

WALKING IN THE MIST

Shadow Report
on Chapter 27

**ENVIRONMENT
AND CLIMATE CHANGE**

MARCH 2019 – FEBRUARY 2020

The background of the entire page is a grayscale photograph of a mountain range. The mountains are layered, with the closest peaks in the foreground and more distant, hazy peaks in the background. The atmosphere is thick with mist or fog, which softens the details of the mountain ridges and valleys. The lighting is diffused, creating a calm and somewhat somber mood.

Chapter 27 in Serbia: **Walking in the Mist**

Shadow Report on Chapter 27
Environment and Climate Change

March 2019 – February 2020

Impressum

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Introduction

The report “Walking in the Mist” is the seventh annual report by Coalition 27 on important developments and changes in the area of environmental protection and climate change in Serbia. This report covers the period March 2019 to the end of February 2020. The title of this year’s report reflects the view of Coalition 27 that decision-making processes in the field of environmental protection and climate change are still not sufficiently transparent.

Coalition 27’s reports primarily address topics related to Serbia’s EU accession negotiations on Chapter 27 of the EU *acquis*, and follow the annual report of the European Commission. The novelty development during the reporting period has been the Serbian Government’s adoption of a negotiating position on Chapter 27 in January 2020 and its submission to the European Commission for review. There has also been a change in the EU accession process methodology for Western Balkan countries “focusing even more on basic reforms” – democracy and the rule of law. This change is not binding for Serbia, which entered the negotiations in accordance with the previous rules. However, there remains the possibility of certain changes that would require Serbia to also apply the new methodology.

With this Report, we would particularly like to emphasize that the decision-making processes in the field of environment and climate change is still not transparent to the public. The provisions of Article 74 of the Serbian Constitution, that “everyone has the right to [...] timely and complete information about its [environmental, author’s note] status”, clearly requires all institutions to inform Serbian citizens about the status of the environment transparently, timely and fully. Unfortunately, in practice, the public has few opportunities to participate in policy-making processes.

A current example of the lack of information about the status of the environment is the low quality of air in Serbia and other countries in the region.¹ Draft bylaws, as well as planning documents that impact on the environment, are not available, even where there is evident interest from the public (for example, the cases of the cadastre of small hydropower plants, the Belgrade Port², and the NERP³). The same situation pertains to reports on the degradation or improvement of the status of the environment (such as illegal logging or afforestation⁴). This situation makes systematic monitoring, constructive contribution to environmental protection and policy promotion impossible. In order to regulate such a broad and complex area successfully, the participation of all stakeholders is not only preferable, but necessary, and often a legal requirement.

Finally, the key process for defining the direction of development of this area, the negotiating process on Chapter 27 remains opaque. It is unclear who can participate in the process and in what capacity, and information about the negotiating position is not publicly available. Moreover, information about the process coming from Brussels and Belgrade is frequently contradictory. This undermines public belief in the objective to which we all aspire: A better and healthier environment for the citizens of Serbia and the citizens of the European Union.

The report highlights these and many other inconsistencies and challenges, and proposes solutions, which are sometimes simple, such as the frequently repeated request for the public administration to be more transparent. The experience of neighbouring EU member states teaches us that everybody benefits from effective and smart negotiations and the proper implementation of what has been agreed. The winter haze and smog disappeared from Belgrade and other Serbian towns with the arrival of spring, but if we want clean air and a clear view, we still have much to do.

1 Air Quality chapter

2 Water Quality chapter

3 Horizontal legislation chapter

4 Forestry chapter

This Report was completed during and sent for printing following the introduction of the state of emergency due to the COVID-19 outbreak (March/April 2020). In addition to changes in everyday life, the pandemic quickly led to environmental changes. We will have a clearer picture about those changes in the following period and will cover them in our next report. Unfortunately, the climate crisis and the state of the environment have been overshadowed by the COVID-19 crisis. We hope that this situation and the economic recovery will not lead to a further delay in resolving the question of environmental protection and that recovery will be recognized as an opportunity to review the issue thoroughly.

Coalition 27 was established by civil society organizations in 2014 primarily for the purpose of monitoring and contributing to negotiations related to Chapter 27 of the EU *acquis*. Today, nine organizations are members of Coalition 27: Safer Chemicals Alternative, Belgrade Open School, Bird Protection and Study Society of Serbia, Climate Action Network Europe (CAN Europe), Environment Improvement Centre, Environment Engineering Group, One Degree Serbia, Young Researchers of Serbia and the World Wide Fund for Nature Adria – Serbia (WWF Adria – Serbia).

The report covers nine thematic areas: horizontal legislation, air quality, waste management, water quality, nature conservation, chemical management, noise and climate change. Given the fact that the forestry sector has a major impact on numerous areas of the environment (nature conservation, climate change, etc.), we have decided to also provide an overview of forestry in this report (as in previous reports). The report does not tackle civil protection issues or industrial pollution and risk management. Each thematic area reviews developments in public policy-making and legislation, the implementation of regulations and funding, and provides recommendations for the promotion of these processes. As in previous years, the general trends in financing in the field of environmental protection and climate change have been highlighted and analysed.

The report also contains the following appendices:

- 1.** List of Abbreviations,
- 2.** a Comparative Table of Recommendations set out in the previous Coalition 27 report and this year's report; and
- 3.** an Explanation of the Methodologies used and a List of Authors (organizations) for each area.

We would like to express our gratitude to the Renewables and Environmental Regulatory Institute (RERI) for their contribution to the preparation of the chapters on Air Quality and Horizontal Legislation.



Financing in the field of the environment and climate change

Overview

Funding in the field of environmental protection is one of the elements of good environmental governance. All actors, from national institutions, through the business sector and local self-governments, to citizens' associations, play an important role in planning, monitoring and promoting the system of financing environmental protection.

Considering the numerous elements of environmental protection financing, **Coalition 27 has concluded that the system for financing environmental protection and climate change in the Republic of Serbia remains far from functional.** Indicators include: The structure and coordination of institutions (the inadequate and inefficient division of responsibilities among ministries, complicated procedures that slow cooperation between ministries and local self-governments, and an insufficient number of experts in institutions, etc.); budget planning and programming (poor implementation of planned projects resulting in budget surpluses and/or budget deficits, discrepancies between plans and programmes, and decision-making without the involvement of the public); spending and transparency of monitoring (it is difficult, and sometimes impossible, to obtain information about revenue and budgetary spending by local self-governments and to access environmental protection project documents, etc.); laws and bylaws (the abolition of purpose-specific allocation of funds raised from environmental protection fees, the inadequate legal basis for the Green Fund, and delays in the adoption of bylaws and decisions by local self-governments regarding the use of donor funds, etc.).

Particularly worrying is the lack of environmental protection funding from business/industry. Financial investment in environmental protection and climate change by the largest polluters in Serbia, such as Electric Power Industry of Serbia (EPS), remains insufficient. An analysis of EPS' business operations and recommendations for reform⁵ and increased investment, developed by

5 <http://fiskalnisanet.rs/english/index.php>

the Fiscal Council, among other things, states: "EPS's main problem lies in insufficient investments, which are the reason why its production has been dropping for several years and why it is **the largest polluter in Serbia**. And **EPS will have to invest almost €800 million until 2027 to bring its thermal power plants into compliance with environmental legislation and decrease its pollution to a reasonable level.**"

At the level of the local self-governments, there has been a negative trend in the allocation of environmental protection funding. In a survey about environmental protection funding in Serbia in the period 2010-2019, CSO *Stanište* Ecological Centre, states:

- **The number of local self-governments that have cancelled funding** for environmental protection has increased (from one municipality in 2013 to **25 in 2019**).
- In recent years, it has become apparent that municipalities and towns are planning less expenditure on environmental protection programmes. **Planned expenditure by many local self-governments is lower than current revenues generated from environmental protection fees.** In 2015, expected revenues from environmental protection fees were RSD 6.45 billion in total for all municipalities and towns. In 2016 environmental protection fees ceased to be allocated to purpose-specific budgets for environmental protection; in the same year, exactly RSD one billion less was allocated for environmental protection by municipalities and towns. In 2019, only RSD 4.62 billion was allocated. During the same period, revenue from environmental protection fees increased from RSD 4.5 billion to RSD 6.3 billion. The only reason for the reduction in planned expenditure on environmental protection is that amendments to the Budget System Law for municipalities and towns allowed the reallocation of these funds to other programme areas.⁶

6 <https://staniste.org.rs/wp-content/uploads/2019/10/Studija-Finansiranje-ZZS.pdf?script=lat>

In 2019 the Budget Law of the Republic of Serbia for 2019 allocated the Ministry of Environmental Protection a budget of RSD 6.8 billion. Following reallocations, the budget for the Ministry was later raised to almost RSD 7.4 billion. Of this amount, RSD 345.5 million was allocated to the Environmental Protection Agency, RSD 3.6 billion to the Green Fund of the Republic of Serbia, and RSD 3.4 billion for the operation of the Ministry. According to available data on budget expenditure in 2019, the Environmental Protection Agency spent 96.07% of its allocated budget, 95.89% of the principal budget of the Green Fund was spent, but only 75.62% of the Ministry's operational budget was spent (almost one billion RSD less than the amount planned). Total budget execution by the Ministry, when all three mentioned budget chapters are taken into account, was 89.2%.^{7,8,9,10} It is important to note that public access to documents about projects financed by through Green Fund, which are implemented by different legal entities and account for half of the total budget of the Ministry of Environmental Protection, is limited.

At a national level, the Fiscal Council's recommendations for 2020 highlight numerous deficiencies in the existing and planned national funding framework for environmental protection. Among other issues, the Fiscal Council has highlighted **that in 2019 there was fiscal space to increase investment in communal infrastructure and environment protection, but that this space has not been used.** According to the Fiscal Council, the Government of the Republic of Serbia should transparently provide all necessary funds for these investments in the budgets of the competent institutions. The second prerequisite for the actual implementation of planned projects is that the Government should ensure good coordination between the numerous institutions that are currently responsible for project implementation in the field of environmental protection (the Ministry of Environmental Protection, the Ministry of Construction, Transport and Infrastructure, the Public Investment Management

7 All data on the funds for 2019 taken from the Republic of Serbia Budget Law for 2019, available at: <http://www.mfin.gov.rs/UserFiles/File/zakoni/2018/Zakon%20o%20budzetu%20za%202019%20godinu.pdf>

8 Amendments to the Law on the Budget for 2019, "Official Gazette of the Republic of Serbia", No. 72/2019.

9 <https://www.ekologija.gov.rs/wp-content/uploads/informator/IZVR%C5%A0ENJE%20BUD%C5%BDETA%202019.pdf>

10 http://www.sepa.gov.rs/download/IJZ/INFORMATOR_2020.pdf

Office, local self-government bodies, and public enterprises, etc.). The Fiscal Council has concluded that the organizational fragmentation of environmental protection affairs is one of the reasons for the overall neglect of investment in this sector. Regardless of the division of responsibilities, and in order to ensure better coordination and more successful project implementation, the Fiscal Council has recommended that the Ministry of Environmental Protection, as the central and most competent institution in this sector, should create a list of all current and planned investment projects, supervise implementation and report on progress¹¹.

In January 2020, the Serbian Government stated that it had adopted a Negotiating Position for Chapter 27, following consultations with competent Committees of the National Assembly of the Republic of Serbia. Due to legal restrictions on access to information, CSOs, including Coalition 27, have not had the opportunity to read or analyse the section of the Negotiating Position pertaining to funding. The Ministry of Environmental Protection has stated that the Negotiating Position, among other things, "explains the financial framework for the activities in the coming period, so that Serbia can meet the EU standards in environmental protection".¹²

According to the Public Call for awarding funds for civil society projects in the field of environmental protection in 2019¹³, published on the 28th of March 2019, the Ministry of Environmental Protection co-funded 85 civil society project for the total amount of RSD 50 million, which marked significant progress compared to the previous three years, when total co-funding of projects was RSD 20 million.

11 Fiscal Council (2019): Strategic recommendations for the budget and the fiscal policy in 2020, available at: http://fiskalnisaet.rs/doc/eng/Summary-Strategic_recommendations_for_the_budget_and_fiscal_policy_in_2020.pdf

12 <https://www.ekologija.gov.rs/pregovaracka-pozicija-za-poglavlje-27-zivotna-sredina-i-klimatske-promenestize-evropskoj-komisiji-u-brisel/>

13 https://www.ekologija.gov.rs/wp-content/uploads/konkursi/Javni_konkurs_2019.pdf

Strategic and legislative framework

In 2019, there were no activities concerning the development of the legislative framework for environmental protection and climate change funding. In December 2019, the Serbian Government adopted the Regulation on the Criteria for Determining the Environmental Impact Activities According to the Level of the Negative Environmental Impact through the Performance of Activities, Amounts of Fees, and Conditions for its Reduction, as well as the Criteria of Significance for the Environmental Impact of Natural Persons¹⁴ (pursuant to Article 134, paragraph 2, of the Law on Fees for the Use of Public Goods¹⁵ and Article 42, paragraph 1, of the Law on Government¹⁶).

The regulation initially stipulated that natural persons were also required to pay environmental protection fees. However, only days after the Regulation was adopted, the Serbian Prime Minister¹⁷ announced amendments to the Regulation that abolished environmental protection fees for natural persons.

The Green Fund's inoperability has been the subject of previous reports by Coalition 27.¹⁸ From the moment the Green Fund was established in 2016, until today, minimal progress has been made. The abolition of the purpose-specific allocation of funds raised from the environmental protection fees is the result of the Budget System Law of the Republic of Serbia of 2015. The Law on Fees for the Use of Public Goods, which includes environmental protection fees, was passed in December 2018. This Law confirmed the abolition of the purpose-specific allocation of these funds and enabled the use of funds raised from

14 "Official Gazette of the Republic of Serbia", Nos. 86/2019 and 89/2019.

15 "Official Gazette of the Republic of Serbia", Nos. 95/18 and 49/19.

16 "Official Gazette of the Republic of Serbia", Nos. 55/05, 71/05 – corrigendum, 101/07, 65/08, 16/11, 68/12 – CC, 72/12, 7/14 – CC, 44/14 and 30/18 – other law.

17 <https://www.kamatica.com/vest/vlada-promenila-odluku-gradjani-ipak-nece-placati-eko-taksu/60431#>

18 <https://www.koalicija27.org/en/publications/>

environmental protection fees for other purposes, rendering this economic instrument, based on the “polluter pays” principle, pointless.

The Budget Law of the Republic of Serbia allocated RSD 7.9 billion for the Ministry of Environmental Protection for 2020, almost RSD two billion more than for 2019. Nonetheless, these funds are not nearly sufficient to govern environmental protection in accordance with EU standards; the Fiscal Council has estimated the need for annual investment of €500 million in this sector for the next 10 to 15 years.¹⁹ The 2020 Budget lacks capital investments into communal infrastructure and environmental protection, which, according to Fiscal Council's estimation, should have been increased by about RSD 15 billion in 2020, and for which there was space within the budget to do so.²⁰

19 Fiscal Council (2018): Investments in Environmental Protection: A Social and Fiscal Priority, available at: <http://www.fiskalnisavet.rs/doc/eng/FC%20-%20Investments%20in%20environmental%20protection.pdf>

20 Fiscal Council (2019): Assessment of the Draft Budget for 2020 and Revised Fiscal Strategy for 2020-2022, available at: http://fiskalnisavet.rs/doc/eng/FC_Summary_Budget_2020_and_Revised_Fiscal_Strategy.pdf

Recommendations

- 1.** Adopt bylaws to strengthen the operation of the Green Fund.
- 2.** Amend the Budget System Law and the Law on Fees for the Use of Public Goods in order to reinstitute the purpose-specific allocation of funds raised from environmental protection fees.
- 3.** Significantly increase the annual allocation from the budget of the Republic of Serbia for environmental protection, in accordance with the Fiscal Council's recommendations.
- 4.** Increase the number, and systematize the roles, of employees in the sector of environmental protection pursuant to the Law and needs.
- 5.** Establish a measurable and comprehensive monitoring and reporting system for investments (from the national budget, IPA fund, and bilateral donations) in environmental protection and climate change.
- 6.** Increase the capacity of the Ministry of Environmental Protection to assess the needs and objectives of their work, short-term and long-term planning of activities, absorption of pre-accession funds and adequate implementation of projects.
- 7.** Grant greater authority to the Ministry of Environmental Protection over projects within the scope of activity of the Ministry and grant the Ministry a coordinating role for investment projects implemented by other bodies that fall within the scope of the Ministry.

Recommendations made by **CSO Stanište Ecological Centre**, which are supported by Coalition 27:

8. Provide fundamental public participation in decision-making at a local level in setting priorities and allocating green funds through amendments to the Law on Environmental Protection, and allocate revenue from environmental protection fees to the Autonomous Province of Vojvodina, through amendments to the Law on Waste Management.
9. Establish and implement financial discipline measures against municipalities and towns that violate the law pertaining to funding in any way.
10. Introduce a template for programming and reporting on environmental funds by the local self-governments, and make these documents publicly available on the website of the Ministry of Environmental Protection or the Environmental Protection Agency.



FINANCING IN THE FIELD OF THE ENVIRONMENT AND CLIMATE CHANGE IN SERBIA

Poor structure and coordination of institutions

- complicated procedures
- insufficient number of competent personnel
- inefficient division of responsibilities

Problematic planning and programming of the budget

- poor implementation of planned projects
- Failure to harmonize plans and programmes
- decision-making without public participation

WHY IT'S
NOT
FUNCTIONING?

Non-transparent institutions

- planning and execution of the budget without public participation
- limited access to information on the financing of projects and activities

Poor legal basis

- funds raised from environmental protection fees are not specifically allocated for environmental protection activities
- inadequate regulatory basis of the Green Fund
- the adoption of laws and bylaws is delayed





Horizontal legislation

Overview

During the reporting period there has been no legislative activity to enable further harmonization of Serbian horizontal legislation with EU regulations. Due to the failure to amend the Law on Environmental Impact Assessment²¹ and the Law on Strategic Environmental Impact Assessment²², these procedures, which are essential for the protection of the environment in the Republic of Serbia against the harmful effects of plans and projects, have still not been improved. For this reason, environmental impact assessments and strategic environmental assessments largely remain a formality. Public interest and/or participation remains limited and rarely has any effect or leads to the engagement of the judiciary.

Judicial practice in environmental matters remains under-developed, as evidenced by the extremely low number of charges that have been filed for environmental criminal offences during the reporting period, despite a growing number of complaints.

Numerous recommendations by the Protector of Citizens indicate that citizens' right to a healthy environment is threatened. These recommendations were sent by Protector of Citizens to the competent authorities due to: excessive air pollution; noise and dust; frequent fires at the Vinča landfill; the existence of non-sanitary landfills, as well as other issues.

The Inspection for Environmental Protection still lacks sufficient capacity for the adequate supervision of environment protection. Reasons for this include an insufficient number of personnel working in the sector, lack of technical equipment and know-how about cases that require supervision, as well as poor systematization of roles and responsibilities, with the consequence that environmental inspectors are required to supervise areas that are often unrelated and very different.

21 "Official Gazette of the Republic of Serbia", Nos. 135/2014 and 36/2009.

22 "Official Gazette of the Republic of Serbia", Nos. 135/2004 and 88/2010.

