



# Spatial Justice

## RESEARCH - CASE STUDY

**Ulcinj - Montenegro, 2022**



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## INTRODUCTION

### **About the Project:**

The Issue to be tackled:

People living in peripheral areas generally are exposed to poverty, pollution and social inequality. This is a great challenge especially along urban settlements within the Western Balkan countries. Other relevant issues include unplanned settlement or squatter settlement. These types of settling is often employed by low-income households. The socio-demographics of these households result in unproportional affects on the society groups. The challenges of the peripheral areas relate to discrimination of women and young people, prejudice and inequalities, environmental and urban elements as lack of access to clean water, proper waste collection, housing, access to education and economic elements such lack of employment opportunities.

### **The aim of the project:**

To address the needs of the social groups the project "Spatial Justice" aims to gather in a period of 24 months, with 6 partners from EU and Western Balkan countries, information on good practices and to develop tools to address the local challenges. The overall goal of the project is engaging, empowering and enabling youth, to lead sustainable actions in the process of transformation of peripheral areas into livable areas through sharing good practices, innovative tools, and methods.

### **The main objectives of the project are:**

Empowering young professionals from participating organizations with appropriate tools and methods to influence the transformation of peripheral areas into livable areas, engaging and enabling rural youth to effectively contribute to scaling up peripheral areas upgrading. Disseminating the results and the methodology of the project with the purpose of making a wider impact to the society through online events and virtual communication.

### **The main results of the project are:**

The capacities of 24 young professionals will be raised through the mobility activities, more than 20 rural youth from each organization are engaged in local activities and their capacities will be increased, 1 toolkit and gamification game on urban design is developed and delivered to young professionals, more than 10.000 people are reached through dissemination activities, and digital events and communication.

## 1 The territory of VALDANOS BAY

Four nautical miles to the north of Ulqin, between Mavrijen and Mendra, lies the horseshoe-shaped Valdanos Bay. Valdanos bay, is located in northwest of Ulcinj, the southeast city in Montenegro. The beach stretches nearly 600m long and about 20m wide in a sheltered bay. the beach is single, composed of round stones 1-20 cm in diameter Unlike other bays, this one is protected from both southern and northern winds and it often served to shelter ships during storms.

**This area is a treasure in historical, geographical and spiritual life of native population. This was not just a natural shelter, but also a shelter to a glorious story.**



Figure 1. Valdanos Bay in map<sup>1</sup>

**That is the main reason of targetting this abandoned space, through which we could try and explain the power of nature over the power of suppression.**

### 1.1 HISTORICAL AND GEOGRAPHICAL BACKGROUND

Valdanos bay is known as second largest preserved olive grove in the Mediterranean with over 500 thousand square meters with 74 thousand olive trees. The average age olive is over 300 years, and some of them date from the days of Ancient Greece (5th century B.C.). The famous Ulqini olive oil, in amphoras earthenware pots, was a commodity worth its weight in gold when shipped to Trieste, Venice Rome, Cairo. For thousands of years generations of peaceful residents tended to their olive trees, establishing tradition along the way (example: A man would plant an olive tree before he could marry his bride).

Pirates and shippers alike have sought shelter in Valdanos bay for protection from the harsh winds. Armed conflict has left more than a handful of Roman, Greek, and Medieval shipwrecks on the sea floor. Wrecks of submarines are also rumored to reside in the area, which is considered a rich underwater archaeological site.

### 1.2 OWNERSHIP AND MULTIPLE EXPROPRIATION

Residents of Valdanos have been expropriated from their land twice in the 20th century. The first instance came in 1949 when the government wanted to establish a state-run agricultural program. When this failed, residents re-claimed the land. The second expropriation came in 1978 when the Federal Secretariat for National Defense of Yugoslavia claimed the land for military purposes.

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<sup>1</sup> <https://sometimes-interesting.com/vacation-in-valdanos-montenegro/>

Existing owners were given meager compensation well below market value, and forced to leave. The expropriation began in 1978. Residents were dispossessed of their property and given a meager compensation of 10 cents per square foot (\$1 per square meter), and \$60 (£36/€43) per olive tree. Of the 200 families displaced, 184 accepted the initial terms. The sixteen brave enough to decline and sue the state were later awarded three times the original amount. Government plan was to build a Military base, both naval and terrestrial.

