



**Ministry of Agriculture and
Environmental Protection**

**Committee on Environmental Policy
Twentieth session
Geneva, 28–31 October 2014**

**Third Environmental Performance Review
for the Republic of Serbia**

Gordana Petkovic

CONTENT OF THE 3RD EPR FOR SERBIA

- **Chapter 1** - Legal and policymaking framework and its practical implementation
- **Chapter 2** - Regulatory and information instruments and their enforcement
- **Chapter 3** - Economic instruments and environmental expenditure and investments for greening the economy
- **Chapter 4** - Environmental monitoring, information and education
- **Chapter 5** - Implementation of international agreements and commitments
- **Chapter 6** - Climate change;
- **Chapter 7** - Water management;
- **Chapter 8** - Waste management



IMPLEMENTATION OF THE RECOMMENDATIONS IN THE 2ND EPR

○ Chapter 1. Legal and decision-making framework

- Serbia continues to harmonize its legal framework on environmental protection with EU directives
- Substantial number of laws and bylaws adopted (16 laws in 2009 and over 300 bylaws) supporting implementation of EU directives and MEAs



BASIC LEGISLATION

2004 -

- **Law on Environmental Protection** (Official Gazette RS, No. 135/04, 36/09, 72/09- other law, 88/10 and 43/11- decision CC)
- **Law on Strategic Impact Assessment** (Official Gazette RS, No. 135/04 and 88/10)
- **Law on Environmental Impact Assessment** (Official Gazette RS, No. 135/04 and 36/09)
- **Law in Integrated Prevention and Pollution Control** (Official Gazette RS, No. 135/04)

Special adopted laws:

- **Law on Protection of Nature** (Official Gazette of RS, No. 36/09, 88/10 and 91/10),
- **Law on Air Protection** (Official Gazette of RS, No. 36/09 and 10/13),
- **Law on Waste Management** (Official Gazette of RS, No. 36/09 and 88/10)
- **Law on Protection and Sustainable Use of Fish Stocks** (Official Gazette of RS, No. 36/09 and 32/13),



BASIC LEGISLATION

- **Law on Packaging and Packaging Waste** (Official Gazette of RS, No. 36/09),
- **Law on Noise Protection** (Official Gazette of RS, Nos. 36/09 and 88/10),
- **Law on Ionizing Radiation Protection and Nuclear Safety** (Official Gazette of RS, No. 36/09 and 93/12),
- **Law on Non-Ionizing Radiation** (Official Gazette of RS, No. 36/09)
- **Law on Environmental Protection Fund** (Official Gazette of RS, No. 72/09 and 101/11)
- **Law on Chemicals** (Official Gazette of RS, No. 36/09, 88/10, 92/11 and 93/12)
- **Law on Biocidal Products** (Official Gazette of RS, No. 36/09, 88/10 and 92/11),
- **Law on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction** ("Official Gazette of the RS" No. 36/09 and 104/13)



INSTITUTIONAL FRAMEWORK

- Institutional reorganizations from 2007-2014
- Ministry of Agriculture and Environmental Protection was established in April 2014.



INSTITUTIONAL REORGANIZATIONS

Chronological overview of the reorganization of the state administration:

2007-2014

Ministry	Date
Ministry of Environment Protection	15. 05 2007- 6. 07 2008
Ministry of Environment, Mining and Spatial Planning	7. 07 2008- 26. 07.2012
Ministry of Energy, Development and Environmental Protection	27.07. 2012 – 26.04. 2014
Ministry of Agriculture and Environmental protection	27.04.2014 -



NUMBER OF STUFF IN THE MINISTRY

Number of staff	Year
209 employees, 93 of them are working on control and surveillance	2007
240 employees, 121 of them are environmental inspectors, including urban and construction inspectors	2011
226 employees, 86 of them are working on control and surveillance	2013
290 employees, 98 of them are working on control and surveillance	2014



ACHIEVEMENTS

Full implementation (on-going activity)

- Continue harmonization of legal framework on environmental protection with EU directives
- Strengthen the capacity to carry out **Strategic Environmental Assessment** (SEA)
- Promote **training programmes for environmental law enforcement**, particularly on new legislation and permitting procedures
- Develop **training programmes for judges, state prosecutors and police**, to strengthen their capacities



