of exploitation of mineral resources; areas with tourism potential; areas with hydro potential; or areas for the realization of projects of importance for the Republic. The strategic assessment of environmental impact is an integral part of the planning document for such areas (Republic of Serbia 2014b, Article 21).

<sup>3</sup> The 'Official Gazette of the Republic of Serbia' (Službeni glasnik Republike Srbije) is a publication issued by the public company since 1992, with the aim to spread information about laws, regulations and other state acts and forms necessary or of interest to the work of the leading state bodies.



## 2. *Declaring Belgrade Waterfront a 'Specially Designated Area'*

Based on the preceding adaptation of the Planning and Construction Act, Belgrade Waterfront was officially declared a 'Specially Designated Area' and project of special importance for national economic development in May 2014,<sup>4</sup> which was followed by a decision, issued in June 2014, for drafting a legally binding Spatial Plan for the area (Republic of Serbia, 2014a). The whole procedure, from drafting to adaptation of this plan, which was fully based on the design proposed by the investor, took only thirteen months to be finalised. An obligatory environmental impact assessment, made by the state-owned Republic Agency for Spatial Planning (RASP), approved the proposed plan due to the significant effects it would presumably deliver:

The general conclusion is that in addition to the minimal and hypothetical negative effects, the realization of this plan delivers significant effects, thus its adoption and implementation should be supported. [...] By this means, this project takes on a larger meaning and creates a shared obligation for the Republic of Serbia and the city of Belgrade to be realized in the future and at the same time encourages the much needed development. (Republička agencija za prostorno planiranje, 2014: 123)

After formalised public input in November 2014 and the publication of its related report in December 2014, the decree setting out the Spatial Plan for the Specially Designated Area went into effect in January 2015 (Republic of Serbia, 2015a). This document ultimately established the development concept, planning documents, rules and conditions of use, organisation, planning and protection of the riverbank area along the River Sava. It not only prepared regulations and set the rules, but also served as the major legitimisation tool for the proposed intervention:

The existing land use plans of lower rank and urban plans, as well as urban projects, will be harmonized with the provisions of this regulation in a manner determined by the Spatial Plan. (Republic of Serbia 2015a: Article 7)

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<sup>4</sup> The project was declared of special importance for economic development of the Republic of Serbia in accordance with the decision 05 no. 350-3533/2014 dated 1 May 2014.

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3 However, despite the legal importance of the Spatial Plan, the early implementation  
4 phases – involving relocation of old railway tracks – had already commenced in early  
5 March 2014, more than a year before the plan's legal adoption (Spalević, 2014).  
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### 10 3. *Enacting a lex specialis to confirm public interest*

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12 The proclamation of the Sava Amphitheatre as a 'Specially Designated Area' was  
13 instrumental to legally confirm the project as in the public interest. This would further  
14 enable expropriation of the land on the waterfront, as stated by Article 25 of the  
15 Expropriation Act (Republic of Serbia, 2013: 25). However, the government could  
16 have declared the public interest justifying expropriation *only* for the construction of  
17 any of a range of public facilities.<sup>5</sup> Implementation of a commercial–residential  
18 complex such as Belgrade Waterfront was not intended by this law. In order to  
19 invalidate this last major legal obstacle, the national parliament in April 2015 enacted  
20 a special law that confirmed public interest status and finally determined the specific  
21 procedures for expropriation and issuance of a building permit for Belgrade  
22 Waterfront (Republic of Serbia, 2015b). The relevant Act clearly stated that  
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37 (t)he public interest for *expropriation of property* is to be established for the purpose  
38 of the land to be allocated for the construction of the *commercial and residential*  
39 complex Belgrade Waterfront with supporting infrastructure, in accordance with the  
40 Spatial Plan for the Specially Designated Area for Development of a Part of the Coast  
41 of the City of Belgrade Waterfront – Sava River Waterfront Area for the 'Belgrade  
42 Waterfront' Project (Republic of Serbia, 2015b: Article 2; emphasis added).  
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45 This *lex specialis*, overriding all laws that govern general matters, entitled the  
46 Republic of Serbia and the City of Belgrade to act as beneficiaries of legal  
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54 <sup>5</sup> Act 20 states that public interest for land expropriation can be considered for buildings serving the interests of  
55 education, health, social welfare, culture, water, sports, transit and energy and utility infrastructure facilities, as  
56 well as for the needs of state bodies, territorial autonomy and local self-government, facilities for defence  
57 purposes, and for the construction of apartments for vulnerable social groups.  
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3 expropriation<sup>6</sup> for the purpose of development of the project. Taking into  
4  
5 consideration that both the national government and the city administration had been  
6  
7 controlled by President Vučić's Serbian Progressive Party since 2014, there were no  
8  
9 major disagreements between these two levels.<sup>7</sup> Nevertheless, control over the work  
10  
11 of the later-established limited liability company 'Belgrade Waterfront Ltd' was fully  
12  
13 transferred to the national government, along with the authority 'to monitor and  
14  
15 influence the realization of the project' (Republic of Serbia, 2015b: Rationale, II).  
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#### 18           4.       *Establishing the public–private partnership agreement*