Strategic and legislative framework

The environmental impact assessment, which is one of the most important instruments for ensuring the preservation of the environment during the implementation of plans and projects, has still not been aligned with the EU *acquis*. Although the Republic of Serbia has almost completely harmonized national legislation with the Directive on the assessment of the effects of certain public and private projects on the environment (Directive 2011/92/EU), Directive 2014/52/EU, adopted with the purpose of improving the process of environmental impact assessments, has not yet been transposed. To completely transpose this Directive into national legislation, the Government must adopt amendments to the Law on Environmental Impact Assessment and the Regulation on the amendments to the Regulation on establishing the List of Projects Requiring a Mandatory Impact Assessment (List I) and List of Projects that May Require an Environmental Impact Assessment (List II). According to the National Programme for the Adoption of the *Acquis*, the original deadline for the adoption of the Law on Amendments to the Law on Environmental Impact Assessment was the fourth quarter of 2018, however this deadline was postponed by the Government Work Plan for 2019, and then again to October 2020.^{23,24,25,26} Since the initiation of the process of amending the Law in 2018, the Working Group has not met on a regular basis, Working Group members have been selectively included in certain processes, and communication between Working Group members has been near non-existent. The amendments to the Law were presented to the public during public consultations undertaken in five Serbian cities during 2019.

23 Ministry of European Integration (2018): National Programme for the Adoption of the *Acquis* (NPAA) – third revision.

24 http://www.pregovarackagrupa27.gov.rs/?wpfb_dl=69

25 http://www.gs.gov.rs/doc/PLAN_RADA_VLADE_2019.pdf

26 https://www.srbija.gov.rs/extfile/sr/370541/plan-rada-vlade-srbije-za-2020_cyr.pdf

The adoption of the Law on Amendments to the Law on Strategic Environmental Impact Assessment, required for the full harmonization of national legislation with the Directive on strategic impact assessment (Directive 2011/42/EU), is still being postponed. The process of amending the Law on Strategic Environmental Impact Assessment, conducted simultaneously with amendments to the Law on Environmental Impact Assessment, was supposed to be concluded with the adoption of the Law at the end of 2018; however, this has not yet happened. The Government Work Plan for 2020 stipulates the last quarter of 2020 as a new deadline for its adoption. The public has had the opportunity to review the planned amendments to the Law during public consultations undertaken in Subotica, Kragujevac, Niš, Novi Sad and Belgrade during April 2019. In addition to the aforementioned laws, the Draft Regulation on Public Participation in Respect of the Drawing up of Certain Plans and Programmes Relating to Environmental Protection was also presented to the public.^{27,28,29}

In order to fully transpose the directive governing public participation in the drawing up of certain plans and programmes related to the environment (Directive 2003/35/EC) into national legislation, the final adoption of the Law on Amendments to the Law on Environmental Impact Assessment is also necessary.³⁰

Transposing Directive 2004/35/CE on environmental liability into national legislation has been performed through several laws and bylaws; the full transposition of this Directive requires the adoption of the Law on Liability for Environmental Damage. This law, the drafting of which began in 2015, was supposed to be adopted in the second quarter of 2019; however, it has still not been adopted. In the course of preparing on the Draft, the Ministry of Environmental Protection, in cooperation with the Aarhus Network and OSCE Mission to Serbia, organized public consultations in several Serbian towns during October and November 2019. In addition to the Ministry and the Aarhus

27 <https://www.ekologija.gov.rs/nema-dobrih-zakonskih-resenja-bez-ucesca-civilnog-drustva-i-najsire-javnosti/>

28 <https://www.energetskiportal.rs/javne-konsultacije-o-nacrtima-zakonskih-propisa-u-oblasti-zastite-zivotne-sredine/>

29 <https://terras.org.rs/ako-javnost-ne-izade-na-javnu-raspravu-investitor-dobija-utakmicu/>

30 http://www.pregovarackagrupa27.gov.rs/?wpfb_dl=69

Network representatives, these hearings were attended by representatives of local self-governments and civil society. The development of a methodology for environmental damage assessment is planned for 2020.

There has been no progress on the transposition of Directive 2008/99/EC on the protection of the environment through criminal law. The Directive has still only been partially transposed into national legislation. The planned adoption of the Law on Amendments to the Penal Code, which would enable the full harmonization of the provisions of this Directive with national legislation, has been postponed until the third quarter of 2020.³¹

Directive 2007/2/EC on establishing Infrastructure for Spatial Information in the European Community (INSPIRE) has been transposed into national legislation through the adoption of the Law on the National Spatial Data Infrastructure (NSDI).³² The EAS 3 Project began during the second quarter of 2019, aimed at, among other things, drafting the Directive-Specific Implementation Plan (DSIP) for the INSPIRE Directive.³³

31 Government of the Republic of Serbia: Government Work Plan 2020, available at: https://www.srbija.gov.rs/extfile/sr/370541/plan-rada-vlade-srbije-za-2020_cyr.pdf

32 "Official Gazette of the Republic of Serbia", No. 27/2018.

33 Ministry of European Integration (2019): Report on the implementation of the National Programme for the Adoption of the Acquis (NPAA) for the second quarter of 2019

The implementation of regulations

The quality of environmental impact assessment studies remains low. Public participation in public hearings, which are effectively a formality, is also low due to the limited impact that they exert on the outcome of the process. One example of this that has caught public attention is the environmental impact assessment for the construction of a gondola at the Kalemegdan fortress in Belgrade. The environmental impact assessment was the subject of harsh criticism by expert civil society organizations during the public hearing, especially those parts related to cultural heritage and the ecological network. The hearing was then abruptly stopped in front of a large number of citizens. The project itself has been beset by numerous irregularities. The preparatory works for the project were conducted without a construction permit, which was subsequently issued. The Detailed Regulation Plan for the project was also found not to be in accordance with the Law on Planning and Construction by the Administrative Court in Belgrade, following a complaint by the Renewables and Environmental Regulatory Institute (RERI).^{34,35} The case was also presented before the Supreme Court of Cassation, following an appeal by the Ministry of Construction, Transport and Infrastructure to re-evaluate the decision to stop the works. The Supreme Court of Cassation rejected the appeal to re-evaluate the decision of the Administrative Court because it was not final, stating that the party may contact the Supreme Court of Cassation only in case of a final decision.^{36,37}

A common deficiency in environmental impact assessment studies is that they tend to primarily deal with the assessment of those impacts that the

34 https://www.reri.org.rs/wp-content/uploads/2019/04/RERI_Slucaj-Gondola_Saopstenje.pdf

35 <https://insajder.net/sr/sajt/vazno/14741/>

36 <https://www.vreme.com/cms/view.php?id=1687481>

37 <https://insajder.net/sr/sajt/vazno/15590/>

developer's expert team responsible for drafting the study has the capacity to address, instead of providing a high-quality assessment of all impacts of a specific project. It is often the case that only some environmental impacts are extensively assessed, at the expense of other important impacts that are commonly insufficiently assessed. A typical example is the impact on nature, which is usually a mere formality in impact assessment studies. The standard of assessments is beginning to improve, however generally only in the case of projects in which there is already public interest, such as small hydropower plants. The lack of an Appropriate Assessment also significantly contributes to this situation. The Appropriate Assessment is supposed to be a part of the environmental impact assessment for projects pertaining to ecological networks or those that could impact upon ecological networks. The regulation governing the Appropriate Assessment has not yet been adopted, despite having been in development for years. Another example of the failure of the environmental impact assessment process is the construction of ski-lifts, ski-slopes and winter tourism infrastructure, which has seriously endangered some of the most valuable natural areas in Serbia, such as projects in the Kopaonik National Park, the Golija and Stara Planina Nature Parks, as well as planned projects based on spatial plans, such as plans for the special purpose area of the Vlasina landscapes of exceptional quality, and others.

Considering all of the above, it is particularly worrying that in April 2019, the Law on Amendments to the Law on Ski-lifts for the Transport of Persons entered into the Assembly procedure³⁸ and was adopted under an urgent procedure. Amendments to the Law expanded the mandate of the Ministry of Construction, Transport and Infrastructure at the expense of the Ministry of Agriculture, Forestry and Water Management and the Ministry of Environmental Protection, and the Ministry of Construction will no longer be required to obtain certain types of consent from these two ministries.³⁹

The case of the irregular adoption and implementation of the National Emission Reduction Plan (NERP) culminated at the beginning of 2020, when the Energy

38 "Official Gazette of the Republic of Serbia", No. 31/2019.

39 <https://insajder.net/sr/sajt/vazno/14259/>

Community Secretariat initiated a procedure against the Republic of Serbia⁴⁰ due to the lack of implementation of the Plan. The NERP officially entered into force on January 1st 2018, although it was only presented to the public a year later.⁴¹ The public did not have an opportunity to review the contents of the NERP, as the strategic impact assessment of the Plan has not been performed, despite being legally required. In response to the Energy Community's action, on January 30th 2020 the Serbian Government adopted revised National Emission Reduction Plan.⁴² In the revised Plan the deadlines for certain activities were changed and the timeframe for the Plan's implementation was removed. The public was not consulted during this process.

Pursuant to the Law on the Planning System of the Republic of Serbia⁴³, the Regulation on the Methodology of Public Policy Management, Policy and Regulatory Impact Assessment, and Content of Individual Public Policy Documents (8/2019-79) was adopted in February 2019.⁴⁴ The Regulation provides clear instructions for the inclusion of the public in the early stages of policy-making processes. However, the systematic implementation of the Regulation has not yet begun in the environmental protection sector.

Public access to information of public importance regarding the environment remains at a low level. According to the Report on the Implementation of the Law on Free Access to Information of Public Importance and the Law on Personal Data Protection for the Year 2019, the Commissioner for Information of Public Importance and Personal Data Protection received 5,275 complaints in total, of which 93% pertained to access to information about the endangerment of the environment and environmental protection. The same Report states that 176 applications for access to information were filed with the Ministry of Environmental Protection and its bodies in 2019, and that due to the failure

40 Case ECS-01/20: Serbia / Environment. Energy-community.org, available at: <https://www.energy-community.org/legal/cases/2020/case0120RS.html> Published 2020. Accessed March 13, 2020.

41 <https://www.ekologija.gov.rs/nu-raspravu-o-strateskoj-proceni-uticaja-na-zivotnu-sredinu-za-nacionalni-plan-za-smanjenje-emisija-iz-starih-velikih-postrojenja-za-sagorevanje-nerp/>

42 <https://www.srbija.gov.rs/vest/441255/vlada-srbije-usvojila-medijsku-strategiju.php>

43 "Official Gazette of the Republic of Serbia", No. 30/2018

44 "Official Gazette of the Republic of Serbia", No. 8 of 8 February 2019

of the Ministry to provide the requested information, 13 complaints were filed with the Commissioner.⁴⁵

Respect for citizens' right to a healthy environment, as well as the protection and promotion of rights in this area, are still not at a satisfactory level. According to data on the work of the Protector of Citizens for 2019, a mere 1.22% of the total number of cases received (40 cases) pertained to environmental protection. Citizens' complaints were in response to: construction or planned construction of small hydropower plants, air pollution, and a lack of public participation in the process of drafting legislative and strategic documents. The annual report of the Protector of Citizens for 2019 presents a number of proposals to strengthen the role of citizens in the work of administration bodies, of which 11 pertained to the Ministry of Environmental Protection. The recommendations point to numerous flaws, including the need to financially support local self-governments to manage waste, solve the problem of unpleasant odours, and the need to resolve the harmful effects of small hydropower plant construction. Of the 44 opinions sent to public authorities in 2019, five pertained to the environment (waste management, construction of small hydropower plants, sanitary landfills, etc.).⁴⁶

According to the Report of the Statistical Office of the Republic of Serbia⁴⁷ published at the end of 2019, based on the data from 2018, judicial practice related to criminal liability for environmental violations remains underdeveloped. During 2018, 2,550 charges related to environmental offences were filed, which is the highest number in the last ten years. Of this number, 898 offences were committed by unknown perpetrators, while charges were filed against 567 persons, which is the lowest number in the period 2009 and 2018. 484 persons were convicted of an environmental offence in 2018. Among the environmental offences reported in 2018 and 2017, the most frequent was timber theft (2,058).⁴⁸

45 <https://www.poverenik.rs/images/stories/dokumentacija-nova/izvestajiPoverenika/2019/izvestaj-za2019.pdf>

46 The Protector of Citizens (2020): Regular Annual Report of the Protector of Citizens for 2019, available at: <https://ombudsman.rs/index.php/izvestaji/godisnji-izvestaji/6542-2019>

47 Statistical Office of the Republic of Serbia; Newsletter (2019): Adult Perpetrators of Criminal Offences in the Republic of Serbia, 2018

48 Statistical Office of the Republic of Serbia; Newsletter (2019): Adult Perpetrators of Criminal Offences in the Republic of Serbia, 2018

Despite the fact that this type of criminal offence against the environment is the most common, the issue is still far from resolved, as confirmed by the thousands of hectares of forests that disappear in Serbia every year.⁴⁹

As in the previous years, challenges in establishing liability for environmental damage are primarily relate to insufficient capacity to undertake adequate inspection. 11 out of 145 local self-governments in the Republic of Serbia do not have environmental inspectors. In some municipalities environmental inspectors are also responsible for conducting environmental impact assessments, or in parallel “perform the work of utility, construction and transport inspectors, as well as the work of environmental officers, agricultural and construction officers, and other works ordered by their superiors”. A further issue is the uneven implementation of environmental regulations, causing confusion and discontent among citizens.⁵⁰

Last year progress was made in regard to cooperation with the Sector for Environmental Monitoring and Precaution (Inspection), as CSOs were included in the capacity-building programme for environmental inspection. This has opened up the possibility of more intensive involvement of CSOs in issues covered in this sector.⁵¹

49 <https://www.cins.rs/zbog-ilegalne-sece-godisnje-nestane-hiljade-hektara-suma/>

50 Ministry of Environmental Protection (2019): Environmental Inspection Activity Report for 2018

51 <https://www.ekologija.gov.rs/wp-content/uploads/inspekcija/Izvestaj/Izve%C5%A1taj%20Permanentno%20obrazovanje%202019.pdf>

Financing

As stated in the Post-Screening document, and in accordance with the Approximation Strategy for the horizontal sector, costs in this field are primarily related to Strategy implementation. The majority of costs in this sector, approximately €15 million, are expected to arise from the implementation of the INSPIRE Directive in Serbia. It is planned that these expenses will be covered by national sources, as well as bilateral and multilateral support. In the first three quarters of 2019, numerous activities were implemented pertaining to the assessment of current and required institutional capacities of NSDI entities, strengthening inter-institutional cooperation for the purpose of NSDI promotion, and strengthening the administrative capacity of the Republic Geodetic Authority as National Points of Contact for the INSPIRE Directive implementation. All of these activities should promote the implementation of the INSPIRE Directive in Serbia.⁵² Due to the insufficient transparency of reporting on the execution of the budget of the Ministry of Environmental Protection⁵³, the exact amount of funds spent on these purposes is not clear.

52 http://www.pregovarackagrupa27.gov.rs/?wpfb_dl=69

53 <https://www.ekologija.gov.rs/wp-content/uploads/informator/IZVR%C5%A0ENJE%20BUD%C5%BDETA%202019.pdf>

Recommendations



Strategic and legislative framework

1. Improve the Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) quality by adopting the necessary bylaws and planned amendments to the Law on EIA and the Law on SEA.
2. Harmonize List I (projects for which Environmental Impact Assessment is mandatory) and List II (projects for which an Environmental Impact Assessment may be required) with Annexes I and II of Directive 2011/92/EU.
3. Create a list of plans and programmes for which a strategic environmental assessment is mandatory and a list of plans and programmes for which a strategic environmental assessment can be required.



The implementation of regulations

4. Provide transparent and timely information to the public about public hearings through the improved provision of information online, in accordance with the guidelines for the development of the web presentations of state administration bodies, the bodies of autonomous provinces and local self-governments.

- 5.** Fully implement the guidelines set out in the Rulebook on the content of the requests on the need for environmental impact assessment and the content of the request for determining the scope and content of the Environmental Impact Assessment Study⁵⁴, when drafting environmental impact assessment studies.
- 6.** Ensure the inclusion of a cumulative impact assessment in environmental impact assessment studies.
- 7.** Establish quality control of environmental impact assessment studies, as well as a review of studies every five years.
- 8.** In order to achieve greater compliance with Directive 2003/35/EC on public participation, increase the capacity of national institutions and local self-governments to conduct public participation procedures during the preparation and revision of plans and programmes.
- 9.** Increase penalties for environmental pollution.
- 10.** Ensure the full implementation of the Regulation on the Methodology of Public Policy Management, Policy and Regulatory Impact Assessment, and Content of Individual Public Policy Documents (8/2019-79) in the environment sector.
- 11.** Increase and consistently implement penalties for non-compliance with regulations on the environmental impact assessment and strategic environmental assessment procedures.

54 "Official Gazette of the Republic of Serbia", No. 69/05.



HORIZONTAL LEGISLATION



December, 2015

The Municipality of Babušnica **issues a construction permit** to the investor.



August, 2013

Contrary to regulations, the Municipality of Babušnica decides that the construction of the "Zvonce" small hydropower plant does not require an environmental impact assessment study.



March, 2016

The Ministry of Mining and Energy confirms the temporary status of preferential energy producer for the investor "Mala hidro-elektrana Zvonce Ltd Beograd – Stari grad".

April, 2019

The Ministry of Environmental Protection **refuses the investor's appeal** on the decisions on the suspension of activities.



January, 2019

In separate decisions, the Inspectorate of the Ministry of Environmental Protection and the Construction Inspectorate of the Municipality of Babušnica **order the investor to immediately stop activities** that are not in accordance with the design and to remediate and restore the land affected by the works to its previous condition.



July, 2019

Installation of the pipeline continues, **despite the previously issued decisions**. RERI, a citizens' association, files a criminal complaint at the Basic Public Prosecutor's Office in Pirot against the investor, due to the reasonable suspicion that the investor has committed the criminal offence of failing to take measures to protect the environment.

September, 2018

The Institute for Nature Conservation of Serbia identifies the presence of a protected and/or strictly protected species in the Rakitska river.

October, 2018

In accordance with reported technical changes to the design, the Municipal Administration of Babušnica **issues a decision** on the alteration of the construction permit **to the investor**, on the basis of which the investor successfully reports on the works before the expiry of the deadline for appeal.

October-November, 2018

The investor starts construction, causing protests by the local population, which on several occasions became violent.

September, 2019

The Municipality of Babušnica **adopts a request** for the completion of works on the "Zvonce" SHPP.

EPILOGUE

During the course of constructing the "Zvonce" SHPP, several misdemeanour and criminal charges were filed against the residents of Zvonce Village, which have been efficiently processed. **None of the criminal charges** filed against the investor have been processed by the court to date.

The construction of the "Zvonce" SHPP **has disturbed the environment** and the derivation pipeline has been set into the riverbed of Rakitska river, which is interrupting the river's natural course. Some of the vegetation on the left bank of the river has been destroyed, while on the right bank, a landslide was caused in the private lots of the residents of Zvonce.

*** Source:** Renewables and Environmental Regulatory Institute (RERI):

Zvonce SHPP Case Study – so many violations of regulations and procedures cannot fit in a headline;
Case Study – Legal aspects of the case of the Zvonce small hydropower plant construction



Air quality

Overview

In January 2020 The Republic of Serbia adopted the National Emission Reduction Plan (NERP), pertaining to emissions from large combustion plants, two years late and after the initiation of a dispute settlement procedure against the Republic of Serbia by the Energy Community. The delay in adopting the NERP, the method of adoption, and modifications made to the Plan prior to its adoption do not indicate a change for the better, but rather further delays. The Air Protection Strategy, the state-level umbrella document for this policy area, has not yet been adopted.

According to the Serbian Environmental Protection Agency (SEPA), approximately 2.5 million people, or one-third of the Serbian population, have been exposed to excessively polluted air. However, this data should be taken with caution, as the availability of valid hourly data provided by the state air quality monitoring network in 2019 was insufficient (only 48% of monitoring stations provided valid data). Most cities and municipalities with excessively polluted air are also affected by particulate pollution, particularly excessive concentrations of PM_{10} and $PM_{2.5}$ particles, which primarily originate from solid fuels combustion used to heat homes and in small heating plants. Additionally, in 2019, high concentrations of sulphur dioxide (SO_2) of industrial origin were recorded in the city of Bor.