ACHIEVEMENTS

Partial implementation

- Strengthen the **newly established Ministry of Environmental Protection** and introduce structural change in all ministries
- Ensure **information systems management** as a basis for the strategic, legislative, enforcement and decision-making activities
- Continue **strengthening enforcement tools and the capacity of environmental inspection bodies** at all levels



BASIC STRATEGIC DOCUMENTS

- *Develop and adopt the strategic documents and consider harmonizing sectoral strategies*
- ***National Strategy for Sustainable Development*** (2008),
- ***National Strategy for Sustainable Use of Natural Resources and Goods*** (2010),
- ***National Programme for Environmental Protection 2010-2019*** (2010),
- ***Strategy on the Introduction of Cleaner Production in the Republic of Serbia*** (2009.);
- ***Waste Management Strategy*** for period 2010-2019 (2010.);
- ***First National Communication*** adopted and submitted to UNFCCC in decembar 2010;
- ***Biodiversity Strategy*** of the Republic of Serbia (2011.) for the period from 2011 to 2018th.



CHALLENGES

- Strengthen the existing **unit responsible for environmental legislation, economic instruments and administrative supervision affairs** with an adequate number of professional staff is still ongoing
- Strengthen the position of the **National Council for Sustainable Development** and make it operational, and create a permanent secretariat for its administrative and technical support
- Collect and make publicly available **data on concluded administrative, civil and criminal lawsuits** concerning the environment



CHAPTER 2:

INFORMATION, PUBLIC PARTICIPATION AND EDUCATION

- The Agency for Environmental Protection in the past strengthened primarily through downloading the **Department for Environmental Quality** from the **Republic Hydrometeorological Institute**.
- Thereby the Agency becomes a **national institution responsible for development of environmental information system, as well as the implementation of monitoring of air and water quality** at the national level.
- Since 2008 the Agency leads the **National Register of pollution sources**, harmonized with the E-PRTR EU Directive

Number of staff	Year
40	2007
88	2008-2014



AUTONOMOUS PROVINCE OF VOJVODINA AND MUNICIPAL LEVEL

- Data on the number of personnel engaged in environmental protection in the provincial authority (2007-2013)

Year/balance on 31 December	Number of staff engaged in environmental protection
2013.	40
2012.	43
2011.	45
2010.	36
2009.	38
2008.	37
2007.	33

Secretariat for Environmental Protection Belgrade
Staff – 81
Appointed officials - 7



ACHIEVEMENTS

Full implementation

- *Consolidate the regulatory framework* on environmental information systems
- *Establish an effective and solid network (monitoring functions) to increase meeting its international reporting obligations.*
- EPA was able to fulfill **reporting obligations** from 17 to 78 per cent between 2004 and 2012.
- *The Environment Protection Agency and the Statistical Office produce environmental statistics* in accordance with the internationally harmonized standards, applying, in particular, the standards as promoted and required by EEA and Eurostat respectively.
- **Monitoring programmes** were established in accordance with the reinforced regulatory framework.
- **Enforce self-monitoring of polluters and reporting procedures** by environmental inspectors



ACHIEVEMENTS

Full implementation

- *Improving ways of reporting on the state of environment*
- *Making the information broadly available in a timely manner.*

Partial implementation

- *Reconsidering the periodicity of the state of the environment reports*



CHAPTER 3:

IMPLEMENTATION OF INTERNATIONAL AGREEMENTS AND COMMITMENTS

- Improved implementation of MEAs since the 2nd EPR (2007)
- Significant number (18 MEAs) has been ratified and incorporated into national legislation
- MEAs transposition and implementation is complementary to the EU accession process.



LIST OF RATIFIED INTERNATIONAL ENVIRONMENTAL PROTECTION AGREEMENTS FROM 2007-2013

2007

- Law Ratifying the **Kyoto Protocol to the United Nations framework Convention on Climate Change**, 1997 (“Official Gazette of RS”-International Treaties, No. 88/07)
- Law Ratifying the **United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification Particularly in Africa** (“Official Gazette of RS”-International Treaties, No.102/07)
- Law Ratifying the **Convention on the Conservation of Migratory Species of Wild Animals**, Bonn, 1979 (“Official Gazette of RS”-International Treaties, No. 102/07)
- Law Ratifying the **Convention on the Conservation of European Wildlife and Natural Habitats**, Bern, 1979 (“Official Gazette of RS”-International Treaties, No. 102/07)