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21 Finally, the step from legislative approval to project implementation was marked by  
22  
23 the issuance of an umbrella document for the upcoming construction activities. The  
24  
25 Joint Venture Agreement, signed in April 2015 in Belgrade and only made publicly  
26  
27 available five months later after public pressure,<sup>8</sup> set the rules for a newly formed  
28  
29 public–private partnership. The main contractors were the Republic of Serbia and a  
30  
31 limited liability company from the UAE, 'Belgrade Waterfront Capital Investment LLC',  
32  
33 listed as a strategic partner. The limited liability company 'Belgrade Waterfront Ltd'<sup>9</sup>  
34  
35 was established for the sole purpose of developing the project. To this day,  
36  
37 information on the companies involved in the project and their ownership structures  
38  
39 remains incomplete, as the investor was granted full anonymity by a decision of the  
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41 Commission for Protection of Competition, a legal entity accountable to the Serbian  
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46 <sup>6</sup> Both the Republic of Serbia and the City of Belgrade are the beneficiaries of legal expropriation. According to  
47 Act 4, The Republic of Serbia, represented by the State Attorney's Office, is appointed as the expropriation  
48 beneficiary. The City of Belgrade is the beneficiary of expropriation for the construction of public surfaces, that is,  
49 for the construction of facilities for public purposes and public areas for which the special laws stipulate the  
50 jurisdiction of the City of Belgrade.

51 <sup>7</sup> According to media coverage, the mayor of Belgrade, Siniša Mali, strongly supported and defended the  
52 decisions coming from the national government. He would often appear in press conferences and construction  
53 site visits alongside with president Vučić (Mihajlović, 2015; RTS, Tanjug, 2016).

54 <sup>8</sup> The Joint Venture Agreement in both English and Serbian was available on the official website of the Serbian  
55 government, <http://www.srbija.gov.rs>, as of 13 November 2015.

56 <sup>9</sup> A limited liability company from UAE 'Al Maabar International Investment LLC' was assigned as the guarantor of  
57 the project. According to the Joint Venture Agreement, the government of Serbia holds a 32% ownership share  
58 and economic and ownership rights while the strategic partner from the UAE holds 68% in Belgrade Waterfront  
59 Ltd.  
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3 National Assembly, in May 2015. Moreover, the agreement itself was characterised  
4 by many unclear elements which left room for interpretation and political  
5 manoeuvres. First of all, the legally effective English version of the document differed  
6 from the version presented in Serbian. Opposition parties, grassroots movements,  
7 lawyers and journalists in particular drew public attention to the significantly  
8 reduced<sup>10</sup> and even slightly different content in the Serbian version<sup>11</sup> (Mihajlović,  
9 2015). Another major issue with the legality of the agreement was its unambiguous  
10 suspension of the highest-level national legislative institutions and laws, such as of  
11 the Law on Public–Private Partnerships and Concessions from 2011 which  
12 preconditions the formation of a public–private partnership on obligatory tender  
13 (Republic of Serbia, 2011: Article 22).  
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## 26 27 **Power relations and modes of governance in urban development politics in** 28 29 **Belgrade and Serbia** 30