In the period covered by this report, the status of air quality caused a strong reaction from institutions, citizens, civil society organizations and the media. First, the Protector of Citizens initiated a formal investigation into the activities of the Ministry of Environmental Protection and six local self-governments, regarding the implementation of measures for the reduction of air pollution. The Ministry of Environmental Protection also initiated a formal investigation into the activities of the local self-governments, with regard to the adoption and implementation of the air quality plans. In addition, the Ministry also initiated a procedure against *Serbia Zijin Bor Copper*. In January 2020, when air

pollution was severe, the Serbian Government established the Working Group for the Systematic Solution of Air Protection Issues. The Working Group has so far failed to draft measures to address the most significant contributors to air pollution in the Republic of Serbia (individual households and small heating plants) and has instead focused on the transport sector.

It is estimated that eliminating air pollution in Serbia would require large investment, with the Fiscal Council assessing that necessary investment could vary between €1.5 and €2.4 billion.

Strategic and legislative framework

The most significant development in the reporting period regarding the strategic and legislative framework for air quality was the official adoption of the NERP, which pertains to emissions from large combustion plants. Competent institutions and bodies emphasized that the adoption of the NERP was a priority measure aimed at reducing air pollution. However, the NERP was adopted more than two years late. As a signatory of the Treaty establishing the Energy Community, the Republic of Serbia was obliged to ensure the harmonization of emission limit values included in the Large Combustion Plants Directive⁵⁵ as of the 1st of January 2018. The Republic of Serbia chose to adopt the NERP as the method for harmonizing national legislation with this Directive and as a means of meeting this obligation, but did not do so in due time.

According to data submitted to SEPA by the Electric Power Industry of Serbia (EPS), emissions from thermal power plants owned by EPS have greatly exceeded the emission limit values stipulated by the NERP. For this reason, in January 2020, the Energy Community Secretariat initiated a dispute settlement procedure against Serbia.⁵⁶ Several points in the draft of the NERP initially submitted to the Energy Community were amended in the version that was later adopted by the Serbian Government on the 30th of January 2020. The delay in adopting the NERP, the manner in which it was adopted, and the modifications made to the text indicate that further delays to the implementation of the regulation is likely, rather than compliance with the defined emissions of pollutants.⁵⁷

55 Directive 2001/80/EC of the European Parliament and of the Council of 23rd October 2001 on the limitation of emissions of certain pollutants into the air from large combustion plants, available at: https://www.energy-community.org/dam/jcr:5e192ac5-b370-48b3-9eaa-d5bf3f93349f/Directive_2001_80_ENV.pdf

56 <https://energy-community.org/legal/cases/2020/case0120RS.html>

57 RERI: How does the late adoption of NERP (or the failure to adopt it) impact the air pollution? Available at: <https://www.eri.org.rs/kako-zakasnelo-neusvajanje-nerp-a-utice-na-zagadenje-vazduha/>

A key document that has not yet been adopted is the Air Protection Strategy. The Law on Air Protection defines the Strategy as “the cornerstone document for the adoption of air quality plans, short-term action plans and programmes for the reduction of emissions of pollutants into the air, which need to comply with it”.⁵⁸ The original deadline for the adoption of the Strategy, two years after the adoption of the Law, has long expired.

EU Directive 2008/50/EC on ambient air quality and cleaner air for Europe has been partially transposed into national legislation through the Law on Air Protection, the Regulation on Monitoring Conditions and Air Quality Requirements⁵⁹, the Rulebook on the Content of Air Quality Plans,⁶⁰ and the Rulebook on the Content of Short-term Action Plans⁶¹. Directive 2004/107/EC (the “Fourth Daughter Directive”) has also been partially transposed into national legislation through the Law on Air Protection and the Regulation on Monitoring Conditions and Air Quality Requirements.

The continuation of the drafting and adoption of the remaining air quality plans is planned for the period 2018 and 2021. According to the National Programme for the Adoption of the Acquis (NPAA), the adoption of the Regulation on Amendments to the Regulation on Monitoring Conditions and Air Quality Requirements was planned for the fourth quarter of 2019. Drafting of the Implementation Plan for Directive 2008/50/EC on ambient air quality and cleaner air for Europe and the Fourth Daughter Directive was planned for the period between 2018 and 2020, but this has not yet happened.

58 Law on Air Protection (“Official Gazette of the Republic of Serbia”, Nos. 36/2009 and 10/2013), Article 27

59 “Official Gazette of the Republic of Serbia”, Nos. 11/2010, 75/2010, and 63/2013

60 “Official Gazette of the Republic of Serbia”, No. 21 of April 6 2010

61 “Official Gazette of the Republic of Serbia”, No. 65 of 14 September 2010

The implementation of regulations

Air quality status

According to the Annual Air Quality Report in Serbia, produced by SEPA, in 2018 air was over-polluted in the agglomerations of Belgrade, Pančevo, Užice, Smederevo and Kosjerić, as well as the cities of Valjevo, Kragujevac, Subotica, Kraljevo and Sremska Mitrovica, due to the exceedance of the limit and tolerance values of suspended PM_{10} and $PM_{2.5}$ particles. The annual limit value for suspended PM_{10} particles ($40\mu g/m^3$) was exceeded at all measuring stations in the country that measure PM_{10} particles. Daily limit values of $50\mu g/m^3$ were exceeded at all measuring stations during 2018, ranging from one day at the Kamenički Vis station, to 170 days at the Valjevo station.⁶² In addition to Valjevo, excessive pollution, exceedance of the 24-hour limit value of PM_{10} particle concentration was recorded on more than one hundred days in the cities and agglomerations of Užice, Smederevo, Kraljevo, Beograd (Novi Beograd), Sremska Mitrovica and Kragujevac. According to the regulations, the 24-hour limit value for PM_{10} particle concentration must not be exceeded for more than 35 days in each calendar year.⁶³ The limit and tolerance values for $PM_{2.5}$ particles were also exceeded, according to measurements recorded by SEPA's network of automatic measuring stations and indicative measuring. The annual tolerance value for $PM_{2.5}$ particles ($25\mu g/m^3$) was exceeded at five measuring stations in the national network: Kraljevo (with the highest value of $39.0\mu g/m^3$), Smederevo – Centar, Beograd – Stari Grad, Kosjerić and Subotica. According to indicative measuring, the annual tolerance value of $PM_{2.5}$ particles was exceeded at four locations (Čačak, Niš, Subotica, Kragujevac), where

62 Environmental Protection Agency (2019): Annual Report on Air Quality Status in the Republic of Serbia 2018, page 9, available at: http://www.sepa.gov.rs/download/izv/Vazduh2018_final.pdf

63 Regulation on monitoring conditions and air quality requirements ("Official Gazette of the Republic of Serbia", Nos. 11/2010, 75/2010, and 63/2013).

measuring indicated that only one-fourth of recorded values were below the tolerance values.⁶⁴

To make the overview of the air pollution in Serbia complete, at least two more cities should be mentioned in this evaluation. The quality of air in Niš has been rated as excellent; however, this rating was due to insufficient measuring of the concentration of pollutants. The City of Bor is one of numerous cities in Serbia facing serious challenges regarding particulate pollution, with very high concentrations of sulphur dioxide, most likely of industrial origin, recorded in 2019. The annual, daily and hourly limit values for sulphur dioxide are strictly defined. These limit values are exceeded throughout most of the year in Bor, indicating that the air is an immediate and direct hazard to residents' health.

Preliminary, unverified data collated from monthly reports on air quality status for 2019, published by SEPA, indicate that in 2019 air has also been excessively polluted in numerous other Serbian cities. 11 measuring stations in the state network recorded numerous occasions when the 24-hour limit values for PM₁₀ particles were exceeded for more than 35 days during a calendar year, as permitted by regulations. Limit values for PM₁₀ particles were exceeded at: Novi Sad – Rumenačka; Beočin – Centar; Beograd – Stari Grad, Beograd – Novi Beograd, and Beograd-Mostar; Smederevo – Centar; Bor – *Gradski park*; Kosjerić; Niš – Oš Sveti Sava and Niš – IZJZ. The highest number of days of excessive air pollution was recorded in Valjevo (146 days).

The air was particularly polluted in January 2020. Data from the SEPA network shows that excessive pollution for more than 20 days was recorded at as many as 12 stations in January 2020 alone. The highest number of days of excessive pollution was recorded in Valjevo (28 days), as well as in Kosjerić, Pančevo – Vojilovica and Niš – IZJZ (26 days). The highest concentration of PM₁₀ particles was recorded in Smederevo, with 567 µg/m³, ten times higher than the permitted value.⁶⁵

64 Environmental Protection Agency (2019): Annual Report on the Air Quality Status in the Republic of Serbia 2018, page 32.

65 Monthly reports on air quality are available on the web site of the Environmental Protection Agency at the following link: <http://www.sepa.gov.rs/index.php?menu=2019&id=208&akcija=showAll>. The SEPA has made great progress in terms of this data, as it made all the monthly data available on the same page. It used to be possible to only download data for the previous month.

According to the National Register of Pollution Sources, presented in the Annual Air Quality Report, the main source of PM₁₀ and PM_{2.5} particle pollution is the "Other stationary combustion", which includes individual household furnaces and heating plants with a power output lower than 50 MW.⁶⁶ These sources account for over 57% of the excessive pollution from PM₁₀ particles and 75% of the excessive pollution from PM_{2.5} particles.

Air quality monitoring

When rating air quality, SEPA relies on data obtained through fixed measuring, using automatic reference methods as well as the gravimetric method. When preparing the Annual Report, SEPA also used data recorded by the Belgrade Public Health Institute (from measuring stations in the state network), Provincial Secretariat for Urban Planning, Construction and Environmental Protection of Vojvodina, the City of Pančevo, and data from the local public health institutes of Sremska Mitrovica, Kraljevo and Užice.⁶⁷ The quality of monitoring improved in 2018 compared to 2017, due to a significant increase in the availability of valid hourly values obtained by the state network for air quality monitoring, from 22% valid hourly values in 2017, to 48% valid hourly values in 2018. This means that less than half of the stations has achieved required minimal data availability of 90%⁶⁸, which clearly shows that the quality of monitoring in the state network of automatic measuring stations needs to be significantly improved.

During 2019 and 2020, the state network for air quality monitoring was expanded, with new stations in Belgrade (Vračar), Vršac, Paraćin, Novi Pazar, Radinac, Zaječar and Valjevo. From almost the outset of monitoring, the measuring station at Novi Pazar has recorded high concentrations of PM₁₀ and PM_{2.5} particles, with air quality in Novi Pazar categorized as "polluted" or "excessively polluted" during most of the period so far monitored. In February 2020, excessive pollution from PM₁₀ particles was recorded on 19 days.

66 Environmental Protection Agency (2019): Annual Report on Air Quality Status in the Republic of Serbia 2018, page 17.

67 Environmental Protection Agency (2019): Annual Report on Air Quality Status in the Republic of Serbia 2018, page 14.

68 Regulation on monitoring conditions and air quality requirements, ("Official Gazette of the Republic of Serbia", Nos. 11/2010, 75/2010, and 63/2013).

An automatic detector of concentrations of PM₁₀ and PM_{2.5} particles was installed in Vračar, in Belgrade, in January 2020, enabling a realistic insight into the air quality status in this area of the city. This measuring station, which had mostly recorded excellent air quality in the previous period, recorded high concentrations of suspended PM₁₀ and PM_{2.5} particles in February and March 2020, with a total of 15 days of excessive pollution.

The Radinac measuring station, which is of great significance due to its location near to the Železara steel mill in Smederevo, is still not releasing real-time pollution data. Only one report with measuring results from the Radinac measuring station has been published to date, which indicated excessive pollution during 10 to 15 days at the end of December 2019 and the beginning of January 2020, and concentrations of PM₁₀ particles four to five times higher than permitted.⁶⁹

Institutional oversight

Excessive air pollution in Serbia led to an intervention by the Protector of Citizens. Due to the Ministry of Environmental Protection and other competent authorities' failure to implement specific measures to improve air quality, the Protector of Citizens initiated formal investigation into work of the Ministry of Environmental Protection. The Protector of Citizens inquired about several issues, including the lack of proposals or implementation of specific measures for the reduction of air pollution despite negative air quality ratings in 2018, information about the analysis of the basic main causes of high-level pollution, forecasting and proposal of urgent short-term and long-term measures aimed at reducing pollution, as well as informing the public.⁷⁰ The Protector of Citizens also initiated investigations into the work of six local self-governments: Belgrade, Pančevo, Niš, Užice, Kragujevac and Kosjerić.⁷¹

The Ministry of Environmental Protection has noted on several occasions that it has warned local self-governments regarding their legal obligation to draft long-term air quality plans and has requested reports on the fulfilment of this

69 http://www.sepa.gov.rs/download/akcidenti/vazduh/smederevo_radinac_2020.pdf

70 <https://www.ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6437-z-sh-i-ni-gr-d-n-r-zi-dg-v-r-n-dl-znih-p-v-d-pr-rn-g-z-g-d-nj-v-zduh>

71 <https://www.ombudsman.rs/index.php/2011-12-25-10-17-15/2011-12-26-10-05-05/6440-z-sh-i-ni-gr-d-n-p-nu-p-s-up-n-r-l-r-d-zb-g-pr-rn-z-g-d-n-s-i-v-zduh-u-sh-s-l-lnih-s-upr-v>

obligation. Although adoption of air quality plans is mandatory only for those local self-governments in which air has been rated as excessively polluted, the Ministry has contacted all 145 local self-governments to request that they to submit information about these plans; by January 2020, 66 local self-governments had submitted reports. Of these 66, 29 local self-governments stated that in 2020 they would perform monitoring, 16 stated they would plan policy measures and activities, and 21 local self-governments stated that they were not performing air quality monitoring and were not planning to draft plans. The Ministry also stated that within its authority, it had also begun to inspect large greenhouse gas emitters. In 2018, the Environmental Inspection Department of the Ministry of Environmental Protection carried out 83 inspections of large greenhouse gas emitters and filed one misdemeanour complaint and 13 complaints due to economic offences, while in 2019 the Inspection performed 94 inspections regarding air quality, filing one misdemeanour complaint and 12 complaints due to economic offences.⁷²

Civil society organizations, the media and citizens have also played a significant role. Through undertaking joint activities, these stakeholders have made air quality a priority topic among the public in periods when excessive pollution has been recorded. The response of the national leadership to this issue has been significant, particularly the formation of the Working Group for Air Protection in Serbia in January 2020. Further, the reaction of citizens and civil society organizations, and their appeals to the relevant institutions, has led to action concerning air pollution in Bor, with the initiation of a procedure against *Serbia Zijin Bor Copper*.

Establishing the Working Group for the Systematic Solution of Air Protection Issues and the stipulated measures

On January 17th 2020, the Serbian Government established the Working Group for the Systematic Solution of Air Protection Issues, including representatives of relevant institutions (Government, line Ministry, SEPA, and the *Milan Jovanović Batut* Institute for Public Health, among others.) chaired by the Prime Minister.

72 <https://www.ekologija.gov.rs/s-a-o-p-s-t-e-nj-e/?lang=lat>

The Working Group has so far held two sessions. To date, the Working Groups has not offered appropriate solutions for the issue of air pollution, as the emergency measures it has proposed primarily concern the adoption of the NERP, the implementation of which had already been delayed for two years, as well as measures that do not pertain to the sector that prevalingly contributes to air pollution in Serbia. The Working Group began its work by issuing a statement stating that there was no reason for concern due the present status of air pollution in Serbia, thus diminishing the significance of the issue and the alarming data on the negative effect of polluted air on public health.⁷³

To date, the Working Group has proposed a set of measures that, considering the most recent official data, will not contribute to reducing pollution in the Republic of Serbia appropriately, as they do not address the sector of small heating plants and individual household furnaces, but rather primarily focus on traffic. Among the priority measures set out by the Working Group are the following: subsidies for the purchase of electric and hybrid vehicles; construction of acoustic moss walls (in Novi Beograd); installation of fast chargers for electric vehicles at key locations in road corridors; and afforestation.⁷⁴ A disproportionately large amount of the Working Groups' attention has been paid to the City of Belgrade, with measures aimed at improving city traffic and public transport. Although traffic clearly impacts on air pollution, official SEPA data indicates that the share of pollution from traffic is proportionally small. Other local self-governments facing excessively polluted air have not been specifically referenced in the Working Group's statements. The Working Group has failed to develop specific measures related to small heating plants and individual households, which most contribute to excessive air pollution, according to the official data.

One of the first measures proposed by the Working Group has been to subsidize the purchase of electric vehicles. This recommendation was implemented by the Serbian Government on the 12th of March 2020, through the adoption of Regulation on the

73 The latest WHO analysis points to the high rate of premature deaths due to air pollution in Serbia: more than 3,500 premature deaths per year estimated to be caused by increased concentration of PM_{2.5} particles, as well as the risk of over 150,000 years of life lost (YLL) in the next ten years, more at: http://www.euro.who.int/__data/assets/pdf_file/0020/412742/Health-impact-pollution-Serbia.pdf?ua=1

74 Statements about the Working Group meetings are available at the following links: <https://www.srbija.gov.rs/vest/439158/dogovoreni-hitni-koraci-za-smanjenje-zagadjenja-vazduha-u-srbiji.php>
<https://www.srbija.gov.rs/vest/445212/u-planu-niz-konkretnih-mera-za-cistiji-vazduh-u-srbiji.php>

Conditions and the Manner of Implementation of Subsidies for the Purchase of New Electric Vehicles, as well as Combined Internal Combustion and Electric Vehicles (Hybrid)⁷⁵ and the allocation of up to RSD 120 million of subsidies for this purpose. Given that traffic accounts for 6% of total emissions of PM₁₀ and PM_{2.5} particles, increased concentrations of which are a cause of air pollution in Serbia, it can be concluded that the adopted Regulation does not represent an appropriate solution for the issue of air pollution, and that the allocated funds for subsidies in this field will make a disproportionately small contribution to air quality improvement in Serbia.⁷⁶

Air pollution in Bor

The issue of air pollution represents a special challenge for the City of Bor. The situation in Bor differs from that in other cities that are facing excessively polluted air, because the pollution is caused by excessive sulphur dioxide (SO₂) concentrations of industrial origin. According to the Annual Air Quality Report in the Republic of Serbia 2018, published by SEPA at the end of August 2019, the air in Bor was in the first category, i.e. clean and slightly polluted. The Report states that no average values of SO₂ have been recorded in Serbia above the limit value (50 µg/m³) in the previous year. However, information from the local monitoring network indicates a different situation. The report drafted by the Mining and Metallurgy Institute Bor⁷⁷ indicates that the average annual value of SO₂ concentration was 70 µg/m³, significantly above the limit value of 50 µg/m³.

In addition to the daily limit value of 150 µg/m³, sulphur dioxide has a defined hourly limit value of 350 µg/m³, as well as defined concentrations that are harmful to human health and concentrations about which the public must be informed⁷⁸ (three consecutive hours with SO₂ concentrations higher than 500 µg/m³). It is important to note that the daily limit values must not be exceeded more than three times during a calendar year, and hourly limit values must not be exceeded for more than 24 hours in total in the period of one year.

75 Available at: <https://www.srbija.gov.rs/prikaz/450546>

76 This comment pertains to the period after the reporting period (March 2020) and it was added because of the importance (i.e. topicality) of the events for the period covered by the report.