LIST OF RATIFIED INTERNATIONAL ENVIRONMENTAL PROTECTION AGREEMENTS FROM 2007-2013

- Law Ratifying the **Convention on the Protection and Sustainable Development of the Carpathians** (“Official Gazette of RS”-International Treaties, No. 102/07)
- Law Ratifying the **Convention on Environmental Impact Assessment in a Transboundary Context** (Espoo,1991) (“Official Gazette of RS”-International Treaties, No. 102/07)

2009

- Law Ratifying the **Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters. Aarhus, 1998** (“Official Gazette of RS”-International Treaties, No.30/09)
- Law Ratifying the **Convention on the Transboundary Effects of Industrial Accidents** (“Official Gazette of RS”, No. 42/09)



LIST OF RATIFIED INTERNATIONAL ENVIRONMENTAL PROTECTION AGREEMENTS FROM 2007-2013

- Law Ratifying the **Amendment to Annex B to the Kyoto Protocol** to the United Nations framework Convention on Climate Change (“Official Gazette of RS”-International Treaties, No. 38/09)
- Law Ratifying the **Rotterdam Convention** on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, 1998, (“Official Gazette of RS”-International Treaties, No. 38/09)

2010

- Law on Ratifying the **Protocol on Strategic Environmental Impact Assessment** (“Official Gazette of RS”-International Treaties, No. 1/10)
- The Law on the Ratification of the **Convention on the Protection and Use of Transboundary Watercourses and International Lakes and Amendments 24 and 25** of the Convention (“Official Gazette of RS”-International Treaties, No. 1/10)



LIST OF RATIFIED INTERNATIONAL ENVIRONMENTAL PROTECTION AGREEMENTS FROM 2007-2013

2011

- Law on Ratifying the **Protocol on Pollutant Release and Transfer Registers** (“Official Gazette of RS”-International Treaties, No.8/11)
- Law on Ratifying the **European Landscape Convention** (“Official Gazette of RS”-International Treaties, No. 4/11)

2012

- Law on Ratifying the **Protocol to the 1979 Convention on Long-range Transboundary Air Pollution on Persistent Organic Pollutants** (Official Gazette of RS - International Treaties No. 1/12)
- Law on the Ratification of the **Protocol to the 1979 Convention on Long-Range Transboundary Air Pollution on Heavy Metals** (“Official Gazette of RS”-International Treaties, No. 1/12)



LIST OF RATIFIED INTERNATIONAL ENVIRONMENTAL PROTECTION AGREEMENTS FROM 2007-2013

2013

- Law on ratifying the **Protocol on Water and Health** to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Official Gazette of RS - International Treaties No. 1/13)
- The Law on the Ratification of the **Protocol on Conservation and Sustainable Use of Biological and Landscape Diversity** to the Framework Convention on the Protection and Sustainable Development of the Carpathians (“Official Gazette of RS”-International Treaties, No. 1/13)



ACHIEVEMENTS

Full implementation

- Clearly define the **country's priorities** and objectives and identify resources for achieving them from both **domestic and external sources**.
- Develop a system that would allow full accounting of **international assistance** in the area of environmental protection
- Speed up the **ratification** procedure of the agreements
- Adoption of **Action plans to implement MEAs** (Arhus, Biodiversity, POPs)
- **National Strategy for Sustainable Development**, should ensure that its provisions support implementation of other strategic documents
- Develop **local action plans** on sustainable development and environmental protection



CHAPTER 4:

ECONOMIC INSTRUMENTS AND ENVIRONMENTAL PROTECTION

Full implementation

- Develop an **action plan for the complete elimination of leaded petrol** as well as the progressive **reduction of sulphur content in petrol and diesel fuel** to current EU requirements of 50 ppm
- Introduce effective **fiscal incentives** which promote unleaded petrol and low-sulphur petrol and diesel

Partial implementation

- Explore the scope for **complementary use of economic instruments and traditional regulations** for reducing pollution
- Raise pollution **charges and regulatory standards** in a **gradual and predictable fashion**



CHALLENGES

- *Review of existing major traditional regulatory and economic instruments for environmental protection*
- *Design other measures to reduce pollution related to urban transport, such as strict mandatory technical inspections of vehicles*
- *Develop guidance and training in basic techniques for calculating cost-reflective waste charges*
- *Reform of the tariff system in the water sector*
- *Strengthen enforcement measures to improve rational use of water resources*
- *Apply water pollution charges on the overall quantity of wastewater discharged and the pollution*



CHAPTER 5:

ENVIRONMENTAL EXPENDITURES AND THEIR FINANCING

Partially implemented

- *Establish a coherent and comprehensive information and reporting system for environmental protection expenditures and revenues*
- *Promote legal and institutional arrangements which strengthen the capacity of municipalities to prepare investment projects*
- *Supporting the preparation of multi-annual investment plans for municipal infrastructure development programmes*



CHALLENGES

- Provide the **Environmental Protection Fund** with human and financial resources
- Reconsider the current system of **earmarking water revenues**, and optimize their allocation according to national priorities in the water sector



CHAPTER 6:

WATER MANAGEMENT FOR SUSTAINABLE DEVELOPMENT

Fully implemented

- Carry out with the International Commission for the Protection of the Danube River an **assessment of the transboundary impact** of upstream countries on the quality of the Danube River entering Serbia.

Partially implemented

- Speed up the drafting of a new **Law on Water**
- Initiate a set of **water pollution charges** which stipulates the full application of the “polluter pays” principle
- Complete **drafting of regulations on safe drinking-water supply**



CHALLENGES

- *Provide more scope for municipalities and public water companies for **financing enhancements in water infrastructure.***
- *Develop an **action plan for the construction of wastewater treatment plants** in accordance with EU*
- *Improve **drinking water treatment facilities, reduce losses in the drinking-water supply network, provide access to safe water** for the population in areas without public water supply systems*



CHAPTER 7:

ENERGY AND ENVIRONMENT

Full implemented

- Introduce **energy consumption standards** for the construction of new **buildings** and the renovation of existing buildings
- Stimulate both the production and consumption of **renewable energy**
- Develop measures to further **reduce environmental impacts from thermal power plants and refineries** on air, soil, ground and surface waters

Partially implemented

- Reduce the **impact of energy production and consumption on the environment**
- Establish an **Energy Efficiency Fund**
- Introduce a funding programme to promote insulation measures for residential and public buildings
- Continue and intensify **awareness-and capacity-building** regarding **energy efficiency**



3rd EPR CHAPTER 1:

Legal and policy making framework and its practical implementation

- Review on **legislative and institutional frame**
- Develop **Plan of implementation** (capacities, timeframe and resources)
- Improve the quality of **strategic environment-related planning**
 - Adopt **Action plan for the National Environmental Protection Programme**
 - Determine the governmental body **responsible** for coordination of monitoring and implementation of the **National Strategy for Sustainable Development** and reporting
 - Review and amend the **Law on SEA**
- Develop and coordinate **Strategy on Green Economy**
- Ensure **implementation on delegated competences** to the local self government (guidance and training, strengthen exchange of information, involvement in policy making and development of legislation)
- Improve **horizontal coordination** on environmental and sustainable development (operation of NCSD)

3rd EPR **CHAPTER 2: Compliance and enforcement mechanisms**

- *Re-define competences and reinforce coordination*
- *Regulating **large installations** at the national level*
- *Improving **cooperation between competent regulatory authorities and the Environment Protection Agency***
- *Strengthening **horizontal coordination and cooperation** of inspection and permitting authorities*
- *Establishing a system of regular **reporting on compliance** assurance and issuing **national compliance assurance report***
- *Improve and streamline **environmental assessment impact and issuing permits** (EIA, IPPC)*
- *Enable **access to information and public participation in compliance assurance***
- *Promote further improvements in the **management of inspection authorities***
- *Enable an improvement in **procedures and outcomes of judicial enforcement***

3rd EPR **CHAPTER 3: Economic Instrument,** expenditures and investment for greening economy

- Conduct a **regular assessment** of the various **pollution and product charges**
- **Combining pollution charges** with effective **specific emission limit values** for individual pollution sources
- Introduce **economic principles** for the operations and management of **public utility companies**
- Establish **effective financing** of environmental protection (**Green Fund of the Republic of Serbia**)
- Regularly **review and ensure the environmental expenditures** are in line with priorities
- **Assess the effectiveness** of implementation of **financed projects**
- Ensure that **foreign financial assistance** is aligned with **national and local environmental priorities**
- Establish **comprehensive information system on environmental expenditures** covering the Government sector and the private sector