31 Belgrade Waterfront clearly constitutes an extreme case of speculative real estate  
32 development driven by the priorities of rent extraction. In this, it conforms to the three  
33 aspects outlined above in respect to the modes of governance involved in the  
34 delivery of UMPs. Firstly, it clearly builds on exceptional conditions in planning and  
35 policy procedures which are secured by legal means (Murray, 2017; Swyngedouw et  
36 al., 2002). Regulatory adjustments legally confirmed the public interest status of the  
37 project and thus allowed the Spatial Plan to be drafted, landowners to be  
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48 <sup>10</sup> The Serbian-language translation of the agreement does not contain appendices and is a 69-page abridged  
49 version while the English version of the agreement contains 259 pages, including appendices and an amendment  
50 to the agreement. The citizens' initiative 'We Wont Let Belgrade D(rown)' also highlighted the poor quality of the  
51 Serbian-language versions of documents (Ne da(vi)mo Beograd!, 2015).

52 <sup>11</sup> Economist Kovačević claimed substantial differences between the two versions and suggested an independent  
53 revision of the agreement (Lakićević, 2016). Most importantly, the Serbian version confirmed the applicability of  
54 national laws and regulations in the implementation of the project whereas the English version discarded their  
55 applicability for investments coming from the Emirates (Mihajlović, 2015). Civil society representatives, in their  
56 analysis of the agreement, stressed the high risks for the Republic of Serbia and uncertainties related to  
57 obligations of the investor, as well as the unclear ownership structure of the newly created companies (Ne  
58 da(vi)mo Beograd!, 2015).  
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3 expropriated, and the building permit to be issued. Secondly, the project testifies to  
4 the power of real estate development companies, in this case Eagle Hills, in securing  
5 government support and contractual benefits for their projects. This involved  
6 minimizing risks for the investor by pledging that the Republic of Serbia as contractor  
7 in the Joint Venture Agreement would not change laws to the detriment of the  
8 contract. Besides, the contract specifies that in the case of less than 50% of the  
9 project realized within 20 years, the surplus of land will be offered for sale and profits  
10 shared among the contractors; this implies that the strategic partner from UAE would  
11 have profits even in the case of project failure (Ne da(vi)mo Beograd!, 2015). Clearly,  
12 such contractual strategies are especially influential in contexts where governments  
13 and authorities lack experience and resources (Rapoport, 2015; Shatkin, 2008).  
14 Thirdly, Belgrade Waterfront also clearly builds on global circuits of knowledge in  
15 which expertise on development schemes, project management and market  
16 standards in real estate are circulated (Faulconbridge and Grubbauer, 2015). Eagle  
17 Hills undertook heavy international marketing of the project, offering exclusive  
18 residential and business real estate to high-end clients. Belgrade Waterfront, with its  
19 high-rise office towers and the recent involvement of the architecture and engineering  
20 firm SOM, is thus characterised by the same type of aesthetic spectacle that UMPs in  
21 Western contexts provide, ultimately serving to streamline public debates and  
22 approval processes as well (e.g. Andersen and Røe, 2016).  
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46 At the same time, Belgrade Waterfront also provides us with a number of new  
47 insights related to the geographies and modes of regulatory capitalism found beyond  
48 Western Europe. We wish to highlight several aspects of wider relevance which are  
49 organised around two main arguments: first, that, in contrast with the active role of  
50 local governments in the conceiving of entrepreneurial strategies that is often  
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3 assumed today, in the case of Belgrade Waterfront, the national government has  
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5 been the key figure to facilitate new alliances in the channelling of speculative real  
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7 estate investment; and second, that project implementation and production of  
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9 legitimacy depended on regulatory modifications, most importantly on the level of  
10  
11 national law, which have been instrumental in confirming public interest in the project.  
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14 *New frontiers of speculative real estate investment, nation state politics and new*  
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16 *alliances*  
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19 With real estate markets in global cities being highly competitive and increasingly  
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21 limited in their number of investment opportunities, Belgrade Waterfront  
22  
23 demonstrates how capital flows into real estate development are expanded to  