### 1.3 VALDANOS AS MILITARY BASE AND MILITARY RESORT

Two years after the residents had been removed, the military base had yet to materialize. In 1980 the country was battling recession fueled by an eventual Western embargo over the country's excessive borrowing. When Yugoslav "President for Life" Josip Tito died on May 4th that year, a shift in power meant a shift in priorities. Short on funds and no longer needing a perimeter naval base, the military decided to use Valdanos as a resort for its forces instead. Plans were drawn for a resort featuring villas, campgrounds, and temporary housing. Construction would take a little over two years before it was officially opened on April 26th, 1983. Varied accommodations were available, depending on means or rank. A campground was available for the frugal visitors, lower-ranking, and outdoorsmen. The next step up was one of 150 trailers. Larger families could choose from 78 prefabricated homes. Officers and the better-off made use of the 29 duplex homes while two exclusive private villas were usually reserved for the highest-ranking officials or important guests.

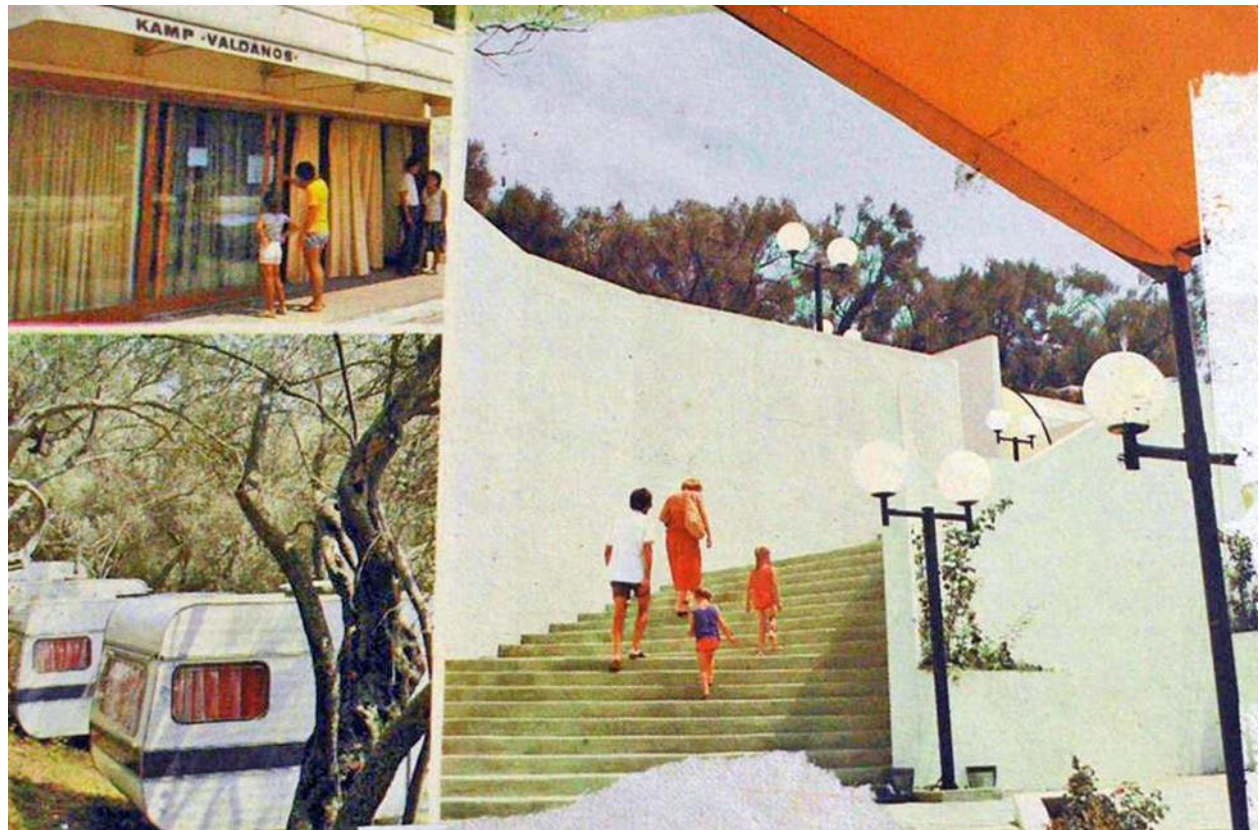


Figure 2. Secretariat for Spatial Planning and Sustainable Development – Municipality Ulcinj

The region's topography allowed for stadium-seating layout of the villas, which were staggered on the hills with breathtaking views of Valdanos Bay. Medical care was handled by a first aid point; a local switchboard was established for telephone services. The resort's relative isolation from the



nearest town also required Valdanos to have its own supermarket. For good measure, a pastry shop was established as well. A restaurant with large covered patio (pictured above) offered diners a 270-degree view of sunsets across the bay. Guests were treated to live music at the café next to the restaurant. For beach access, a spiral stairway led visitors from the restaurant and lounge area down to the water.