77 Mining and Metallurgy Institute of Bor (2019): Report, No. 24538-19, Air quality testing in Bor (local monitoring network) (Annual Report 2018), page 39, available at: <http://bor.rs/wp-content/uploads/2019/02/Godisnji-izvestaj-za-2018.pdf>

78 Regulation on monitoring conditions and air quality requirements, Appendix XIV, Section A.

According to the monthly air quality reports available on the SEPA website, in 2019, at three measuring stations in Bor SO₂ concentrations exceeded the hourly limit values 407 times, and daily limit values were exceeded 59 times. In the period covered by this report, the month with the highest level of pollution was December 2019. A significant increase in pollution has been recorded since the beginning of September 2019, after which the residents of Bor have been exposed to concentrations of SO₂ that are harmful to human health on several occasions. SO₂ concentrations have exceeded the limit values many times, with values ranging from two to ten times higher than permitted levels recorded.⁷⁹

Due to differences in air quality ratings in local and national documents, as well as the frequent exposure of the population in Bor to sulphur dioxide concentrations that are harmful to human health, Coalition 27 wrote to the Ministry of Environmental Protection, the City of Bor Administration, the EU Delegation, and *Serbia Zijin Bor Copper*, whose industrial processes are linked to the increased air pollution in Bor, and issued a press release on October 21st 2019, requesting that these stakeholders address the issue. *Serbia Zijin Bor Copper* was invited to publish monthly and annual reports on emissions into the air and the monitoring that they have performed.⁸⁰ Following a rapid response to this request, in which *Serbia Zijin Bor Copper* stated that the company would submit the information within a reasonable timeframe, representatives of the company had not done so at the time of writing of this report.

The Ministry of Environmental Protection has initiated a procedure against *Serbia Zijin Bor Copper* in response to the excessive discharge of hazardous substances into the air in November 2019 and January 2020. Since the privatization of the company in November 2018, inspections have recorded infractions of legal standards on at least five occasions. Excessive discharges of sulphur dioxide into the air, above the limit values, have been recorded on several occasions, and in August 2019 *Serbia Zijin Bor Copper* was found not to have a wet dust removal system for the transport of mine tailings from the Bor mine, which endangers human health and the environment.⁸¹

79 Monthly reports on air quality are available on the web site of the Environmental Protection Agency at the following link: <http://www.sepa.gov.rs/index.php?menu=2019&id=208&akcija=showAll>

80 http://www.bos.rs/ekz/vesti/134/2019/10/21/saopstenje-koalicije-27_-zabrinjavajuci-kvalitet-vazduha-u-boru.html

81 <https://www.cins.rs/zidin-na-sudu-zbog-zagadenja-u-boru/>

The Fiscal Council's strategic recommendations for the budget and fiscal policy, as well as its analysis of investment in environmental protection, state that required investment in air protection range from €1.5 billion⁸² to as much as €2.4 billion.⁸³

In order to resolve the issue of air pollution in Serbia, a more efficient state air quality management system is required. This includes reliable air quality monitoring, stipulating clear obligations for polluters and building strong institutions to ensure those obligations are met. The cost of developing this system is estimated at €50-100 million. Slight changes in the way funds are allocated for air quality monitoring in 2019 and 2020 are evident. In 2019, a specific budget line allocated RSD 76,406,000 for air quality monitoring⁸⁴. In 2020, air quality monitoring was merged with water and soil quality monitoring, with a total of RSD 119,573,000⁸⁵ allocated for these purposes. It is therefore not possible to determine the exact amount allocated for air quality monitoring in 2020 based on publicly available documents.

In accordance with EU requirements, Electric Power Industry of Serbia, which is the largest polluter in the Republic of Serbia, will need to invest approximately €650 million in air protection measures by 2027.⁸⁶ The largest portion of these funds should be invested in measures to reduce air pollution from thermal

82 Fiscal Council (2019): Strategic recommendations for the budget and the fiscal policy in 2020, available at: http://fiskalnisavet.rs/doc/eng/Summary-Strategic_recommendations_for_the_budget_and_fiscal_policy_in_2020.pdf

83 Fiscal Council (2018): Investments in Environmental Protection: A Social and Fiscal Priority, available at: <http://www.fiskalnisavet.rs/doc/eng/FC%20-%20Investments%20in%20environmental%20protection.pdf>

84 National Assembly of the Republic of Serbia, the Republic of Serbia Budget Law for 2019, available at: <http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2018/budzet%202019.pdf>

85 National Assembly of the Republic of Serbia, the Republic of Serbia Budget Law for 2020, available at: <http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2019/BUDZET%202020.pdf>

86 Fiscal Council (2018): Investments in Environmental Protection: A Social and Fiscal Priority, available at: <http://www.fiskalnisavet.rs/doc/eng/FC%20-%20Investments%20in%20environmental%20protection.pdf>

power plants. Current financial damage to the region caused by these thermal power plants is estimated at between €600 million and €1.8 billion per year.⁸⁷

Significant investment in the modernization of district heating systems is required. It is estimated that about €550 million needs to be invested by 2030. A number of projects, at various stages of implementation, with a total value of about €220 million, are on-going. The implementation of the plan for the improvement of district heating systems requires more than double the current level of annual investment of about €20 million per year.⁸⁸

In accordance with the “polluter pays” principle, the private sector is also expected to make necessary investments in order to harmonize pollutant emissions with EU requirements. Given that some of the largest polluters in Serbia are state-owned enterprises, the state must take a leading role in resolving this issue.

87 Health and Environment Alliance (HEAL) (2016): Health Impacts of Coal-Fired Power Stations in the Western Balkans, March 2016.

88 Energy Development Strategy of the Republic of Serbia 2025 with the projections by 2030.

Recommendations



Strategic and legislative framework

- 1.** Enable the participation of the interested public in the process of developing the Air Quality Strategy.
- 2.** Start the process of establishing binding standards for low-power combustion appliances used in households (stoves and solid fuel stoves) in accordance with the Eco-design Directive (2009/125/EC). Given the widespread use of inefficient stoves and solid fuel ovens in households, it is necessary to consider the accelerated transposition of deadlines for this Directive.
- 3.** Supplement the existing legislative framework with binding regulations that will regulate the efficiency and emissions of solid fuel combustion appliances.



The implementation of regulations

- 4.** Ensure that competent institutions enforce regulations related to legal deadlines for the creation of public policies concerning air quality, regulations related to air quality monitoring, the exchange of air quality information, and obligations under international agreements.
- 5.** Monthly information about the detected exceedance of hourly and daily limit values (LV) must include information about which monitoring stations were/were not operating during that month.

6. Stakeholders responsible for air quality monitoring should ensure that the measuring system is well-maintained and that data is made available. Financing for the smooth operation of air quality monitoring networks should also be secured, especially for urban agglomerations such as Belgrade.
7. Improve intersectoral cooperation in order to enable the full implementation of the national regulations that are already in place.
8. Local governments/cities should improve the quality and visibility of air quality data, as well as ensure easy public access to air quality data provided by the local monitoring networks.



Financing

9. Secure financing for the unobstructed work of inspectorates for environmental protection.

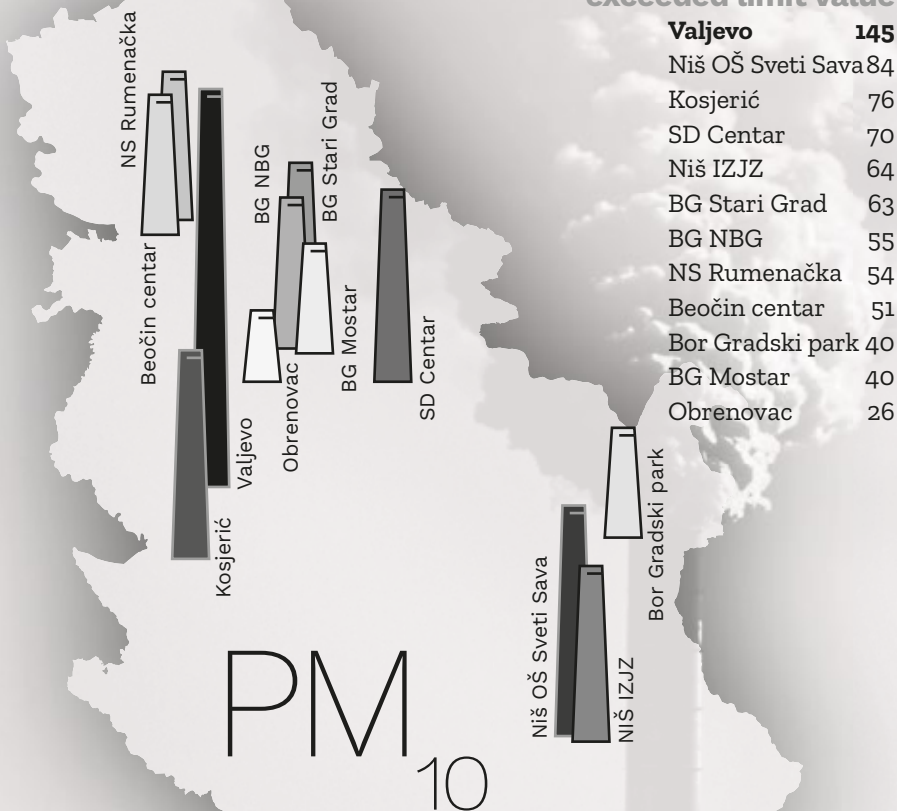


AIR QUALITY

EXCEEDED DAILY LIMIT VALUES

of concentration of PM_{10} particles during 2019

Number of days with
exceeded limit value



SERBIA

* Daily limit value for PM_{10} concentration particles is $50 \mu g/m^3$

The daily limit value must not be exceeded more than 35 times in one calendar year

EXCEEDED DAILY AND HOURLY LIMIT VALUES

of SO₂ concentration during 2019

2019

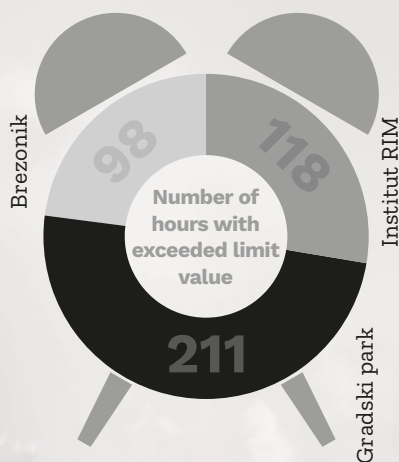
Brezonik 8

Gradski park

Institut RIM 12

Number of days with
exceeded limit value

40



SO₂

BOR

* Hourly limit value for SO₂ concentration is 350 µg/m³

The hourly limit value must not be exceeded more than 24 times in one calendar year

Daily limit value for SO₂ concentration is 125 µg/m³

The daily limit value must not be exceeded more than three times in one calendar year



KOALICIJA27



Waste management

Overview

In 2019, the Ministry of Environmental Protection revoked the waste management licenses of one of the largest hazardous waste management operators.⁸⁹ The inability of the hazardous waste producer to transfer waste to an appropriate operator resulted in hazardous waste accumulating in temporary storage, creating an additional hazard for the environment and human health. The Waste Management Plan of the hazardous waste producer in question envisioned Temporary Storage capacity for the amount of waste generated in the period of no longer than one year. The new Draft Law on the Amendments to the Law on Waste Management⁹⁰ amends Article 36 paragraph 4 to allow waste to remain in temporary storage for 24 instead of 12 months, which will result in the pileup of large amounts of hazardous waste at temporary storage facilities.

In 2016, the Register of Revoked Waste Management Licenses was established within the National Register of Pollution Sources. 89 revoked licenses were recorded as of the 25th of August 2019.

Companies should submit annual reports on waste to the Environmental Protection Agency by the 31st of March of the following year. For this reason, the Agency's report includes data for the period 2018 and part of 2019.

At the end of July 2019, the Register of Issued Waste Management Licenses contained 2,064 valid licenses, which is fewer than in the same period in 2016 and 2017. The reason for this reduction is that some licenses for collection and transport of waste, which are valid for five years, have expired and have not been renewed; in other certain cases licenses were revoked.

The total amount of reported waste in 2018 was about 11.6 million tonnes. This is a slight increase compared to 2017, when waste generation increased compared to the previous years, due to an increase in the number of producers of

89 <http://www.sepa.gov.rs/index.php?menu=20174&id=20055&akcija>ShowExternal>

90 <https://www.paragraf.rs/dnevne-vesti/061119/061119-vest13.html>

hazardous waste submitting reports, as well as an increased amount of waste being generated by thermal power plants and companies producing raw iron, steel and ferroalloys.⁹¹

Between March 2017, when the Rulebook on the Form of Hazardous Waste Movement Document and Filling in Instructions was adopted, and the end of 2017, 35,800 hazardous waste transfers were reported in the territory of the Republic of Serbia. 60,879 hazardous waste transfers were reported in 2018. During 2019, 40,280 hazardous waste transfers were reported until the 23rd of August 2019. Between 200 and 250 hazardous waste transfers are reported every day.⁹²

In the period 2011-18, hazardous waste accounted for between 0.6% and 1.3% of all waste produced in the Republic of Serbia. In 2018, hazardous waste accounted for 0.8% of all waste produced in Serbia. Companies performing hazardous waste treatment reported that 113,688 tonnes of hazardous waste were transferred for treatment.⁹³

The largest hazardous waste producers in Serbia are thermal power plants, which produced 7.45 million tonnes of fly ash in 2018, as well as other types of waste, including slag, sludge and filter cakes. Other significant sources of hazardous waste include solidified waste from waste processing plants, scrap metals containing iron, waste generated in metal processing, and mixed waste generated from construction and demolition.⁹⁴

According to data submitted until August 2019, 331 operators with waste reuse licenses treated 2.03 million tonnes of waste in 2018. The largest proportion of that waste was scrap metal, followed by waste from thermal processes and processed and unprocessed slag from the iron and steel industry, followed in turn by paper and cardboard packaging.⁹⁵

91 Ministry of Environmental Protection, Environmental Protection Agency (2019): Waste Management in the Republic of Serbia from 2011 to 2018, available at: http://www.sepa.gov.rs/download/Otpad_2011_2018.pdf

92 Ibid.

93 Ministry of Environmental Protection, Environmental Protection Agency (2019): Waste Management in the Republic of Serbia from 2011 to 2018, available at: http://www.sepa.gov.rs/download/Otpad_2011_2018.pdf

94 Ibid.

95 Ibid.

Sanitary landfills are sanitary and technically regulated areas for the disposal of non-hazardous waste under controlled conditions. The National Strategy from 2009 envisions the closure and remediation of existing dumpsites and the construction of 29 regional sanitary landfills. 11 sanitary landfills had been built by the end of 2019.

Two sanitary landfills are currently under construction:

1. Regional sanitary landfill in Nova Varoš, and
2. Regional sanitary landfill in Inđija.

All local self-governments were obliged to develop a local waste management plan and every region was obliged to develop a regional waste management plan. According to available data, six municipalities have not yet joined a waste management region.⁹⁶

Despite being obliged to dispose of waste at sanitary landfills, many local self-government units do not do so. Communal waste is still most probably disposed of at municipal non-sanitary landfills, because fees are charged for disposal at sanitary landfills.

Non-sanitary landfills and dumpsites are major polluters and a significant hazard, due to frequent fires and the risk of spreading of infections. Fires occurred at many non-sanitary landfills and dumpsites in 2019.

Most municipal dumpsites in Serbia are full to capacity, and many do not fulfil minimum technical standards. Key problems include:

- There is no controlled extraction of gas created by the decomposition of waste at landfill sites, which is one of the main causes of fires and explosions at landfills;
- Landfill leachate is neither collected nor purified, endangering ground and surface water and soil due to the high content of organic matter and heavy metals.

⁹⁶ Ministry of Environmental Protection, Environmental Protection Agency (2019): Waste Management in the Republic of Serbia from 2011 to 2018, available at: http://www.sepa.gov.rs/download/Otpad_2011_2018.pdf

- Environmental impact assessment studies are not undertaken.

Landfills and dumpsites located within 100 meters of settlements or within 50 meters of rivers, streams, lakes and other accumulations of water pose the greatest risk to the environment and human health. After rehabilitation, the majority of the existing disposal sites may be turned into transfer stations and collection centers for recyclable waste, while the remaining disposal sites will be closed and replaced with regional landfills.⁹⁷

Based on data submitted by 94 local self-governments, there are 1,711 old and illegal landfills on the territory of the Republic of Serbia. 90 municipalities sent fully completed questionnaires, while 48 municipalities sent no data.

Seven operators have a license for packaging waste management: SEKOPAK, EKOSTAR PAK, DELTA-PAK, CENEKS, TEHNO EKO PAK, EKOPAK SISTEM and UNI EKO PAK. *UNI EKO PAK* obtained a packaging waste management license in August 2018, and was therefore not included in reporting for 2018.⁹⁸

On the basis of the Packaging Waste Reduction Plan from the Regulation on Determining the Packaging Waste Reduction Plan for the 2015-2019 period⁹⁹, as well as on the Regulation on Determining the Packaging Waste Reduction Plan for the 2015-2019 period¹⁰⁰, it can be concluded that all packaging waste management system operators met the general national objectives for 2018.¹⁰¹

According to data submitted to the Environmental Protection Agency by the 24th April 2019, the total amount of packaging on the market of the Republic of Serbia was 358,955 tonnes.¹⁰²

97 Ministry of Environmental Protection, Environmental Protection Agency (2019): Waste Management in the Republic of Serbia from 2011 to 2018, available at: http://www.sepa.gov.rs/download/Otpad_2011_2018.pdf

98 Ibid.

99 "Official Gazette of the Republic of Serbia", No. 88/09.

100 "Official Gazette of the Republic of Serbia", No. 144/2014.

101 Ministry of Environmental Protection, Environmental Protection Agency (2019): Report on the Management of Packaging and Packaging Waste in 2018, available at: <http://www.sepa.gov.rs/download/A18.pdf>

102 Ministry of Environmental Protection, Environmental Protection Agency (2019): Report on the Management of Packaging and Packaging Waste in 2018, available at: <http://www.sepa.gov.rs/download/A18.pdf>

Article 5 of the Law on Waste Management¹⁰³ defines specific waste streams, describing the flow of waste (used batteries and accumulators, waste oil, waste rubber, electrical and electronic waste, waste vehicles and other types of waste) from the place of origin, through collection, transportation and treatment, to disposal at a landfill site. In chapter 7 of the same Law, Specific Waste Stream Management, Articles 47-58 stipulate the methods for managing each specific waste stream, as well as the obligations of owners of these types of waste to report and submit corresponding data to the Environmental Protection Agency. Article 75 governs the reporting procedure.¹⁰⁴

Until the stipulated deadline for the 2018 reporting year, 5,743 companies had reported. On the cut-off date (May 15th 2019), the number of companies that had submitted Annual Reports rose to 6,734. Reports are still incoming and the number of companies and the number of products is increasing every day (May 27th 2019 – 7,000 companies).¹⁰⁵

On the 20th of February 2020, the Ministry of Environmental Protection submitted the Draft Amendment to the Law on Packaging and Packaging Waste for discussion, introducing a deposit system for beverage packaging from the 1st of July 2021.

103 "Official Gazette of the Republic of Serbia", Nos. 36/2009 88/2010, 14/2016, and 95/2018 – other law.

104 Ministry of Environmental Protection, Environmental Protection Agency (2019): Products that become Specific Waste Streams after Use in the Republic of Serbia for 2018, available at: <http://www.sepa.gov.rs/download/PTO18.pdf>

105 Ibid.

Strategic and legislative framework

The Serbian Government adopted the Regulation on the Criteria for Determining Environmental Impact Activities According to the Level of the Negative Environmental Impact through the Performance of Activities, Amounts of Fees, Conditions for Its Reduction, as well as the Criteria of Significance for the Environmental Impact of Natural Persons.¹⁰⁶

The Regulation sets out new criteria for determining activities that result in negative environmental impact. According to the regulation, the activities of legal entities are designated as having:

- large environmental impact,
- medium environmental impact and
- small environmental impact.