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25 develop always larger and more speculative projects and infrastructures in what are  
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27 considered high-risk markets (Halbert and Rouanet, 2013). The United Arab  
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29 Emirates, after recovering from the global financial crisis, are currently in search of  
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31 new investment opportunities for financial surpluses in terms of a 'diversification by  
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33 urbanization' strategy (Buckley and Hanieh, 2014: 156). This includes targeting  
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35 territories beyond the Gulf States and exporting real-estate-based growth strategies  
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37 of 'geofinancial re-engineering' (Buckley and Hanieh, 2014: 171). Belgrade provides  
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39 a strategic entry point for Abu Dhabi-based Eagle Hills into the European market.  
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44 Yet, the involvement of Eagle Hills as an investor is enabled only by the decisive role  
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46 of the national political elites desperate to attract investment and pushing for project  
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48 implementation, with the local government basically assigned only a subordinate and  
49  
50 operational role. This is in stark contrast to the analyses of UMPs in Western  
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52 contexts, which stress the active role of local governments in conceiving UMPs as  
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54 part of entrepreneurial strategies to enhance their cities' image and locational  
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56 advantages (Sklair, 2006). As outlined above, the particular importance of UMPs for  
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3 nation-state politics in CEE has been stressed by several authors (Cope, 2015;  
4 Kinossian and Morgan, 2014; Koch and Valiyev, 2015). This does not imply,  
5 however, that UMPs in this context come into being as the result of clearly outlined  
6 national urban policies. Golubchikov et al. describe this in the case of Russia in terms  
7 of a fragmented, arbitrary and nontransparent regulatory regime with 'different bits of  
8 legislation regulating spheres related to urban and regional affairs' (2014: 12). Such  
9 regulatory regimes are obviously more easily adjusted and manipulated to the benefit  
10 of political and business elites than those found in Western European contexts (see  
11 also Kusiak, forthcoming, on the case of Poland).  
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23 Finally, Belgrade Waterfront also points to the need to rethink clientelism and  
24 corruption in the face of globalised real estate markets and new alliances between  
25 national political and international business elites. Implementation of Belgrade  
26 Waterfront was characterised not merely by a lack of transparency but by the  
27 systematic and legally confirmed withholding of information. As requested by the  
28 investor and by the Attorney General on behalf of the Republic of Serbia, the State  
29 Commission for Protection of Competition designated as confidential even the most  
30 basic information related to the strategic partner of the Joint Venture Agreement,  
31 Belgrade Waterfront Capital Investment LLC.<sup>12</sup> In line with this strategy of stealth and  
32 informal lobbying is the (initially) low-key profile of the project. Although the  
33 internationally renowned design firm SOM was presented as the author of the  
34 flagship Belgrade Tower in 2014, this announcement came rather late. The design of  
35 the tower has played no particularly strategic role so far, and authorship of the master  
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52 <sup>12</sup> Information withheld from the public included excerpts from the company register, its organizational structure,  
53 annual income reports, or even the number of employees, with the explanation that making such data available to  
54 the public could cause material damage to the foreign partner (Ne da(vi)mo Beograd!, 2015). Furthermore, the  
55 online register of companies registered in the UAE only gives very basic information on the ownership structure of  
56 the firms Belgrade Waterfront Capital Investment LLC, Al Maabar International Investment LLC and Eagle Hills  
57 Properties LLC.  
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3 plan remains unknown (Figure 2). The traditionally strong influence of informal ties  
4 and personal relations between individuals in politics, planning and real estate in  
5 shaping decisions on property development has long been noted (Fainstein, 2001).  
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7 The analysis of Belgrade Waterfront shows how such informal networks now operate  
8  
9 on a global level, with the ownership structures and personal gains involved being  
10  
11 effectively obscured.  
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16 FIGURE 2 HERE