*Figure 3. Photos from ex-workers*

#### 1.4 VALDANOS RESORT 1991-2007

After events of 1991 in SFRJ, Valdanos resort has been struggling to get economical stability. After independence of Croatia there was a tendency in 1993 to turn Valdanos into military base again, but Montenegrin Supreme Court didn't allow that. From then to 2007, the economic viability of Valdanos had been driven by its affordable and easy access to all citizens of the former Yugoslavia. When the country dissolved, the Croatian and Slovenian visitors dwindled. The Montenegrin Independence referendum separated the country from Serbia in May of 2006, removing Valdanos from its largest remaining client base.

In 2007 the fewer visitors resulted in hard times for Valdanos. The resort was on the brink of bankruptcy and a weakening global economy left prospects for continued solvency bleak. Sections of the resort were shut down to lean the operation, but it was too late. The resort wouldn't last until the end of the year.

#### 1.5 VALDANOS RESORT 2008-2021

On March 28th of 2008, the Montenegro Privatization Council (MPC) called upon international



Figure 4. Collection from City archive - catalogue

investors to submit indications of interest for a 30- year lease of the former military resort. Initial interest in redeveloping Valdanos was high; the Tender Commission announced 16 bids had been submitted. Cubus Lux plc won the tender, but failed to fill the request, mostly because of 2009 economical crisis.

In April of 2011 the Tender Commission finally ruled the bid from Cubus Lux to be unsuccessful, and called for the Montenegro Privatization Council to issue another

tender for the neglected resort. By June, the MPC complied – although by this time successful lobbying for preservation of the olive groves pushed the development lease terms from 30 years to 90.

While there was some interest, no official bids were submitted before the September deadline. The 2011 tender failed. By this time families who lost property in the 1949 and 1978 expropriations had taken their cases to the courts. They argued the return of their land was required because the government never used Valdanos for the original intended purpose of a military base.

## 1.6 BREAKTHROUGH OF 2021

On June 11 2021, 42 years later from expropriation, Montenegrin lawmakers voted to return the land and its 18,000 olive trees to its rightful owners. With this act, an injustice has taken the right path to be resolved, but the future of Valdanos Resort remains to be seen as situation evolves. For now, Ruins and remains of Valdanos Resort are being vacant spaces, with a lot of potential as there is a prohibition of building inside the area.

## 2. DETERMINED CHALLENGES

Challenges that are being evident after return of the land to its rightful owners:

- Ownership challenge
- Contamination
- Lack of ideas for activation
- Lack of human resources and lack of expertise