Pursuant to the Law on Waste Management¹⁰⁷, eight Rulebooks were adopted in 2019:

- 1.** Rulebook on the List of Measures for the Prevention of Waste Generation ("Official Gazette of the Republic of Serbia" No. 7 of the 6th of February 2019);
- 2.** Rulebook on Medical Waste Management ("Official Gazette of the Republic of Serbia" No. 48 of the 5th of March 2019);
- 3.** Rulebook on the Method and Procedure of Pharmaceutical Waste Management ("Official Gazette of the Republic of Serbia" No. 49 of the 8th of July 2019);

¹⁰⁶ "Official Gazette of the Republic of Serbia", Nos. 86/2019 and 89/2019.

¹⁰⁷ "Official Gazette of the Republic of Serbia", Nos. 36/09 88/10, 14/16 and 95/18 – other law.

4. Rulebook on Criteria for Determining By-Products and the Form for Reports on By-Products, Method and Deadlines ("Official Gazette of the Republic of Serbia" No. 76 of the 25th of October 2019);
5. Rulebook on the Content of the Application for Registration in the Register of By-Products and the Register of Waste that Stopped Being Waste ("Official Gazette of the Republic of Serbia" No. 76 of the 25th of October 2019);
6. Rulebook on Technical Requirements and Other Special Criteria for Certain Types of Waste that Stopped Being Waste ("Official Gazette of the Republic of Serbia" No. 78 of the 1st of November 2019);
7. Rulebook on the Content and Appearance of the Waste Management License ("Official Gazette of the Republic of Serbia" No. 93 of the 26th of December 2019);
8. Rulebook on the Types of Waste that may be Treated in Mobile Plants and the Types of Mobile Plants for which the License for Waste Treatment is Issued ("Official Gazette of the Republic of Serbia" No. 93 of the 26th of December 2019).

The implementation of regulations

Article 85 of the Law on Environmental Protection¹⁰⁸ defines fees paid by polluters. A fee payer is defined as any person that causes environmental pollution through emissions and/or waste and that produces, uses or places on the market raw materials, semi-finished or finished products.¹⁰⁹

The Regulation on amendments to the Regulation on Pollution Types, the Criteria for Calculating Environmental Pollution Charges and Defining Payers, the Amount and Manner of Charge Calculation and Payment¹¹⁰ stipulates the fee for plastic bags, the form for keeping daily records of the amount and type of plastic bags produced, imported and exported, as well as for annual reports, the method and deadlines for the submission of annual reports, fee payers, and the criteria for the calculation, amount and manner of calculating the charges and payment.¹¹¹

Data that reporting entities submit to the information system of the Environmental Protection Agency, no later than the 31st of March of the year following the reporting year, pertains to two types of plastic bags on the market of the Republic of Serbia:

- plastic bags with additives; and
- plastic bags without additives.

108 "Official Gazette of the Republic of Serbia", No. 135 of 21st December 2004; No. 36 of 15th May 2009; No. 36 of 15th May 2009 – other law, No. 72 of 3rd September 2009 – other law; No. 43 of 14th June 2011 – CC; No. 14 of 22nd February 2016; No. 76 of 12th October 2018; No. 95 of 8th December 2018 – other law.

109 Ministry of Environmental Protection, Environmental Protection Agency (2019): Plastic Bags in the Republic of Serbia in 2018, available at: <http://www.sepa.gov.rs/download/PK18.pdf>

110 "Official Gazette of the Republic of Serbia", No. 113 of 20th December 2005; No. 6 of 19th January 2007; No. 8 of 24th February 2010; No. 102 of 30th December 2010; No. 15 of 2nd March 2012; No. 91 of 21st September 2012.

111 Ministry of Environmental Protection, Environmental Protection Agency (2019): Plastic Bags in the Republic of Serbia in 2018, available at: <http://www.sepa.gov.rs/download/PK18.pdf>

Plastic bags with additives

Plastic bags with additives are packaging made of plastic material (packaging material) to which an additive that causes oxidative degradation and biodegradation has been added during production. The Laboratory for Packaging Material and Packaging, at the Faculty of Technology in Novi Sad, confirms the biodegradability of plastic bags and establishes the presence of additives that cause degradation. The Laboratory obtained a Decision on the Appointment of the Body for Evaluating the Conformity of Plastic Bags with the Oxidation Degradation and Biodegradation Criteria on the 13th of March 2014.¹¹² Until the 15th of May 2019, 63 reporting entities had submitted reports on plastic bags with additives through the information system of the National Register of Pollution Sources. The total amount of plastic bags with additives placed on the market of the Republic of Serbia is 3,912.96 tonnes.

Plastic bags without additives

Plastic bags without additives are packaging made of plastic material to which additives that cause oxidative degradation and biodegradation have not been added in the course of production. Until the 15th of May 2019, 39 reporting entities submitted reports on plastic bags without additives through the information system of the National Register of Pollution Sources. The total amount of plastic bags without additives placed on the market of the Republic of Serbia is 309.55 tonnes.

The main challenges for waste management in the Republic of Serbia, which were recognized in the 2003 National Waste Management Strategy¹¹³, continue to pertain to ensuring good coverage and capacity for the provision of basic services, such as the collection, transportation and sanitary disposal of waste.

An assessment conducted in 2009 indicates that only 60% of the Serbian population used organized waste collection services, and that rural areas were not

112 Ministry of Environmental Protection, Environmental Protection Agency (2019): Plastic Bags in the Republic of Serbia in 2018, available at: <http://www.sepa.gov.rs/download/PK18.pdf>

113 http://zelenibiznis.unecopn.org/medjunarodni_propisi/Strategija_upravljanja_otpadom_2003.pdf

well-covered by waste collection services. According to the 2009 inventory, of all the registered landfills at that time, only six were sanitary (Kikinda, Lapovo, Leskovac, Vranje, Jagodina and Pančevo). This indicates that only 13% of the population had access to sanitary landfills.¹¹⁴

The short-term and long-term goals for waste management set out in the National Waste Management Strategy from 2010¹¹⁵ set 2020 as the target date for the provision of adequate waste management services, with the goal of 90% of the population disposing of waste at sanitary landfills by 2020.

Only 11 sanitary landfills had been built by the end of 2019, despite the 2003 National Waste Management Strategy foreseeing the creation of 29 sanitary landfills with recyclable waste separation and transfer stations. As a result, at the beginning of 2020, only 38% of the population had access to sanitary landfills, rather than the planned 90%. The objectives from the previous Strategy have not been met.

Most local self-governments had neither reached nor signed agreements and/or contracts on forming regions for waste management by the end of 2019, as stipulated by the 2003 National Waste Management Strategy.

The Draft of the new Waste Management Strategy covering the period from 2020 to 2025 has been published. The new Strategy includes a National Waste Management Plan, which is the main new addition to the strategy compared to the previous Waste Management Strategy adopted in 2010.

The Strategy particularly emphasizes the promotion of the communal waste management system and the inclusion of industry in the circular economy.

Pursuant to the Law on Inspection Supervision¹¹⁶, inspection checklists are applied as part of regular inspection supervision. There are seven checklists for waste management on the website of the Ministry of Environmental

114 <http://www.misp-serbia.rs/wp-content/uploads/2010/05/EAS-Strategija-SRP-FINAL.pdf>

115 "Official Gazette of the Republic of Serbia", No. 29 of 2nd May 2010.

116 "Official Gazette of the Republic of Serbia", Nos. 36/2015, 44/2018 – other law, and 95/2018

Protection.¹¹⁷ The checklists are updated every six months. Stakeholders may propose amendments to the checklists. The checklists do not have points anymore, and the degree of risk cannot be determined. For this reason, in addition to checklists, a Risk Assessment Tool for the Operators of Waste Management Facilities and a Guidebook for Risk Assessment and Determining Priorities in the Control of Waste Management Facilities have been introduced.

117 <https://www.ekologija.gov.rs/dozvole-obraci/spisak-kontrolnih-listi-u-sektoru-inspekcije-za-zastitu-zivotne-sredine/oblast-kontrola-upravljanja-otpadom/>

Financing

On the 2nd of December 2019, the Ministry of Environmental Protection published the Decision on Determining the Final Ranking List of the Projects on the Basis of the Public Call for Co-funding the Implementation of Projects Concerning the Rehabilitation and Remediation of Non-sanitary Landfills/Dumpsites, pursuant to Article 12 paragraph 7 of the Regulation on the Approximation of Conditions to be Fulfilled by the Beneficiaries of Funds, Conditions and Methods for the Distribution of Funds, Criteria and Measures for Evaluating the Requests for the Distribution of Funds, the Manner of Monitoring the use of Funds, and Contracted Rights and Obligations, as well as other relevant issues regarding the allocation and use of funds from the Green Fund of the Republic of Serbia.¹¹⁸

Funds from the Green Fund of the Republic of Serbia for co-funding the implementation of projects to rehabilitate and remediate non-sanitary landfills and dumpsites were granted to:

- the City of Čačak,
- the City of Kraljevo,
- the Municipality of Trstenik.¹¹⁹

The City of Čačak, the City of Kraljevo and the Municipality of Trstenik regularly submit annual data on the status of communal waste in those territories to the Environmental Protection Agency.¹²⁰

118 "Official Gazette of the Republic of Serbia", No. 25 of 30th March 2018

119 <https://www.ekologija.gov.rs/wpcontent/uploads/konkursi/Odluka%20o%20utvr%C4%91ivanju%20kona%C4%8Dne%20rang%20liste.pdf>

120 <http://www.sepa.gov.rs/DostavljanjePodataka/KOM1opstinedostavljeno.aspx>

Recommendations



Strategic and legislative framework

- 1.** Improve the waste management control system, with special emphasis on the movement and disposal of waste.
- 2.** Continue developing partnerships with civil society.
- 3.** Suspend all activities related to the amendment of the Law on Waste Management aimed at legalizing the import of waste for the purpose of co-processing and its use as an alternative fuel.
- 4.** Improve the legal framework to enable the efficient implementation of extended liability principles.
- 5.** Review regional plans and the National Waste Management Strategy, with the continued implementation of infrastructure projects for the construction of landfills.
- 6.** Adopt the waste sludge management strategy in Serbia.
- 7.** Apply the "polluter pays" principle as defined in the Law on Waste Management, as it is currently an unfinished legal definition that lacks mechanisms for the producer's extended liability.
- 8.** Promote the legislative framework to ensure stricter control of non-sanitary landfills.
- 9.** Develop a waste generation prevention plan.
- 10.** Introduce obligatory monitoring for dioxin and furan at all landfills.
- 11.** Adopt clear rules within the waste management regulations that clarify who is responsible for what.

12. Include industry in the circular economy.



The implementation of regulations

13. Create an economic model to motivate local self-governments to dispose of waste at sanitary landfills and accelerate the process of closing and remediating landfills/dumpsites.
14. Provide prerequisites for the application of waste management hierarchy principles, with an emphasis on waste prevention, as well as the reuse and recycling of waste.
15. Ensure a public reporting system for emissions of gas from landfills/dumpsites managed by PUCs (public utility companies).
16. Ensure the further implementation of the “polluter pays” principle and implement the bond industry’s inspection process to ensure true reporting.
17. Improve public awareness of the importance of establishing a waste management system and the consequences of inadequate waste management on human health and the environment.
18. Further develop the capacity of institutions at all levels to monitor and enforce the implementation of regulations.
19. Develop an efficient judicial system, capable of following and efficiently implementing regulations in the field of waste management.
20. Local self-governments that have not adopted a waste management plan or plan for the remediation of non-sanitary landfills and dumpsites on time have not been penalised as prescribed by the Law on Waste Management. Introduce penalties for local self-governments that have not adopted a waste management plan and/or fail to regularly submit data to the Environmental Protection Agency.

- 21.** Promote and regulate the leasing of chemicals in order to reduce waste within the circular economy (making as little waste as possible).
- 22.** Due to the ban on the export of hazardous waste, work on resolving that issue.
- 23.** Implement penalties for municipalities that do not send reports and data to the Environmental Protection Agency.
- 24.** Introduce systemic water and air monitoring at non-sanitary landfills, i.e. parameters recognized by all municipalities.
- 25.** Provide education and training for establishing the zero-pollution system, through cooperation between civil society and the Ministry for Environmental Protection.
- 26.** Do not import hazardous waste that Serbia has the capacity to recycle.
- 27.** Audit all permits for hazardous waste management and export.
- 28.** More intensively include public utility companies in the implementation of the packaging and packaging waste management system.
- 29.** More intensive inspection supervision of the implementation of the Law on Packaging and Packaging Waste.
- 30.** Educate the public on correct waste separation at the place of origin.
- 31.** Introduce a special article to contracts between waste generators and hazardous waste treatment operators requiring hazardous waste treatment operators to inform waste generators in writing about the final treatment of waste, thereby observing the waste producer's extended liability.



Financing

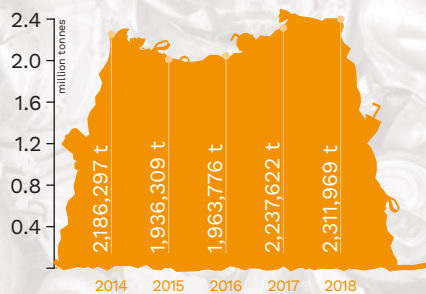
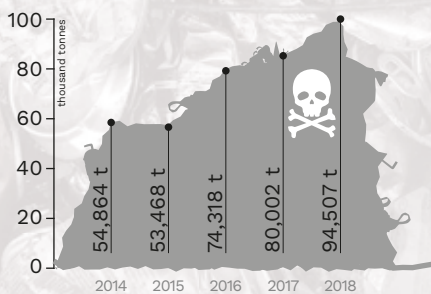
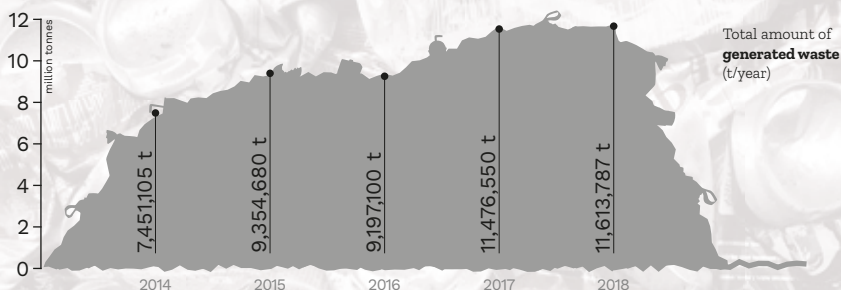
- 32.** Provide funds to finance additional landfill/dumpsite rehabilitation projects, the introduction of selective waste collection, and the construction of transfer stations and sanitary landfills.
- 33.** Provide education and information resources about the importance of establishing a waste management system and, in partnership with CSOs and the media, inform and educate the public.
- 34.** Introduce economic tools for reducing waste deposited in landfills without appropriate treatment.
- 35.** Introduce a deposit system for part of the packaging waste.
- 36.** Introduce an umbrella insurance policy for hazardous waste treatment operators so that in the event of the revocation of a licence, the insurance will bear the cost of the rehabilitation of hazardous waste and damages incurred.
- 37.** Introduce a set of economic instruments for communal waste.
- 38.** Introduce a pay as much as you throw away system.
- 39.** Make waste disposal the most expensive form of waste treatment.
- 40.** Stipulate expiry dates and the types of packaging in the deposit system only after development of the feasibility study.



WASTE MANAGEMENT

WASTE BY CATEGORY

2014–2018



Source: Waste Management in the Republic of Serbia from 2011 to 2018
Environmental Protection Agency of the Republic of Serbia, August 2019



**Water
quality**

Overview

Water-related issues have been accumulating for decades in Serbia. These issues primarily concern the pollution of water with communal and industrial wastewater and various types of hydromorphological pressures that negatively impact on the status of watercourses. The very low percentage of wastewater processing is among the biggest environmental protection challenges, particularly considering the financial resources required to improve the situation, such as building water treatment systems. There are indicators that activities related to water purification facilities have intensified during the reporting period. Nonetheless, more investment and faster implementation is required in this field.

During the reporting period, the specific Implementation Plans for the four EU Water Directives were prepared and should be used in the preparation of the negotiating position of the Republic of Serbia in the process of EU accession in the field of water.

During the previous year, the Water Directorate of the Ministry of Agriculture, Forestry and Water Management initiated the implementation of the *Support to policy planning in the water management sector* project. At the end of 2019, the first steps towards the development of the Water Management Plan for the Territory of the Republic of Serbia 2021-2027 were taken.

Strategic and legislative framework

The most significant document on water management that was under development during the reporting period was the Water Management Plan for the Territory of the Republic of Serbia 2021-2027. The Water Directorate began the development of the Plan through the *Support for policy planning in the water management sector* twinning project. Two preparatory documents were developed in 2019: The Draft Work Programme and the Schedule for Developing the Water Management Plan for the Territory of the Republic of Serbia 2021-2027¹²¹, and the draft Report on Significant Issues in Water Management in Serbia.¹²² Both documents were published on the web page of the Water Directorate and interested members of the public were invited to submit comments (by April 2020). If the Plan is adopted within the planned period (by end of 2021), the Republic of Serbia will enter the third planning cycle of the EU Water Framework Directive.

During the reporting period, there were no amendments to the Law on Waters¹²³. The following bylaws were adopted:

- The Regulation on Publicly Owned Water Estate Leases¹²⁴ – the Regulation is of a technical nature and describes in detail the procedure for leasing river basin land (by announcement and public tender).

121 http://www.rdvode.gov.rs/doc/dokumenta/javne-rasprave/Program-rada-i-dinamika-izrade-Plana_nacrt_final_251019.pdf

122 http://www.rdvode.gov.rs/doc/dokumenta/javne-rasprave/Izvestaj-o-znacajnim-pitanjima_nacrt_final_191029.pdf

123 "Official Gazette of the Republic of Serbia", No. 95/2018.

124 "Official Gazette of the Republic of Serbia", No. 50/2019.

- The Regulation on Establishing a General Flood Protection Plan¹²⁵ – the plan covers a six year period and stipulates measures to be undertaken in periods of high water, the manner of institutional organization and responsibilities, the observation and recording of hydrological and other data, and the forecasting of phenomena and alerting relevant public institutions and the public in the case of floods. The Flood Risk Management Plan for the Territory of Serbia, the development of which is mandatory pursuant to the Law on Waters and the EU Floods Directive on the assessment and management of flood risks, has not yet been adopted.
- Rulebook on Establishing the Plan for the Extraction of River Deposits with the Atlas of Maps for the Extraction of River Deposits for the River Basins of the Danube, Sava, Velika Morava, Zapadna Morava, Južna Morava and Drina (for the period August 2019 – August 2021)¹²⁶, this is the second Plan of its type and represents an attempt to establish control over river sediment use. The Plan does not include any changes regarding the permitted amounts of extraction compared to the previous plan (2017-2019). The report on the extent to which the previous plan was implemented is not available. Although the introduction of plans for the extraction of river sediments creates a basis for the introduction of better control in this field, the issue of the implementation of these provisions remains.

125 "Official Gazette of the Republic of Serbia", No. 18/2019.

126 "Official Gazette of the Republic of Serbia", No. 67/2019.

The implementation of regulations

Longstanding problems in the implementation of planning and legal documents in the area of water management remain. Other than the acceleration of the process of designing and constructing wastewater treatment plants¹²⁷, there have been no other significant steps forward.