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18 Figure 2. Belgrade Waterfront master plan (Source: Belgrade Waterfront, © Eagle Hills)  
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### 22 *Legal technicalities, legitimacy, and the politics of planning*

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25 Connected to the decisive role of national political elites in Belgrade Waterfront is the  
26 chain of far-reaching legislative enactments initiated by the Serbian government and,  
27 in the last instance, confirmed by the Serbian parliament. This process was largely  
28 facilitated by legal experts on the side of the investor; local planning experts were  
29 clearly excluded. The rule-making power of private firms within the framework of  
30 regulatory capitalism is then not only manifested in contractual relations. Raco, in his  
31 analysis of what he terms 'state-led privatization' in the case of the London Olympics,  
32 stresses how the policy focus on delivery is 'underpinned by *contracts* that are  
33 designed to institutionalise policy outcomes and the mechanism through which they  
34 are to be achieved' (2014: 177; original emphasis). Contracts, in Raco's view, serve  
35 to reduce risks for private investors by insulating them from (future) democratic  
36 demands with the effect that 'criticisms are deflected onto development partnerships  
37 and unaccountable and unresponsive delivery agents' (Raco, 2014: 180f). Our  
38 analysis points to the importance of legal changes to national law which enable  
39 contracts to become technically legal in the first place. While transnational  
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3 governance is increasingly shaped by private and market-based forms of regulation  
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5 through soft rules (Djelic and Sahlin-Andersson, 2006), national law is still  
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7 instrumental if public funds are accessed and the state seeks to provide exceptional  
8  
9 benefits to private investors.  
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11  
12 In pushing for project delivery, the legal status of the Belgrade Waterfront project  
13  
14 played a key role. Professional and civil society organizations explicitly demanded to  
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16 'review the grounds on which the Spatial Plan is formulated as of special designation,  
17  
18 to present the arguments for such a formulation' (Komisija za javni uvid u Nacrt  
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20 Prostornog plana, 2014: 104) and in the case of the citizens' initiative 'Ne da(vi)mo  
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22 Beograd' even demanded the cancelation of the plans for Belgrade Waterfront on the  
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24 grounds of legal issues: 'the current plan should be annulled in whole and returned to  
25  
26 the legal procedure of re-drafting because the proposed draft violates the laws and is  
27  
28 contrary to the public interest' (Komisija za javni uvid u Nacrt Prostornog plana, 2014:  
29  
30 127). Such demands were rejected as groundless by the commission for public  
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32 review; the authorities justified the legitimacy of the project through its *technically*  
33  
34 legal status. Kusiak, similarly, argues in her analysis of property restitution in Poland  
35  
36 that 'judicial theft' through judicial and legal proceedings has served to invalidate  
37  
38 political conflicts concerning the profits made from the reprivatisation of property  
39  
40 (Kusiak, forthcoming). Yet, the making of such 'legal "technicalities"' which govern  
41  
42 urban development processes relies fundamentally on 'legal governance work  
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44 accomplished through the historically variegated mechanisms of "jurisdiction"', as  
45  
46 Valverde (2009: 140) shows. She points out how 'legal powers and legal knowledges  
47  
48 appear to us as always already distinguished by scale' (2009: 141). The efforts to  
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50 secure legal status for Belgrade Waterfront can thus be interpreted in terms of shifts  
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3 in the 'workings of the machinery of "jurisdiction"' (2009: 145) which assert nation-  
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5 state and elite interests on the territory of the (capital) city.  
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8 The question of jurisdiction, finally, connects to long-standing debates about the  
9  
10 definition and demarcation of the realm of urban politics (MacLeod and Jones, 2011).