*Figure 5. Taken from New Horizon staff*

## 2.1 OWNERSHIP CHALLENGE

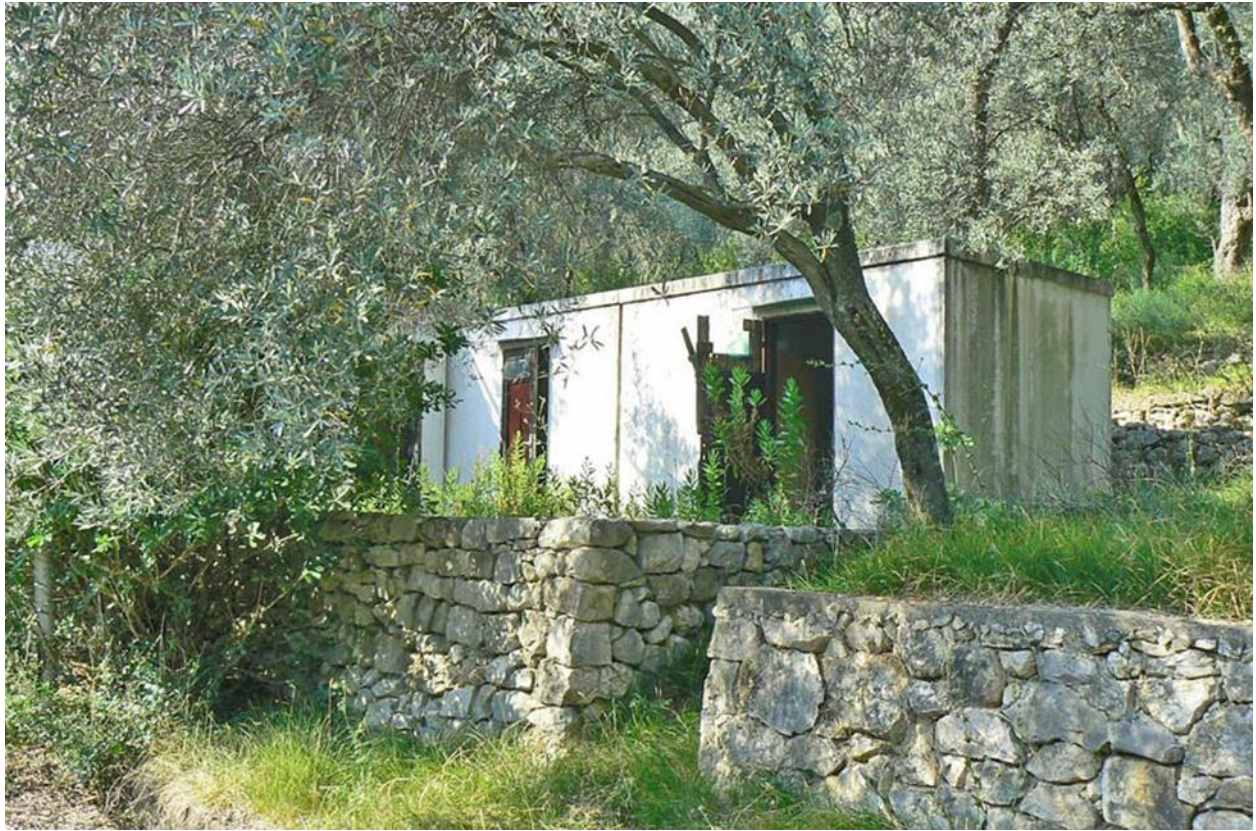
From June 11, 2021 owners have three years to make an application for returning the land. That places the ownership over the vacant and abandoned objects in Valdanos Resort in a whole new situation. So for now the objects inside the resort are owned by different owners. There seems a lack of interest from the owners to abandoned objects but there is a diversity of resources which could attract right investments.

## 2.2 CONTAMINATION

Contamination of abandoned complex (resort), is hapening for more than twenty years. It has been a period of 14 years that resort is left unused and not much left from it. But there is still good infrastructure left behind.

Very well planned road, with right approach to accesing whole area and lot of other positive sides are seen in site.





*Figure 6.*



*Figures 6, 7 and 8. Taken from New Horizon staff*

### 2.3 LACK OF IDEAS FOR ACTIVATION

As we mentioned before, there were two failed attempts to revitalize the resort. First On March of 2008, and second In April of 2011. Both resulted unsuccessful. Both times the request was very ambitious (f.e was requested golf field with 16 holes), and let the locals very frustrated ith what was going on. Different reasons, from economical crisis to lack of ideas for activation lead this complex to the very unwanted situation.

### 2.4 LACK OF HUMAN RESOURCES AND EXPERTISE

It was never a good approach to resolving the Valdanos situation. Yet, lack of human resources could not be major cause, but still it is considered as a cause. Both Local and central government never did a good research on what could be the best for Valdanos to get revitalized. Lack of

expertise is a major cause which misled the process of revitalization. With the right approach, there could have been a different result, which could let both sides (owners and government) in advantage.

### 3. GOVERNANCE OF VACANT SPACES

Being in the middle of the process of taking back the land to right full owners, there is a strong need of approaching the process with right solution paths. Vacant

places governance in Montenegro has specific regulation through the Law on State Property. There are specified rules for organizing and using spaces, f.e. article 24: Special rights of use may be acquired on the public good (concession, BOT, lease and others private-public partnership arrangements) under the conditions determined by law As we are talking about Valdanos, there is a precise line now to which part is private property, which is local government property (roads, squares etc) and which is central government property. Although local and central properties undergo the Law on State Property, Private property undergoes the **Law on legal-property relations (Zakon o svojinsko-pravnim odnosima orig.)**.

#### 3.1 LEGAL AFFINITY AND BUSINESS MODEL

Legal affinity on space we demand is specifically categorised. Parts of Valdanos complex are now being owned by private owners as other parts are in local government property and some still on Central Government property. Specific regulations on ownership, business model, renting or similar, in Montenegro are defined by **the law on real estate turnover** and/or **Law on legal-property relations**. Through the laws we cited there is a positive climate on building the partnership and possible business models.