3rd EPR **CHAPTER 4: Environmental monitoring, information and education**

- Develop and adopt the new **Law on Soil and regulation on the systematic monitoring of soil**
- Review the **regulation on water supply systems for drinking water monitoring**
- Improve **groundwater monitoring network**
- Adopt and implement **monitoring programme for biodiversity**
- Complete **environmental information system** with all data basis and synchronized data collection
- Review on **frequency of environmental reporting**
- Ensure the functioning of **Eco-register** by proper funding
- Improve the **access to training and availability of teaching material**
- Develop and implement a **strategic approach** to informal and non-formal education and involvement of media



3rd EPR **CHAPTER 5: Implementation of MEAs**

- *Speed up the **ratification procedure** of the multilateral environmental agreements which have not yet been ratified (for example: Amendments to the Espoo Convention).*
- ***Plan of implementation MEAs** with projection of allocation of foreign and domestic sources*
- ***Analyze** trends related to **each specific target of MDG7** and ensure that adequate **funding** is made available for implementation*



3rd EPR CHAPTER 6: Climate change

Strategies and plans

- Develop and adopt a **national climate change adaptation strategy, low-emission development strategy and related action plans**
- Revise sectoral strategic documents including adaptation measures

Renewable energy

- **Introduce one stop shop for investors** regarding the permitting procedure
- **Review of regulations** in energy and environmental sector and **harmonize licensing procedures for construction of renewable energy plants**
- Prepare **study** on the potential of **renewable energy sources and investments**, and adopt **targets**
- **Adopt secondary regulations on energy efficiency**
- Control and enforce the **application of energy performance standards (residential and public buildings)**



3rd EPR CHAPTER 7: Water Management

- Develop and adopt **Water management Strategy** until 2030
- Adopt **subsidiary legislation** on the Law on Water
- Adopt **Decision** on **National Water Council**
- **Programme of investments in projects** and construction of water infrastructures, maintenance or renovation
- Ensure an **efficient use of water resources**, and control the sustainability and vulnerability of water resources;
- Adopt **innovative solutions** for an extensive reuse of treated wastewaters;
- Promote the implementation of **water safety plans** by the operators.
- Establish **flood hazard maps and flood risks assessment, ensure protection from floods and water erosion and develop appropriate policies and financial instruments**
- **Review water scarcity and drought policies** on climate change adaptation.



3rd EPR CHAPTER 7: Waste management

- *Review on regulations on data basis and reporting of **waste** in order to improve collection and verification of data on municipal waste and reporting of all types of waste*
- *Speed-up the accession to the **Convention on Nuclear Safety** and the **Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management***
- *Carry out a nation-wide **inventory of radioactive waste**.*



REFORMS IN ENVIRONMENTAL PROTECTION

Goal of the reforms

- ❑ Full transposition of EU into Serbian legislation and its subsequent implementation and enforcement
- ❑ Implementation of strategies and plans
- ❑ Institutional and financial reforms

Short-term

- ❑ Strengthening the ministry competent for environmental protection and integration and coordination of forestry and waters
- ❑ Revision of existing environmental laws (2014-2018)
- ❑ Strengthening the capacity of the Environmental Protection Agency
- ❑ Training of specialists of environmental authorities

Medium-term

- ❑ Basically follow the development launched by the short-term reforms and their supposed achievements (including continuation in revision of legislation)
- ❑ Integration and co-ordination at all levels of public administration i.e. province and local level



CHALLENGES

Green economy

- **The Study on Achievements and Perspectives towards a Green Economy and Sustainable Growth** in Serbia has been prepared in 2012, with technical and financial support provided by UNDP and UNEP.
- UNEP carried out (2013) a quantitative analysis of green economy options and produced the **Green Economy Scoping/ Modeling Report**.
- Reconsideration of existing strategic framework and development of the **Strategy of Green Economy**
- **Establishment of Green Fund of Republic of Serbia**



PERFORMANCE TOWARDS STRENGTHENING THE IMPLEMENTATION OF INTERNATIONAL COMMITMENTS

Main challenges in implementing international agreements:

- Ratify remaining international commitments
- Strengthening staff capacities (quantity)
- Prioritization of investments – compliance with EU accession requirements
- Strengthening the capacities of local self government (for legislation implementation and utilization and management of assistance financing)
- Further strengthening surveillance and control (at local level)
- Further raising capacities of judges and prosecutors in the field of environmental crime
- Developing comprehensive plan for strengthening administrative capacities and financing investments (IPA II 2014-2010).



THANK YOU

**Ministry of Agriculture and
Environmental Protection**

Gordana Petkovic, L.L.M

gordana.petkovic@eko.minpolj.gov.rs