11  
12 While urban development and planning historically fall into the jurisdiction of the local  
13  
14 and federal government, the range of agents intervening in the urban political  
15  
16 process is not confined to a territorially bounded space; on the contrary, it is  
17  
18 increasingly shaped by plural spatial connections and global exchange (McCann and  
19  
20 Ward, 2011). A central argument posed in discussions about the post-political city is  
21  
22 that the sphere of governing through common-sense managerial approaches is  
23  
24 extended while fundamental conflicts are subject to foreclosure 'that renders mute  
25  
26 the articulation of radical dissent' (Swyngedouw and Wilson, 2015: 217). Current  
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28 protests that are against large-scale planning projects and aim for the wider  
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30 politicization of planning processes build on political participation as part of claims for  
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32 urban citizenship. This involves preventing the displacement of 'issues [...] from  
33  
34 arenas of public debate and decision-making into closed networks of elite  
35  
36 representatives and technical experts' (Metzger et al., 2015: 2). Yet, as the case of  
37  
38 Belgrade Waterfront demonstrates, in order to counter contemporary practices of  
39  
40 depoliticisation, there is a need to go beyond local mobilization and emphasis on  
41  
42 public forums within the city; approaching the politics of planning ultimately involves  
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44 deconstructing regulatory order and analysing on which level of jurisdiction, with what  
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46 means, and with what purpose public interest is defined.  
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## 51 **Conclusions**

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54 In Western European contexts, local governments usually play the decisive role in  
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56 the redevelopment of inner-city brownfields and derelict infrastructures (Moulaert et  
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3 al., 2004). This allows, to a certain extent, the harmful consequences of speculative  
4 development to be countered and in some cases the new public spaces provided by  
5 UMPs offer amenities and opportunities which indeed improve the quality of life for  
6 residents (Degen and García, 2012; Smith and Von Krogh Strand, 2011). The most  
7 obvious problem associated with Belgrade Waterfront lies in the proposed UMP  
8 being too expensive for a country in need of more urgent investments, targeting a  
9 luxury segment of business and residential real estate which seems utterly misplaced  
10 in the capital city of one of Europe's most economically and socially deprived  
11 countries. The failure of Belgrade Waterfront to respond to the local urban context is  
12 masked by an overall lack of transparency in contracting, financing and all other  
13 planning and implementation procedures related to the project.  
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27 We wish to highlight three more general conclusions that emerge from our findings.  
28 The first is how analysis of the Belgrade Waterfront project reveals new dynamics in  
29 the global circulation of urban development models and related capital flows. The  
30 unstable political and economic situation in Serbia and the unclear prospects for EU  
31 membership make Belgrade Waterfront a high-risk endeavour. Investment under  
32 such conditions nevertheless proves to be interesting to actors from the UAE who  
33 seek to expand their activities into new markets. Belgrade Waterfront can be  
34 interpreted as a sign that the 'boosterist narratives' (Koch and Valiyev, 2015)  
35 characteristic of rentier state political economies in Eurasia, the Gulf region and  
36 Africa are expanding to include Europe as the new frontier. This is based on the  
37 activities of firms with close connections to the political elites in their home countries.  
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51 The second conclusion relates to the levels of regulation evident in the case study.  
52 When trying to secure the prospects for future rent extraction within a financialised  
53 land regime, it is essential for developers to transfer risk to public actors. In the  
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3 Belgrade Waterfront project this has been achieved by means of regulatory  
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5 modifications on different levels, but most importantly on the level of national law.  
6  
7 Whatever narrative serves to justify UMPs in the CEE context – whether that of  
8  
9 nationhood and national greatness (Müller, 2011), of world-city entrepreneurialism  
10  
11 (Golubchikov, 2010), or of European cultural roots (Dixon, 2013), attention needs to  
12  
13 be paid to state-led regulatory intervention behind such narratives. Despite various  
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15 new forms of more private, market-based forms of rule-making and contracting in  
16  
17 urban development projects, Belgrade Waterfront reveals how public funds are  
18  
19 secured by instrumentalizing national law. Consequently, the ‘contractual capture’  
20  
21 (Raco, 2014) of the nation-state has proceeded much more assertively than in  
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23 examples of UMPs in Western Europe.  
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26  
27 Finally, the third conclusion is that concepts of legitimacy are key in order to make  
28  
29 sense of projects such as Belgrade Waterfront. The legitimacy of the project was built  
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31 on defining public interest through regulatory modifications and mechanisms of  
32  
33 jurisdiction. These ensured that the project fulfilled certain requirements which  
34  
35 allowed contracts to seize public funds, minimize risk for the investor and secure  
36  
37 cooperation of local authorities. However, as Koch points out in her comparison of  
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39 large urban development projects in the Gulf and in Central Asia, what appears  
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41 legitimate in one context might be deemed illegitimate and even corrupt in another,  
42  
43 depending on ‘contrasting citizenship regimes’ (2015). The civil society protests in  
44  
45 Belgrade were able to question the official discourse centred on definitions and  
46  
47 claims to public interest, but they did not succeed in preventing the project from being  
48  
49 realized. Much in contrast to the more pluralistic and democratic settings of Western  
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51 Europe, concepts of legitimacy mobilized in the Belgrade Waterfront project were not  
52  
53 in need of public involvement or assessable criteria such as costs and benefits or  
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3 demand and use. When trying to understand how regulatory capitalism shapes the  
4 delivery of UMPs in global contexts, more attention needs to be paid to the workings  
5 of legitimacy under conditions of autocratic rule.  
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Figure 1. The location for the proposed 'Belgrade Waterfront' project at the bottom of the so-called Sava Amphitheatre in the Municipality of Savski Venac in Belgrade.  
Source: <http://www.bing.com/mapspreview> accessed on 24 June 2016 with authors' additions)  
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700x444mm (72 x 72 DPI)