Limited financial and human resources continue to represent a basic obstacle to serious progress in this complex sector. There have been developments in transposing EU legislation (preparation of the Water Management Plan for the Territory of the Republic of Serbia), however these developments have been very slow and have mostly relied on the initiative and financial support of the EU.

Water pollution is commonly emphasized as the greatest challenge not only in the water sector, but to environmental protection as a whole. Several projects for the construction of wastewater treatment plants have been initiated in the reporting period, which is encouraging. A significant contribution to this process has been made by the EU, which has provided financial support for several projects. Several wastewater treatment systems have been brought to the final stage of construction in the reporting period (Kruševac, Leskovac, Vršac and Zlatibor) and project preparation or the beginning of construction was announced in several towns (Čačak, Bačka Topola, Feketić, Kraljevo, Kopaonik-Jošanička Banja, Niš and Pirot). Consolidated plans for the construction of wastewater treatment plants in the territory of Serbia are still not available. The Water Management Strategy has provided priorities for the construction of these systems, but it is still not clear how they are implemented in practice. Consequently, despite being a key strategic and financial aspect of EU accession, it is not possible to gain a clear overview of progress in this field. Monitoring the dynamics of project preparation and construction represent a particular challenge, as there are frequent inter-

127 WWTP – Wastewater treatment plant

ruptions and delays of several years. It is obvious that determination to invest in resolving the issue of communal wastewater pollution has been shown, but it is concerning that it is not possible to gain insight into long-term planning or a comprehensive schedule for the implementation of these projects. One document that could help address this issue is the Plan for the Protection of Water Against Pollution, the adoption of which is stipulated by the Law on Waters. The Plan has not yet been adopted, as it relies on the Water Management Plan, the drafting of which has only recently started.

The first Plan for the Extraction of River Deposits on the territory of the Republic of Serbia was developed in 2017¹²⁸; a new two-year plan was developed in 2019.¹²⁹ The new plan does not present anything essentially new and contains the same limitations as the previous plan. The issue of uncontrolled and excessive use of river deposits from Serbian rivers remains. The capacity of competent institutions remains insufficient to correctly respond to these pressures, which dramatically endanger Serbia's rivers. Several organizations and media have highlighted the obvious issue of corruption and illegal activities related to gravel extraction.

The illegal use and usurpation of river basin land has still not been appropriately addressed by the competent institutions. This complex issue goes beyond institutions in the water sector, and resolving it requires the coordination of several sectors; it is particularly important that the Ministry of Construction, Transport and Infrastructure and the competent provincial and municipal institutions take appropriate action. A key step towards resolving this issue is to define water estate boundaries and introduce them into the realty registers. The Law on Waters stipulates the adoption of a bylaw on determining water estate boundaries, but the bylaw has not yet been adopted and no information is available concerning it.

The previous year was also marked by the continuation of protests by local communities, as well as experts and the general public, against the construction of small hydropower plants in Serbia. The reaction of the competent institutions remains declarative only. According to unofficial information, the Ministry of Environmental

128 "Official Gazette of the Republic of Serbia", No. 82/2017.

129 "Official Gazette of the Republic of Serbia", No. 67/2019.

Protection has prepared a Draft Amendment to the Law on Nature Protection¹³⁰ to prohibit the construction of small hydropower plants in protected areas, which has been sent to other ministries with a request to submit opinions about the draft.

The Cadastre of Small Hydropower Plants from 1987, pursuant to which the locations of small hydropower plants in the spatial plans of local self-governments were proposed, has never been verified by a body of the Republic of Serbia and its non-binding character has been confirmed by the Spatial Plan of the Republic of Serbia 2010–2020¹³¹, as well as the National Renewable Energy Action Plan of the Republic of Serbia¹³², the National Strategy for the Sustainable Use of Natural Resources and Goods¹³³, as well as the Energy Sector Development Strategy of the Republic of Serbia by 2025 with projections until 2030.¹³⁴

Information about the development of the new Cadastre of Small Hydropower Plants, which the Ministry of Mining and Energy is implementing through an IPA project (*EuropeAid/135623/IH/SER/RS*), is still unavailable to the public, despite clear public interest in this information. At the time of writing of this report, no information about the project's implementation or results is publicly available.

Incentives for renewable energy sources provided by the Serbian Government to investors continue to drive small hydropower plant expansion. The Decree on Incentive Measures for Electricity Generation from Renewable Sources and the High-Efficiency Cogeneration of Electricity and Heat¹³⁵ ceased to have effect on the 31st of December 2019. On the 16th of January 2020, the Ministry of Mining and Energy issued a communication stating that “persons acquiring the status of a temporary privileged producer and/or privileged power producer on the basis of an application submitted after the 31st of December 2019, will acquire rights to incentive measures but cannot exercise them before the adoption of

130 “Official Gazette of the Republic of Serbia”, Nos. 36/2009 88/2010, 91/2010 – corrigendum, 14/2016 and 95/2018 – other law.

131 <https://www.mgsi.gov.rs/sites/default/files/ZAKON%20O%20PROSTORNOM%20PLANU%20RS%20OD%202010%20DO%202020.pdf>

132 https://www.mre.gov.rs/doc/efikasnost-izvori/NAPOIE%20KONACNO%2028_jun_2013.pdf

133 “Official Gazette of the Republic of Serbia”, Nos. 33/2012, available on: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2012/33/1/reg>

134 “Official Gazette of the Republic of Serbia”, Nos. 101/2015, available on: <https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/ostalo/2015/101/1/reg>

135 “Official Gazette of the Republic of Serbia”, Nos. 56/16, 60/17, and 91/2018.

a new regulation". At the time of writing of this report, three months after the expiry of the deadline, a new regulation had not been adopted.

Despite the relatively high number of small hydropower plants (137) operating in 2018, they contributed only 0.8% of the power supply in Serbia, with great damage caused to river ecosystems and the surrounding local communities. In 2018, small hydropower plants were granted almost half of all incentives intended for renewable energy sources in Serbia – slightly less than €25 million out of a total of €52.7 million.¹³⁶ Despite criticism by experts and organizations, the Serbian government has decided to continue the controversial policy of providing incentives for small hydropower plants, and in 2020 will not change the incentivized fee for privileged power producers, which will remain at RSD 0.093 per kilowatt-hour (KWh).¹³⁷ In July 2019, a group of CSOs submitted proposals to the Ministry of Mining and Energy in order to open a dialogue on this issue and initiate changes to the incentive scheme for renewable energy sources toward a more financially and environmentally sustainable direction.¹³⁸ At the time of writing of this report, the Ministry of Mining and Energy had not responded.

An existing mechanism for preventing the construction of small hydropower plants that will harmfully impact on natural resources are modifications of local spatial plans. By the end of 2019, local CSOs had submitted applications to several local self-governments pertaining to a ban on issuing licences at all small hydropower plant locations for which procedures have not been initiated. Pursuant to these applications, decisions have been made in Pirot, Svrlijig, Bor, Paraćin, Užice, Požega and Arilje.

One of the basic objectives of the Water Framework Directive is to achieve the good ecological status of water bodies. The fulfilment of this objective includes large-scale river and river habitat restoration projects, in order to eliminate hydromorphological pressures that have an adverse impact on water ecosystems. There are still no serious river restoration initiatives in Serbia, despite a high

136 Energy Agency of the Republic of Serbia (AERS) (2019): Energy Agency Activity Report for 2018

137 Decision of the Energy Agency Council, No. 311.01-2/2019-S-I ("Official Gazette of the Republic of Serbia", No. 16/2020)

138 Balkan Green Energy News: Let the sunshine in, say civil society groups, available at: <https://balkangreenenergynews.com/let-the-sunshine-in-say-civil-society-groups/>

percentage of watercourses having been significantly altered and/or negatively impacted on. Initiating and implementing these projects requires cooperation with other sectors, primarily with the energy sector, which is most prominent in putting pressure on rivers (river damming and regulation); these sectors will need to take part in river restoration project funding.

Although the new Law on Waters and the Water Management Strategy introduced the concept of integral water management into public policies, it is being implemented slowly in practice. Out-dated approaches to watercourse regulation are still prevailing at the expense of the protection of watercourse and aquatic ecosystems. The significance of natural ecosystems in the mitigation of floods and water treatment continues to be neglected, with watercourses assessed separately from the accompanying ecosystems. There are no data about activities or plans for the integral renewal of watercourses. Moreover, proposals have been made for very harmful projects that will place significant hydromorphological pressures on watercourses and further deteriorate already unfavourable watercourse conditions. An example is the construction of a residential complex on *Ribarsko ostrvo*, a waterside area in Novi Sad, which has recently been reported on by the media. Although only unofficial information has been reported by the media about this project¹³⁹, it is concerning that any proposal would include moving the existing embankment and the expansion of construction land at the expense of the floodplains.

Better news for watercourse protection and preservation, at least declaratively, is the withdrawal of the Serbian Government's support for the construction of a new port in the area of Beljarica near Belgrade.¹⁴⁰ This construction project was controversial due to the importance of the location for biodiversity protection; the area is an important bird habitat and a potential area of the European ecological network *Natura 2000*. It is unclear whether the Ministry of Construction, Transport and Infrastructure has accepted the objections of nature protection organizations and experts in choosing to withdrawn from the project, or it is due other reasons.

139 <http://www.politika.rs/scc/clanak/447719/Ko-i-sta-koci-Novi-Sad-na-vodi>, <https://www.slobodnaevropa.org/a/30432925.html>

140 <http://rs.n1info.com/Vesti/a573954/Luka-nece-biti-u-Beljarici.html>

Financing

The total budgetary allocation for water management is difficult to assess, as funds are divided across several budget lines and several ministries (capital investments, international project co-funding, etc.). However, there is general agreement within the expert community that the allocated funds remain many times lower than needed.

The Budget of the Republic of Serbia for 2019¹⁴¹ allocated RSD 1,513,782,000 for the Republic Water Directorate and RSD 3,928,000,000 for the Budget Water Fund. In the budget for 2020, funds earmarked for the Republic Water Directorate have increased by about 17% compared to the previous year (RSD 1,769,320,000 in 2020), whereas the allocation for the Budget Water Fund has decreased by about 1.5% (RSD 3,870,362,000 in 2020).

According to the Regulation on Determining the Water Management Plan in 2019,¹⁴² RSD 3.7 billion was allocated from the Budget Water Fund for water regulation and use, water protection against pollution, the regulation of water-courses and protection against the harmful effects of water, and planning and international cooperation in the field of water. In 2020, RSD 4.3 billion¹⁴³ was allocated for these purposes, an increase of 16%. The largest portion of funds, about RSD 2.9 billion (over 70% of the total budget), was again allocated for the regulation of watercourses and protection against the harmful effect of water.

Funds allocated to other ministries and institutions concerning water protection should be considered alongside these budget items. RSD 60,000,000 of the budget of the Ministry of Construction, Transport and Infrastructure were allocated in 2020 for the construction of wastewater treatment plant in Kikinda,

141 "Official Gazette of the Republic of Serbia", No. 95/2018.

142 Regulation on determining the Water Management Plan in 2018, "Official Gazette of the Republic of Serbia", No. 12/2019.

143 Regulation on determining the Water Management Plan in 2020, "Official Gazette of the Republic of Serbia", No. 13/2020.

whereas RSD 270,000,000 of the budget of the Ministry of Environmental Protection were allocated the construction of a WWTP in Leskovac.

Public investment in the water sector has continuously grown in recent years, in large part due to the support of the EU and other donors. For example, the financial assistance of the EU in the budget of the Republic Water Directorate rose from RSD 47 million in 2019 to RSD 250 million in 2020. This is an encouraging trend, but greater and faster mobilization of national resources should continue to be insisted upon.

Recommendations



Strategic and legislative framework

- 1.** Integrate nature directives (Birds Directive and Habitats Directive) into the area of water management. Better coordination is needed between the water management and environmental sectors in relation to the implementation of the EU directives.
- 2.** Develop a concrete plan and measures in order to improve water quality monitoring according to the Water Framework Directive.
- 3.** Develop specific strategies for improving investment in wastewater treatment facilities. Initiate the development of models and strategies for knowledge transfer in the field of wastewater treatment in order to reduce costs and utilize domestic capacities.
- 4.** Adopt strategic and planning documents in accordance with the obligations arising from the Water Framework Directive (Water Management Plan and Flood Risk Management Plan).



The implementation of regulations

- 5.** Build capacity and improve organization of public institutions responsible for water management, particularly at a local level – the complexity of local management issues requires increased personnel and technical capacities. The competent institutions should conduct an analysis of existing capacities as soon as possible and develop a plan for improvement. To achieve this, professional institutions and CSOs should advocate for greater political and financial support for the water management sector.

- 6.** Develop structured cooperation with other relevant sectors: environmental protection, energy, agriculture and spatial planning. Establish continuous communication and the exchange of information between the sectors.
- 7.** Further promote public participation in public policy development in the water management sector. Public consultations should provide more opportunities for participation than the minimum legal requirement. The engagement of stakeholders should start at the early stages of public policy development.
- 8.** Integrate sustainable solutions into water management practices and more seriously consider ecosystem services. Development of specific capacities in the competent institutions to meet these needs is necessary.
- 9.** Improve the control and mitigation of key threats: Intensive proliferation and poor-planning of small hydropower plants, gravel extraction, pollution, uncontrolled use of groundwaters, and illegal construction on river banks. River habitats, swamps and water resources in general are very vulnerable in Serbia. Immediate action at a national level is required.
- 10.** Develop a single, publicly accessible database on the planning and construction of wastewater treatment plants and enable more efficient and systematic planning and monitoring of project implementation across the whole territory of Serbia.



Financing

- 11.** Gradually increase the price of water and service fees for wastewater transport and processing in order to enable the construction and operation of necessary infrastructure facilities.
- 12.** A permanent increase in budget funds to finance activities related to water management and protection.



WATER QUALITY

Serbia is **NOT RICH** in water resources, but in spite of that,
WE SUBSIDIZE THE DESTRUCTION OF RIVERS WITH PUBLIC FUNDS.

In 2018, about
EUR 25,000,000
of incentives for SHPPs was paid



More than 50% of that sum is
considered **social loss.**

In some cases, the
preferential price
we are paying to the
producers of energy
from SHPPs is

2-3 TIMES

more expensive than
the market price



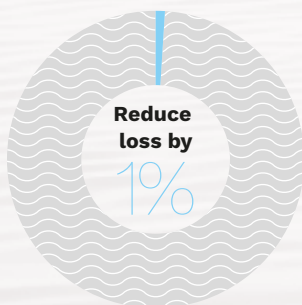
MARKET

PREFERENTIAL PRICE

TOTAL PRODUCTION OF ENERGY

SHPP →

* less than 1%



Energy losses in the system are estimated at 12%.

If the losses decreased by only 1%,
it would compensate for the **total energy**
production from SHPPs and in the state budget,
we would save tens of millions annually,
protecting our watercourses at the same time.



KOALICIJA 27



Nature protection

Overview

The reporting period has been marked by issues that have previously been noted, the resolution of which require building administrative capacity, more inclusive decision-making processes and better cooperation among sectors, as well as the political readiness to meet high standards of nature protection.

The lack of legislative activity in the reporting period has not resolved the deeply rooted and growing discrepancies between the protection and use of natural values. There has been a notable emphasis by legislators on creating a legal framework that enables developers to gain consent for development projects with ease, rather than setting necessary standards for nature protection. Despite numerous announcements, amendments to the Law on Nature Protection¹⁴⁴, concerning the construction of small hydropower plants in protected areas have not been adopted. A ten-year wait for the adoption of the Regulation on the Accessibility Assessment for the Ecological Network represents a particularly prominent example of the slow legislative process.

Work on defining the strategic framework of nature protection, which began in 2016, has been equally tormented, and, in its latest iteration, offers a document that varies significantly from the documents stipulated by the applicable Law on Nature Protection.

The implementation of the Law on Nature Protection has not achieved the goals set out in the current Spatial Plan of the Republic of Serbia for establishing protected areas, due to the duration of the procedure for proclaiming protected areas.

144 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 91/2010 – corrigendum, 14/2016 and 95/2018 – other law.

One positive indicator is the somewhat greater cohesion of civil society initiatives regarding the resolution of the issue relating to illegal acts against wild species.

One of the key reasons for the negative situation in the sector is the lack of funds invested by the State in nature protection, as well as the insufficient number of projects that would improve the situation in this area.

Strategic and legislative framework

The adoption of the Draft Law on Amendments to the Law on Nature Protection, which will prohibit the construction of the small hydropower plants in protected areas, should have been adopted in March 2019; however, the Draft Law has not yet been adopted. The Serbian Government Work Plan for 2020¹⁴⁵ envisages that the Draft Law on Nature Protection should be on the agenda by December 2020. The Draft is not available to the public, and given the generalized description of the proposed amendments, it is not clear what the subject matter of the amendments will actually be.

Amendments to the Law on Nature Protection in 2010 established the obligation of the Government to stipulate, in detail, the Appropriate Assessment procedure, harmonizing the legislative framework of the Republic of Serbia with Article 6, paragraph 3, of the EU Habitats Directive, which stipulates that plans and programmes that could impact on protected areas must be the subject of an Appropriate Assessment. The Regulation on Appropriate Assessment has not been adopted in the period covered by this Report; however, according to the Serbian Government Work Plan for 2019¹⁴⁶, the Regulation should have been on the agenda by December 2019. Although the third revision of the National Programme for the Adoption of the Acquis¹⁴⁷, in February 2018, stated that the draft of the Regulation had already been prepared, it had not been made available to the public at the time of the publication of this Report.

145 Government of the Republic of Serbia (2020): Government Work Plan 2020, available at: https://www.srbija.gov.rs/extfile/sr/370541/plan-rada-vlade-srbije-za-2020_cyr.pdf

146 Government of the Republic of Serbia (2019): Government Work Plan 2019, available at: http://www.gs.gov.rs/doc/PLAN_RADA_VLADE_2019.pdf

147 https://www.mei.gov.rs/upload/documents/nacionalna_dokumenta/npaa/npaa_2018_2021.pdf

The Rulebook on Declaring a Closed Hunting Season for the Protected Wild Game Species¹⁴⁸, which entered into force in 2016, does not comply with the EU Birds Directive, as it enables the hunting of certain game species throughout the year for the purpose of preventing damage to hunting grounds, without the fulfilment of the requirements stipulated by Article 9, paragraph 2, of the Birds Directive. The Rulebook allows hunting of the turtle dove (*Streptopelia turtur*), fails to specify the exact period of the closed hunting season, and deviates from the Birds Directive regarding the hunting of species with an unfavourable conservation status, as well as hunting and disturbance due to hunting during the breeding season of permanently protected species or species protected during the closed hunting season. During the reporting period, there have been no indications that amendments have been made to the Rulebook on Declaring a Closed Hunting Season for Protected Wild Game Species, or the Rulebook on the Declaration and Protection of Strictly Protected and Protected Wild Species of Plants, Animals and Fungi¹⁴⁹, or regarding the harmonization of the status of species protected by national legislation with statuses stipulated by the Birds and/or Habitats Directive.

Despite unofficial information that the preparation of amendments to the Law on Game and Hunting¹⁵⁰ began in 2018, with the appointment of the Working Group members, information about the results of the Working Group were not made available to the public during 2019. According to the Serbian Government Work Plan for 2020, the Draft Law should be on the agenda by December 2020.

The Serbian Government's Work Plans for 2019 and 2020 have extended the deadline for the completion of the Draft Law on Amendments to the Law on the Protection and Sustainable Use of Fish Resources¹⁵¹, from March 2019 to December 2020. CSO representatives were included in the Special Working Group that developed the Draft Law.

148 "Official Gazette of the Republic of Serbia", Nos. 9/2012, 31/2013, 55/2015, 67/2015 and 75/2016.