#### 3.2 POLICY AND LEGISLATIVE CONTEXT

Although there is no specific category of vacant spaces, through categorising current vacant spaces in proper categories, and finding the right law support there is a possibility to revitalise, reorganise and maintain them. Legal support can be found through:

- ***Law on legal-property relations***
- ***Law on State Property***
- ***Law on real estate turnover***

#### 3.3 LAW REGULATION FOR TRANSFORMATION OF VACANT SPACES

##### **Article 7 - Law on real estate turnover**

Holders of the right to use socially owned real estate in the sense of this law are: organizations of associated labor, self-governing interest communities, socio-political communities, local communities, and other self-governing organizations and communities (hereinafter: social legal entities). Social legal entities referred to in paragraph 1 of this Article may acquire, alienate and transfer real estate by legal fee and without compensation under conditions determined by law,



and socio-political organizations and other socially determined social organizations may acquire only real estate they need to realize their tasks in accordance with the law. The provisions of this law relating to the turnover of socially owned assets shall also apply to the turnover of assets used by socio-political and other social organizations.

**Article 9 - Law on real estate turnover**

The alienation of a building on which there is a right of ownership transfers the right of ownership to the land on which it is located, as well as to the land that is used for its regular use. The alienation of a building on which there is a right of ownership and which is on socially owned land acquires the right to use the land while the building exists on it, as well as the land that is used for its regular use. The alienation of a socially owned building does not acquire the right of ownership over the socially owned land on which the building is located, but acquires the right to use it on that land as long as the building on it exists.

**THE REASON WHY WE CHOOSE THIS LOCATION**

In the framework of this large complex, we have targeted an object / barracks, which once served as the administrative building of the military resort. This building, although abandoned for years, is still in good condition in terms of its construction structure. The building has many offices and meeting rooms. This concept could make it suitable space for a youth educational center, in which various events could be organized, such as seminars, trainings, summer camps, and alike. This facility could also be used for offices for local civil society organizations, which do not have their own working space. Considering that this locality during the past period has been completely under state control and that only from this year there has started free movement and return of properties, it is necessary a careful synchronization of steps on how to obtain an adequate permit for the use of this abandoned facility.

Below we are bringing photos which we have shot around this object.



*Figure 10. Taken from NH staff*





*Figure 11. Taken from NH staff*



*Figure 12. Taken from NH staff*



*Figure 13. Taken from NH staff*



## 4. RECENT OPPORTUNITIES

### 4.1 NEW METHODS OF USE

As for the present situation, there could be some possibilities to preserve the current environment contents and maybe either give them a second chance. Roads, public lights, abandoned objects, partly ruined sidewalks, walking routes etc are waiting to get a new epilogue. Some could be used with small interventions; others could be mostly rebuilt as some of them could be used as a symbol of the time they represent. In that prism, the potential is enormous, still very fragile.

### 4.2 MAINTAINING THROUGH USE

This step is already taking place for some parts of Valdanos Bay. Beach is being used, which gives positive feedback. Also roads are being maintained as owners return to their lands. Still, there is a lot more to do, a lot more to revitalize. Picturesque walking path could be one of first things to revitalize, which could maintain himself, as every year more tourists are coming over.

### 4.3 ADDED COMMUNITY VALUE

Ulqin as a city in which Valdanos gravitates, depends a lot on tourism (more than 70% of businesses and locals are kind of connected to tourism). Every added value to this part would have a positive affect on tourist offer of the city and therefore add a value to city and community. On the other side, a good approach to the existing situation could have a positive impact on community and their approach to existing abandoned and vacant spaces all around.



*Figure 14. Collected from catalogue*

## 5. S.W.O.T Analysis

The aim of planning to upgrade peripheral area of the city is to bring municipal government into balance with the external environment, and to maintain and sustain that balance over time. Ultimately, adapting to new circumstances and improving the living conditions of the residents affected. Thereby SWOT analysis is just one step in a proper planning process. A sustainable balance will be accomplished by reviewing historical data; engaging residents and community stakeholders; evaluating potential new or revised programs and services with the intent of maximizing organizational performance; ultimately benefitting the residents.

<b>Strengths:</b> <ul style="list-style-type: none"><li>-Rich in historical and geographical background</li></ul>	<b>Weakness:</b> <ul style="list-style-type: none"><li>- Lack of ideas for activation</li><li>- Lack of human resources and lack of expertise</li><li>- Enormous financial resources required</li></ul>
<b>Opportunities:</b> <ul style="list-style-type: none"><li>-The potential of the space is enormous</li><li>- Maintaining through use</li><li>- Positively affect on tourist offer of the city</li></ul>	<b>Threats:</b> <ul style="list-style-type: none"><li>- Ownership challenge</li><li>- Contamination</li></ul>