Figure 2. Belgrade Waterfront master plan (Source: Belgrade Waterfront, © Eagle Hills)

1341x732mm (72 x 72 DPI)

Action	Date	Major actor	Description
Agreement on Cooperation between the governments of Serbia and the UAE	March 2013	Serbian Government	Set the ground for mutual interest in investments for redevelopment of Belgrade's brownfield areas
Modifications of the Belgrade Master Plan 2021 from 2003	September 2014	Belgrade Government	Discarded international competition as obligatory; allowed independent interventions on the spatial entity of the Sava riverbanks; enabled complete relocation of the existing railway infrastructure; made more flexible the restrictions of height and position of buildings on plots
Modifications of the Planning and Construction Act from 2009	December 2014	Serbian Government	'Specially Designated Areas' expanded to include areas with 'specific locational values' or with a 'potential for tourism development'; set grounds for conversion of leasehold into freehold upon request and without surcharge
Legal decision enforced	May 2014	Serbian Government	Belgrade Waterfront declared of special importance for economic development of the republic; thus gained legitimacy to be constructed on a specially designated area
Legal decision enforced	June 2014	Serbian Government	Spatial Plan and environmental impact assessment drafted for the Specially Designated Area for Development of a Part of the Coast of the City of Belgrade Waterfront – River Sava Waterfront Area for the 'Belgrade Waterfront' Project
Public insight on the Draft Spatial Plan Belgrade Waterfront	November 2014	RASP*	Most complaints rejected; as in accordance to previously made legislative adaptations
Environmental impact assessment finalised	December 2014	RASP*	Excepting some possible negative effects on the environment, agency approval of the proposed spatial plan due to the significant effects the project would presumably deliver
Decree setting out the Spatial Plan Belgrade Waterfront	January 2015	Serbian Government	Served as the major legitimation tool for the proposed intervention; ultimately established the development concept, planning documents, rules and conditions of use, organisation, planning and



			protection of the area
'Lex specialis' enacted in urgent procedure	April 2015	Serbian Government	Overriding all laws that govern general matters; determined both the public interest status and the specific procedures for expropriation and issuance of a building permit for Belgrade Waterfront
Joint Venture Agreement signed	April 2015	Serbian Government	Suspended the highest-level national legislative institutions and laws; suspended regulations regarding conditions for land use and obligatory tender procedures; set the rules for newly formed public-private partnership
Legal decision enforced	May 2015	Commission for Protection of Competition	Investor granted full anonymity
Joint Venture Agreement on public display	September 2015	Serbian Government	English and Serbian versions available on the website of the Serbian government not fully synchronised; only the English version legally binding

\* Republic Agency for Spatial Planning

Table 1. Overview of the major regulatory/legislative changes for implementation of the Belgrade Waterfront project.