149 "Official Gazette of the Republic of Serbia", Nos. 5/2010, 47/2011, 32/2016 and 98/2016.

150 "Official Gazette of the Republic of Serbia", Nos. 18/2010 and 95/2018 – other law.

151 "Official Gazette of the Republic of Serbia", Nos. 128/2014 and 95/2018 – other law.

A novelty of nature protection legislation in the Republic of Serbia is the intent to regulate cross-border transportation and trade of wild species of plants and animals with a special law, which, according to the Serbian Government Work Plan for 2020, should be on the agenda by December 2020. The special law is an opportunity to regulate this sector in a more comprehensive manner and to fully harmonize the legislative framework with the EU Regulation on the protection of species of wild fauna and flora by regulating trade therein (EC No. 338/97).

After several years of development, the Draft Nature Protection Programme of the Republic of Serbia 2020-2022 was presented in December 2019. The Draft Programme was developed by a Working Group formed by the Ministry of Environmental Protection, in accordance with an opinion issued by the Public Policy Secretariat of the Republic of Serbia, on the basis of the revised of the Draft Nature Conservation Strategy of the Republic of Serbia 2019-2025¹⁵², in accordance with the Law on the Planning System of the Republic of Serbia.¹⁵³ According to an official statement, a public review of the document was carried out in 2016, followed by harmonization with the submitted comments.^{154,155} Although the scope of the Draft Nature Protection Programme is harmonized with the Law on the Planning System, the period covered by the Programme is significantly shorter than that stipulated by the Law on Nature Protection.

152 <https://www.ekologija.gov.rs/predlog-strategije-zastite-prirode-za-period-od-2019-do-2025-godine/>

153 "Official Gazette of the Republic of Serbia", No. 30/2018.

154 <https://www.ekologija.gov.rs/predlog-programa-zastite-prirode-za-period-od-2020-do-2022-godine/>

155 <https://www.ekologija.gov.rs/javni-uvod-o-predlogu-strategije-o-zastiti-prirode/?lang=lat>

The implementation of regulations

According to the website of the Ministry of Environmental Protection, during the reporting period, procedures for the protection and revision for 23 nature areas with a total area of 90,498.82 hectares have been initiated and public reviews of regulations on the protection of three areas have been implemented.¹⁵⁶ During the same period, the Serbian Government adopted eight regulations proclaiming protected areas. However, none of these were proposed in the Serbian Government Work Plan for 2019. The proclamation of 14 protected areas were planned for 2019, however, this did not happen.¹⁵⁷

The process of creating protected areas often takes several years, both the period from proclamation to initiation of the protection procedure^{158,159,160,161}, and the period from the initiation of the procedure to the adoption of the proclamation document^{162,163} which makes it difficult to bridge the gap between the protection and actual use of nature areas, and undermines the efficient implementation of protection measures. All of which leads to the depletion of the area's natural values.

156 <http://www.ekologija.gov.rs/category/obavestjenja/zastita-prirode>

157 <https://www.srbija.gov.rs/dokument/358235/sednice-vlade-za-vreme-mandata-vlade-republike-srbije-izabrane-29-juna-2017-godine-dokumenti-sa-sednica-odrzanih-2019-godine.php>

158 <http://www.pzzp.rs/rs/sr/zastita-prirode/studije-zastite/podrucja-u-postupku-zastite/item/605-specijalni-rezervat-prirode-pasnjaci-velike-droplje.html>

159 <https://www.ekologija.gov.rs/obavestjenje-o-postupku-pokretanja-zastite-specijalnog-rezervata-prirode-pasnjaci-velike-droplje/>

160 <http://www.pzzp.rs/rs/sr/zastita-prirode/studije-zastite/podrucja-u-postupku-zastite/item/361-predeo-izuzetnih-odlika-potamisje.html>

161 <https://www.ekologija.gov.rs/obavestjenje-o-postupku-pokretanja-revizije-zastite-predela-izuzetnih-odlika-potamisje/>

162 <http://www.pzzp.rs/rs/sr/zastita-prirode/studije-zastite/podrucja-u-postupku-zastite/item/163-specijalni-rezervat-prirode-karadordevo-uskladjivanje-sa-zakonom-o-zastiti-prirode.html>

163 <https://www.ekologija.gov.rs/obavestjenje-o-postupku-pokretanja-zastite-specijalnog-rezervata-prirode-karadjordjevo/>

In addition to the proclamation of protected areas, many of which are ecological networks that meet the NATURA 2000 criteria, there is also a string of issues concerning the implementation of nature protection. It is clear that in managing protected areas, priority is usually given to exploitation of natural resources, rather than the protection of nature. Due to the weaknesses of management plans and their implementation, and the fact that management plans rarely include updated and high-quality data on biodiversity, there are no restrictive conditions for the implementation of activities and projects that harmfully impact on biodiversity or the natural values of areas that possess natural values. Among other issues, there are tight deadlines for the issuance of nature protection conditions stipulated by the Law on Planning and Construction procedures¹⁶⁴, and formal Environmental Impact Assessment procedures are undertaken as a formality once other conditions for a development project have been issued, minimizing the likely impact of the Assessment on potentially harmful development projects. Given these circumstances, as well as the lack of a stipulated procedure for the stipulated procedure for the a p know what the term means specifically"hel the other texts.propriate assessment of plans and projects for the ecological network, it can be concluded that the standards for the protection of habitats and species stipulated by the Birds Directive and Habitats Directive have not been met. This conclusion is supported by increasing pressure on the ecological network in the form of the planning and implementation of projects for electricity generation, road building and other types of infrastructure, tourism, and mineral exploitation, among others. In addition to the unchanged status of the construction of small hydropower plants, a particular concern is the construction of ski centres and winter tourism infrastructure in valuable protected areas, such as Kopaonik

164 "Official Gazette of the Republic of Serbia", Nos. 72/2009, 81/2009 – corrigendum, 64/2010 – CC, 24/2011, 121/2012, 42/2013 – CC, 50/2013 – CC, 98/2013 – CC, 132/2014, 145/2014, 83/2018, 31/2019, 37/2019 – other law and 9/2020.

National Park,^{165,166,167,168} Stara Planina Nature Park¹⁶⁹, Zlatibor Nature Park¹⁷⁰ and Golija Nature Park.^{171,172}

During the reporting period, the establishment of the ecological network of the Republic of Serbia and the ecological network of the European Union NATURA 2000 in Serbia have continued through projects funded from the budget of the Republic of Serbia and EU IPA funds. The Ministry of Environmental Protection allocated part of the funds to support the Institute for Nature Conservation of Serbia to implement projects to obtain data on types of habitats and individual organisms of flora and fauna and data on birds, as well as obtaining data for the development of Red Lists of individual groups of species. These projects should also result in proposals for Special Protected Areas and/or Sites of Community Importance, and proposals for amendments to the Rulebook on the declaration and protection of strictly protected wild species of plants, animals and fungi. Project activities initiated in 2018 were completed in 2019, and new projects with similar objectives initiated. Information about the activities that have been implemented and the results achieved as part of these projects is not publicly available.¹⁷³

EU IPA funds have been allocated to a two-year project that continues the establishment of the NATURA 2000 network in Serbia, which began in May 2019. The project aims to complete the designation of potential SPA and SCI areas in accordance with the Birds Directive and the Habitats Directive; develop

165 <https://www.ekologija.gov.rs/resenje-o-davanju-saglasnosti-na-studiju-o-proceni-uticaja-na-zivotnu-sredinu-projekta-izgradnje-ski-staze-na-k-p-br-550-23-i-551-2-k-o-dobroselica/>

166 <https://www.ekologija.gov.rs/resenje-o-davanju-saglasnosti-na-studiju-o-proceni-uticaja-na-zivotnu-sredinu-projekta-izgradnje-ski-staze-na-k-p-br-550-23-i-551-2-k-o-dobroselica-2/>

167 <https://www.ekologija.gov.rs/zahtev-za-odlucivanje-o-potrebi-proceni-uticaja-na-zivotnu-sredinu-projekta-izgradnje-ski-staze-pancic-duboka-u-okviru-alpskog-skijalista-tc-kopaonik-na-k-p-1319-15-1333-1-ko-brzece/>

168 <https://www.ekologija.gov.rs/zahtev-za-odlucivanje-o-potrebi-proceni-uticaja-na-zivotnu-sredinu-projekta-izgradnje-ski-staze-u-okviru-alpskog-skijalista-tc-kopaonik-na-k-p-1319-15-i-1333-1-ko-brzece/>

169 <http://www.jpstaraplanina.rs/lat/javna-prezentacija-urbanistickog-projekta-za-izgradnju-sportsko-rekreativnog-centra-na-jabuckom-ravnistu/>

170 <https://www.ekologija.gov.rs/resenje-o-davanju-saglasnosti-na-studiju-o-proceni-uticaja-na-zivotnu-sredinu-projekta-izgradnje-ski-staze-na-k-p-br-550-23-i-551-2-k-o-dobroselica-2/>

171 <https://www.ekologija.gov.rs/zahtev-za-odlucivanje-o-potrebi-proceni-uticaja-na-zivotnu-sredinu-projekta-izgradnje-ski-staze-u-okviru-alpskog-skijalista-tc-kopaonik-na-k-p-1319-15-i-1333-1-ko-brzece/>

172 <http://pticesrbije.rs/2019/10/26/golija-dom-za-najrede-sove-u-srbiji-evo-sta-ugrozava-njihov-opstanak/>

173 <http://portal.ujn.gov.rs/RezultatiPretrage.aspx?tab=1&pocetna=1&tp=F1KlMn+JuNI=&nar=OvHT0c99OML-Wsq+56Oeh4ox1WYxFmSpGpMjJ6frDW2C9lggL+FqgTowl8hrmI326CKBcjOoU2scq7yhNN7AoLQ==>

an information system, database and GIS for NATURA 2000 areas; harmonize and revise national legislation in line with EU directives on nature protection; strengthen technical and administrative capacity for the implementation of the Nature Protection Law; and implement an awareness-raising campaign about the NATURA 2000 network.¹⁷⁴ According to the interim report of the project, activities in 2019 primarily focused on establishing the project team, cooperation with stakeholders in the field of the environment, and achieving the first two sets of results.¹⁷⁵

The Ministry of Environmental Protection has engaged to a limited degree in certain issues that have drawn a lot of public attention in recent years, such as the burning of stubble and the uncontrolled fires it caused. In addition to advocating for strengthened inspection and a corresponding penal policy, the inclusion of CSOs in a campaign to educate the public also represents a step forward.^{176,177}

During the reporting period, progress was made in improving the management of national parks in Serbia, through the establishment of advisory boards at three national parks¹⁷⁸, stipulated by the Ministry of Environmental Protection in accordance with the Law on National Parks.¹⁷⁹ The purpose of the advisory boards is to provide sustainable resource management for protected areas through local community participation in the drafting of management plans and programmes.

Action plans for the management of lynx and bear populations have been prepared during 2019. The action plans were drafted by experts from the Faculty of Biology and the Natural History Museum in Belgrade, with funding from the Ministry of Environmental Protection. CSOs were included in consultations during the drafting of the plans. According to available information, the draft

174 <http://natura-2000.euzatebe.rs/rs/o-projektu>

175 Eptisa: EU for Natura 2000 in Serbia. 1st Interim Report 27th July 2019 – 31st January 2020

176 <https://www.ekologija.gov.rs/projekti/ne-pali-strnjiku/>

177 <https://www.ekologija.gov.rs/poziv-javnosti-ne-palimo-strnjiku/>

178 <https://www.ekologija.gov.rs/osnovani-saveti-korisnika-u-tri-nacionalna-parka-srbije/>

179 "Official Gazette of the Republic of Serbia", Nos. 84/2015 and 95/2018 – other law.

plans have been submitted to the Ministry of Environmental Protection, but no information is available about when and how the plans will be adopted officially.

The Ministry of Environmental Protection imposed a ban on catching Sterlet (*Acipenser ruthenus*) on the 1st January 2019.¹⁸⁰ The Ministry also stated that the budget for 2019 would allocate funds for sterlet population research in the Republic of Serbia in order to determine further protective measures. At the beginning of 2019, the Ministry initiated a public procurement procedure for sterlet population research; however, in May 2019 Ministry's website announced that the tender had failed as no offers had been submitted.¹⁸¹ According to unofficial information, the tender will be repeated in 2020.

In the period covered by this Report, there have been no activities to build the capacity of competent bodies to fight crime related to endangered wild species. In October 2019, training for police and customs officers and public prosecutors was organized by the Ministry of Environmental Protection of the Republic of Serbia in cooperation with the Ministry of Defence of the Republic of Italy.¹⁸² In February 2020, training for inspectors, police officers prosecutors and basic court judges was delivered and co-organized by CSOs and the Ministry of Environmental Protection, aiming at strengthening capacity to conduct investigations and detect illegal acts pertaining to wild species and their habitats.^{183,184}

Despite warnings by civil society about widespread poisoning of wild animals, particularly birds, and a lack of focused action to systemically resolve this issue, no progress was made in this field in 2019. At the end of 2019, civil society organisations launched an initiative to establish a working group against poisoning and for developing guidelines for handling cases of poisoning. The drafting of a document to regulate the responsibilities of relevant bodies in cases

180 <https://www.wwfadria.org/sr/?uNewsID=340452>

181 https://www.ekologija.gov.rs/wp-content/uploads/nabavke/2019/OBAVESTENJE_O_OBUSTAVI_POSTUPKA_KECIGA.pdf

182 <https://www.ekologija.gov.rs/saradnja-sa-ministarstvom-odbrane-republike-italije-arma-dei-carabinieri-u-suzbijanju-kriminala-vezanog-za-ugrozene-divlje-vrste/>

183 <https://www.ekologija.gov.rs/odrzana-obuka-za-otkrivanje-procesuiranje-i-sankcionisanje-prestupa-vezanih-za-divlje-vrste/>

184 <https://www.wwfadria.org/sr/?uNewsID=360394>

of poisoning and other cases of illegal acts against wild species was initiated by the Ministry of Environmental Protection in 2017; however, no information about the progress of this process was available during reporting period. In September 2019, a group of CSOs also submitted a draft national strategy for the fight against the illegal killing, capturing, keeping and trade of wild birds in the Republic of Serbia, which aims to establish a strategic framework to improve the protection of birds.

The African-Eurasian Migratory Waterbird Agreement, ratified in 2018, entered into force for Serbia on the 1st of March 2019¹⁸⁵. During the period covered by this Report no information about the implementation of measures to meet the obligations assumed under this Agreement were available. The same applies to the Agreement on the Conservation of Populations of European Bats, which entered into force on the 10th of March 2019.^{186, 187} It is not known whether national reports have been submitted to the bodies of these international agreements.

185 <https://www.unep-aewa.org/en/news/serbia-accedes-aewa-party-no-79>

186 "Official Gazette of the Republic of Serbia – International Agreements", No. 13/2018.

187 "Official Gazette of the Republic of Serbia – International Agreements", No. 3/2019.

Financing

The National Environmental Approximation Strategy estimates that the total required costs of approximation in nature protection amount to €139 million or 1.3% of the total cost of environmental protection.¹⁸⁸ In 2019, 7.73% of the Ministry of Environmental Protection's budget was spent on nature protection measures, whereas the Budget Law for 2020 foresees the allocation of 6.47% of the Ministry's budget for environmental protection. Given that between RSD 500 million and RSD 600 million is allocated annually for nature protection, it is clear that, if budget allocations for nature protection continue at this pace, it will take decades to achieve the necessary investment in this sector.^{189, 190}

Financial resources allocated for nature protection from the Green Fund related to afforestation activities, which should nominally contribute to nature protection and landscape diversity preservation, are granted to various legal entities through calls for bids by the Ministry of Environmental Protection. About RSD 40 million annually is allocated for afforestation, however reports on the implementation of individual projects financed in this way are not available to the public. It should be borne in mind that, if afforestation activities are not harmonized with the specific conservation needs of habitats and species, afforestation itself does not ensure nature protection. The lack of information about the implementation of afforestation projects makes it impossible for the public to determine whether funds invested in afforestation actually contribute to nature protection and landscape biodiversity preservation.

During 2019, investment in the establishment of the ecological network of the Republic of Serbia and the ecological network of the European Union (NATURA 2000) in Serbia continued through support provided to the Institute for Nature

188 "Official Gazette of the Republic of Serbia", No. 80/2011, available at: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2011/80/1/reg>

189 <https://www.ekologija.gov.rs/wp-content/uploads/informator/IZVR%C5%A0ENJE%20BUD%C5%BDETA%202019.pdf>

190 <http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2019/BUDZET%202020.pdf>

Conservation and EU IPA funds. The total value of these activities is about €14.9 million.¹⁹¹ EU IPA funds continued to support preparation for EU accession in the field of nature protection through the project "the Establishment of the NATURA 2000 network in the Republic of Serbia".¹⁹² Through a long-lasting tendering procedure, funds were granted to a consortium led by *Eptisa d.o.o.*. The European Union provided almost €1.5 million for the implementation of this project.

191 <http://portal.ujn.gov.rs/RezultatiPretrage.aspx?tab=1&pocetna=1&tp=F1KlmN+JuNI=&nnar=OvHT0c99OML-Wsq+56Oeh4ox1WYxFmSpGpMjJ6frDW2C9lggL+FqgTowl8hrml326CKBcjOoU2scq7yhNN7AoLQ==>

192 <http://www.zzps.rs/wp/povodom-ekoloske-mreze-srbije-i-evropske-mreze-zastite-prirode-natura-2000/?script=lat>

Recommendations



Strategic and legislative framework

- 1.** Adopt a new Law on Nature Protection, or amend the existing one, relating to protected area proclamation and management, in particular through: the precise definition of deadlines for the submission of environmental studies, information about the initiation of protection procedures and adoption of the proclamation document; harmonizing protected area categorization with the categorization of the International Union for the Conservation of Nature; improving the management model in protection modes in accordance with the specific needs of different protected areas; and improving promoting the definition and implementation of regimes and measures of protection, in particular biomonitoring.
- 2.** Adopt the Regulation on Appropriate Assessment and the corresponding amendments to the Law on Environmental Impact Assessment and the Law on Strategic Environmental Impact Assessment, in order to establish the required standards for the approval of plans and projects that could impact on the ecological network, in accordance with Article 6, paragraph 3, of the Habitats Directive.
- 3.** Draft and adopt the Nature Conservation Strategy and other strategic documents in accordance with the Law on Nature Protection and the Law on the Planning System, fully in accordance with the EU Biodiversity Strategy.

4. Amend the Rulebook on the declaration and protection of strictly protected wild species of plants, animals and fungi and the Rulebook on declaring a closed hunting season for the protected wild game species, in order to fully transpose the provisions of the Habitats Directive and the Birds Directive.
5. Draft and adopt a document to precisely define the order and method of action of competent authorities when identifying cases of poisoning and other cases of illegal acts against wild species.
6. Improve cooperation between the nature protection sector, energy sector, spatial and urban planning sector and the construction sector in the adoption of planning documents and regulations, particularly those regulating the Environmental Impact Assessment and Strategic Environmental Assessment procedures and those to which the assessments apply.
7. Improve CSO participation in the preparation, adoption and monitoring of the implementation of regulations, in particular through inclusion in the early stages of development, in accordance with the Rulebook on the Methodology for Public Policy Management, the Regulation on the Content of Various Public Policy Documents¹⁹³ and the Guidelines on the Inclusion of Civil Society Organizations in the Process of Drafting Regulations of the Serbian Government.¹⁹⁴



The implementation of regulations

8. Make the negotiating position for nature protection public and include CSOs in the negotiation process.
9. Improve the capacities of the Ministry of Environmental Protection, promote cooperation and ensure an open flow of information between sectors within the Ministry.

193 "Official Gazette of the Republic of Serbia", No. 8/2019.

194 "Official Gazette of the Republic of Serbia", No. 90/2014.

- 10.** Promote the capacities of institutes for nature conservation (provincial and republic) through increasing the number of competent personnel and the upgrading of technical capacities.
- 11.** Continue building the capacity of the police, the inspectorate, prosecutor's offices and the judiciary for the implementation of regulations related to the protection of species and habitats, in cooperation with expert CSOs.
- 12.** Improve annual inspection plans and their implementation in protected areas and areas of the ecological network, in order to prevent the excessive use of natural resources and illegal acts, and ensure the conservation of the natural values of those areas.
- 13.** Strengthen cooperation among all stakeholders in order to prevent corruption in the nature conservation sector (especially related to the illegal use of forests, water resources and hunting).
- 14.** Ensure a more active approach by the competent Ministry in solving problems and preventing violations of the provisions of the International Convention on the Conservation of European Wild Flora and Fauna and Natural Habitats in the Republic of Serbia.
- 15.** Ensure regular and adequate reporting under the ratified international conventions in the field of nature conservation (in particular according to the Convention on the Conservation of European Wild Flora and Fauna and Natural Habitats, the Convention on the Conservation of Migratory Species of Wild Animals and the CITES Convention).
- 16.** Stipulate measures for the preservation, renewal and improvement of the status of the ecological network areas, through a participatory process that includes the competent State bodies and civil society, as well as users of ecological network areas.



Financing

- 17.** Ensure the adequate and purposeful financing of nature conservation through the Green Fund in accordance with the needs of nature conservation (identify priorities and criteria for allocation of funds).
- 18.** Continue to provide regular funding for activities aimed at establishing the ecological network of the Republic of Serbia and the NATURA 2000 network, with complete and regular reporting on the activities implemented and funds spent.
- 19.** Ensure the allocation of appropriate funds to the nature protection budget and regular and detailed reporting on spending; allocate more funds for the practical protection of species and habitats.



NATURE PROTECTION

THE PROCEDURE OF NATURAL AREA PROTECTION

Regulations on the declaration of protected areas were adopted **ON AVERAGE 1,102 DAYS** after they first appeared in the Government's work plans**



1,348
days*



650
days*



Nature conservation institutes submitted draft protection studies

The Ministry informs the public about the initiation of protection procedures



The Government adopts regulations on the declaration of protected areas

Period during which protected areas **DID NOT HAVE A MANAGER** to adopt and implement management plans

FIGURES FOR 2019

8



Government adopted regulations on the protection for **EIGHT AREAS**

ONE AREA also meets the criteria for the **NATURA 2000** ecological network

14

protected areas proposed in the Government's Work Plan for 2019 **HAVE NOT BEEN DECLARED**

THE ENTIRE PROTECTION PROCEDURE ON AVERAGE LASTED 1,998 days
~5.5 YEARS

* Average duration of the procedure in days

** One of the regulations of the declaration was not previously included in the Serbian Government's work plans.



KOALICIJA 27



Chemicals management

Overview

The legislative framework created by the adoption of the Law on Chemicals¹⁹⁵, the Law on Biocidal Products¹⁹⁶ and the relevant bylaws has established a modern chemicals management system, which is significantly harmonized with the EU regulations.

There have been positive developments since the last report regarding the updating of regulations on the classification and labelling of chemicals¹⁹⁷ in order to adapt them to technical and scientific progress, as well as the regulation governing bans and restrictions on the production, placing on the market and use of chemicals¹⁹⁸.

There have been no changes since the last report¹⁹⁹ regarding updating the Candidate List of Substances of Very High Concern²⁰⁰, or the List of Substances of High Concern (Authorization List).²⁰¹ As the Candidate List of Substances of Very High Concern has been additionally updated in the EU on several occasions, there is currently a significant difference between the number of substances on the EU list and in the domestic regulation, limiting the exercise of the right of consumers in Serbia to information about the presence of these substances in products.

Further development of the legislative framework must be continued, both through the further harmonization of regulations with new EU regulations, as well as amendments to existing regulations, and through strengthening capacities necessary for the implementation of regulations.

195 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 93/2012 and 25/2015.

196 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 92/2011 and 25/2015.

197 "Official Gazette of the Republic of Serbia", No. 19/19; "Official Gazette of the Republic of Serbia", No. 21/19.

198 "Official Gazette of the Republic of Serbia", No. 9/2020.

199 Coalition 27 (2019): Chapter 27 in Serbia: Money Talks, available at: https://www.koalicija27.org/wp-content/uploads/2019/10/izvestaj_2019_ENG_WEB.pdf

200 "Official Gazette of the Republic of Serbia", No. 22/2018.

201 "Official Gazette of the Republic of Serbia", No. 22/2018.

The development of the new Draft Law on Biocidal Products²⁰², for the purpose of harmonization with the Biocidal Products Regulation (528/2012/EU)²⁰³, was completed in 2018. The Law should have been adopted in 2019, but was not.

The Law on Consumer Goods²⁰⁴ was adopted in 2019, creating a legal basis for the adoption of the Rulebook on Toy Safety²⁰⁵, as well as the Rulebook on Cosmetic Products²⁰⁶, transposing the lists of prohibited and limited substances in these products from EU regulations.

There have been no significant changes since the previous period to administrative capacities for performing professional activities in this area, however, it should be noted that **the republic inspection for environmental protection in the area of chemicals and biocidal products has been weakened due to the departure of several experienced inspectors.**

The **electronic platform for the registration of chemicals in the Integrated Register of Chemicals (eIRH)** started operating in January 2019. Files on chemicals marketed during 2018 have been electronically delivered to the eIRH portal²⁰⁷. Business entities will be able to fulfil their obligations regarding the registration of chemicals in a more efficient manner by using the publicly available web portal, making the administrative procedure simpler and cheaper.

The eIRH for biocidal products started operating in April 2019. The optional submission of applications for registration in the Temporary List of Biocidal Products has begun, i.e. there is an option of submitting an application in hard copy. Considering the scope and content of the documents required in this procedure, as well as the confidentiality of certain data, the existing measures to protect data must be improved and the various levels of access to data must be strictly defined.

202 https://www.ekologija.gov.rs/dokumenti/?wpfb_cat=67&lang=lat#wpfb-cat-67

203 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32012R0528>

204 "Official Gazette of the Republic of Serbia", No. 25/19.

205 "Official Gazette of the Republic of Serbia", No. 78/2019.

206 "Official Gazette of the Republic of Serbia", No. 60/2019.

207 <https://irhportal.ekologija.gov.rs/Account/Login>

The implementation of the *Further development of the framework for harmonization with EU legislation in the field of Air, Chemicals and Horizontal Legislation* (EAS 3) project began in 2019. Specific implementation plans for the REACH Regulation and the Regulation on Biocidal Products will be developed through this project.

The Serbian Government has not adopted the updated National Implementation Plan (NIP) for the implementation of the Stockholm Convention on persistent organic pollutants (POPs), which was prepared in 2015 and is becoming out-dated, making the implementation of the activities from the specific action plans that are integral parts of the updated NIP more difficult.

Despite being completed in 2018, the Final Report on the Status of Mercury in Serbia and the Assessment of the Capacities of the Republic of Serbia for the Implementation of the Minamata Convention are not available to the public. A decision on the ratification of the Convention has also not yet been passed, although the expert team and relevant department of the Ministry of Environmental Protection have recommended its ratification.

The *Strengthening the Synergies between the Basel, Rotterdam, Stockholm and Minamata Conventions in the Republic of Serbia* project is currently being implemented. The project aims to strengthen institutional capacity for joint reporting under the conventions and to promote cooperation between the line sectors of the competent ministry, agencies, industry (particularly the recycling sector), scientific and research institutes, and civil society.

ALHem conducted a survey on the presence of phthalates in plastic toys and childcare items as part of the “Cry-Game” campaign, and carried out a campaign in 2019 to raise the awareness of consumers about toy safety. The survey has shown that there are toys on the market of the Republic of Serbia made of plastic with an increased level of banned phthalates, which was re-confirmed by the results of an extraordinary inspectorial supervision by the Ministry of Health. In December 2019, ALHem also presented the *Scan4Chem* smartphone app in Serbian, through which citizens can exercise their right to information about the presence of substances of very high concern in products.

The chemicals and biocidal product management system is funded from the budget of the Republic of Serbia. The Ministry of Environmental Protection has opened an earmarked sub-account for the payment of republic administrative fees for chemicals and biocidal products. However, due to the structure and functioning of the budget system, no data is available on the amount of revenue generated from fees for implementing administrative procedures. It is not known whether, and to what extent, the costs of implementing administrative procedures are covered by funds generated from other taxpayers, and/or taxpayers that do not generate income from chemicals and/or biocidal products.

The system of funding the management of chemicals and biocidal products does not comply with the basic principles established by EU regulations.

Strategic and legislative framework

The legislative framework created by the adoption of the Law on Chemicals²⁰⁸ and the Law on Biocidal Products²⁰⁹ and the relevant bylaws has established a modern chemical management system based on EU principles. The Law on Chemicals is in line with the REACH Regulation (EC 1907/2006)²¹⁰ to a large extent, with the exception of the provisions that require EU membership in order to be implemented, such as the registration, evaluation and authorization procedures. **Further development of the legislative framework needs to be continued, both through the further harmonization of regulations with new EU regulations, as well as amendments to existing regulations, and through strengthening capacities necessary for the implementation of regulations.**

There have also been positive developments since the last report regarding the updating of **regulations on the classification and labelling of chemicals in order to adapt them to technical and scientific progress** in line with ATP 11.²¹¹ The updating of the regulations primarily concerns amendments to the Rulebook²¹², in Appendix 1 – Criteria for the Classification and Labelling of Chemicals and Mixtures, and in Appendix 5 – List of Information on Precautions and Conditions for their Implementation. A sufficient transition period has been provided, enabling business entities to adjust their operations to the updated standards. Transparency in the adoption of regulations, timely information about changes and the predictability of expenses are of extreme importance for business entities, as changes in classification, packaging and labelling all impact on chemicals businesses.

208 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 93/2012 and 25/2015.

209 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 92/2011 and 25/2015.

210 <http://www.ekologija.gov.rs/organizacija/sektori/sektor-za-upravljanje-zivotnom-sredinom/odeljenje-za-hemikalije/reach/?lang=lat>

211 Adaptation to technical progress (ATP)

212 "Official Gazette of the Republic of Serbia", No. 21/19.

However, further harmonization must be continued, as these regulations have been additionally updated in the EU. ATP 13, the most recent regulation adopted in the EU, has 18 updated entries and 16 new harmonized classifications and labels. It was published in October 2018 and applied in the EU as of the 1st of May 2020. The European Commission also adopted ATP 14 in October 2019, which was forwarded to the European Parliament and the Council of Ministers. This amendment defines the classification of inhalable titanium-dioxide (TiO₂) particles with a minimum classification of carcinogenic Category 2 H351 (inhalation), which is frequently present in spray sunscreen. It is important emphasize that the regular harmonization of these regulations is essential, as delays in updating the List of Harmonized Classifications results in the deviation of data on harmonized classified substances in Serbia and EU. It is for this reason that, in some cases, there is a deviation in the implementation of the stipulated provisions of the classification and labelling of the same substances and mixtures on the EU market and on the market of the Republic of Serbia, contrary to the basic goal of the GHS system that chemicals should be classified and labelled according to the same rules and in the same way on all markets. If these rules are not complied with, it creates difficulties for the free trade of imported chemicals, as well as the protection of human health and the environment.

In order to update the regulations governing the bans and restrictions on the **production, placing on the market and use of chemicals**, the **ban/restriction²¹³ of the marketing of windshield washing and defrosting liquids that contain methanol in concentrations higher than, or equal to, 0.6 (m/m)** was adopted in February 2020 and, *inter alia*, the decision will apply as of the 1st of June 2020. This amendment also bans the marketing of rinse-off cosmetic products governed by regulations on cosmetic products, after the 1st of January 2021, that contain concentrations of octamethylcyclotetrasiloxane (D₄) or decamethylcyclopentasiloxane (D₅) equal to or higher than 0.1%.

213 "Official Gazette of the Republic of Serbia", No. 9/2020.

There have been no changes since the last report regarding the updating of the Candidate List of Substances of Very High Concern²¹⁴. As this List has been additionally updated in the EU on several occasions, as of February 2020 there is currently a significant difference in the number of substances (24) on the EU list and in the domestic regulation, limiting the exercise of consumer rights in Serbia to information on the presence of these substances in products.

A similar situation exists with regard to the List of Substances of High Concern²¹⁵, which has not been updated since the last Report²¹⁶. The domestic List currently contains 11 fewer substances than the EU list.

There is a significant delay in the process of harmonizing regulations pertaining to methods of testing the hazardous properties of chemicals, due to regulations having not been updated since 2012.

The development of the new Draft Law on Biocidal Products²¹⁷, for the purpose of harmonization with the Biocidal Products Regulation (528/2012/EU)²¹⁸, was completed in 2018. The EU Regulation could not be fully transposed as it governs, among other things, procedures that are conducted by the European Chemicals Agency (ECHA) or centrally by the European Commission; thereby the Draft Law ensures the maximum possible compliance with the EU Regulation until full EU membership. **However, the new law will not bring about substantial changes in terms of biocide registration compared to the current law. The only significant change concerns new biocidal products that have been approved in the EU by the European Commission or a competent authority of a member state, which can no longer be registered on the Temporary List and instead are subject to the recognition procedure.** This should facilitate the operation of importers of biocidal products from the EU, as importers already have access to the necessary documentation; however, given that the state authorities are introducing a new procedure but have only limited

214 "Official Gazette of the Republic of Serbia", No. 22/2018.

215 "Official Gazette of the Republic of Serbia", No. 22/2018.

216 Coalition 27 (2019): Chapter 27 in Serbia: Money Talks, available at: https://www.koalicija27.org/wp-content/uploads/2019/10/izvestaj_2019_ENG_WEB.pdf

217 https://www.ekologija.gov.rs/dokumenti/?wpfb_cat=67&lang=lat#wpfb-cat-67

218 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32012R0528>

administrative and professional capacity to manage these tasks, the whole process will certainly represent a challenge. Additionally, **the law introduces the labelling of treated articles that are not covered by the current legislation on biocidal products. Although the adoption of the new law was planned, on the basis of the NPAA, for the second quarter of 2019, this did not happen.**

The Law on Consumer Goods was adopted in 2019.²¹⁹ According to this Law, items (or products) of general's use are toys, cosmetics, detergents and biocidal products, among others. The previous report presented objections to this Law, pertaining primarily to the out-dated concept of health and safety, as well as the return of detergents and biocidal products; this report will therefore not reiterate our concerns about the Law. It should be emphasized that the Law provided the legal basis for the adoption of the Rulebook on Toy Safety²²⁰, as well as the Rulebook on Cosmetic Products²²¹, transposing the lists of prohibited and limited substances in these products from EU regulations.

There have been no significant changes to administrative capacities for performing professional activities in this area since the previous report, however, it should be noted that **the Republic inspection for environmental protection in the area of chemicals and biocidal products has been weakened due to the departure of several experienced inspectors.**

The most recently adopted Rulebook on the systematisation of jobs of the Ministry of Environmental Protection foresaw a significant increase in the number of employees working in chemical and biocidal product management. However, due to the extension of the limitation of the number of employees in state institutions in 2019, it is unrealistic to expect that the administrative and professional capacities of the Ministry will be significantly strengthened imminently, despite this being necessary for the proper implementation of regulations, as well as for the further development of the chemicals management system.

219 "Official Gazette of the Republic of Serbia", No. 25/19.

220 "Official Gazette of the Republic of Serbia", No. 78/2019.

221 "Official Gazette of the Republic of Serbia", No. 60/2019.

The implementation of regulations

The Department for Chemicals at the Ministry of Environmental Protection is in charge of affairs related to the implementation of administrative procedures in this area. The prescribed administrative procedures are being implemented. However, considering the scope and content of the documents required by these procedures, as well as the confidentiality of certain data, the positive trend of promoting an electronic data delivery system with adequate protection and strictly defined levels of data access must continue.

The **electronic platform for the registration of chemicals in the Integrated Register of Chemicals (eIRH)** began operating in January 2019. The Rulebook on Amendments to the Rulebook on the Register of Chemicals²²², adopted in March 2019, stipulates that files on chemicals marketed during 2018 have been electronically delivered to the eIRH portal²²³. By using the publicly available web portal, business entities are able to fulfil their obligations to register chemicals in an efficient manner, making the administrative procedure simpler and cheaper. However, the verification of the submitted data and the issuance of a decision by the competent body is expected to be accelerated, as the administrative procedure, from the moment of submission of data to the final issuance of a decision on the entry of the chemical into the register, fails to meet all the legally stipulated deadlines and, on average, takes several years, especially for business entities registering a large number of chemicals. Decisions on applications from previous years for which no decision has yet been issued must be issued through the accelerated procedure, by simplifying procedures for requesting additional documentation, as a large number of these chemicals are no longer in circulation or their classification, labelling and, very often, composition has changed. Strengthening administrative capacity

222 "Official Gazette of the Republic of Serbia", No. 7/19.

223 <https://irhportal.ekologija.gov.rs/Account/Login>

for tasks related to the registration of chemicals in the Register is vital. The impact of electronic platform can be expected in the subsequent period, with the procedure of registration expected to be more efficient than at present.

eIRH for biocidal products began operating in April 2019. Testing of a pilot-version was performed for the purpose of analysis and promotion of the eIRH portal. The optional submission of applications for registration in the Temporary List of Biocidal Products has begun, i.e. there is an option for the submission of an application in hard copy. Considering the scope and content of the documents required in this procedure, as well as the confidentiality of certain data, **the existing measures for protecting data must be improved and the various levels of access to data must be strictly defined** (enabling direct electronic submission of confidential data by data owners, i.e. foreign manufacturers, and limit the access of importers, while at the same time enabling access by chemical advisors to all the data required to prepare documents required by domestic regulations). The real impact of this portal may be expected in the subsequent period, but strengthening administrative capacity for these tasks remains vital.

The implementation of the *EU for a Better Environment – Development of the framework for harmonization with EU legislation in the field of Air, Chemicals and Horizontal Legislation* (EAS 3) project began in 2019. Specific implementation plans for the REACH Regulation and the Regulation on Biocidal Products will be developed through this project. During the consultative process, ALHem (the authors of this chapter). was consulted, as a civil society representative, in September 2019, in order to collect information, assess the situation and provide recommendations for the improvement of the chemicals management system. Within the project, with the assistance of the Serbian Chamber of Commerce, in February 2020, an anonymous survey of business entities was performed for the purpose of collecting cumulative data on the chemical industry in Serbia, to be used to estimate the cost of implementing the Regulations and the development of specific implementation plans. Further development of this document has continued, with regular reviews and presentations of the preliminary results at working group meetings.

Although the Republic of Serbia has harmonized national legislation with the POPs Regulation²²⁴, **the National Implementation Plan (NIP) for the implementation of the Stockholm Convention, updated in 2015, has not yet been adopted by the Serbian Government and may be regarded as out-dated.** For this reason, it is difficult to implement the activities set out in the specific action plans that represent an integral part of the updated NIP, and particularly difficult to continue POP monitoring in accordance with the established activities of the programme for measuring the level of POPs in the environment and food, as well as to include new POPs in the existing programme. In order to establish a functioning POP monitoring system, it is necessary to strengthen the capacity of laboratories involved in measuring POPs, particularly regarding new POPs, through the accreditation of methods, the procurement of laboratory equipment and training laboratory personnel.

Through the *Mercury Initial Assessment in the Republic of Serbia* project, implemented by the Ministry of Environmental Protection, with the technical support of UNDP and financial support from the Global Environmental Fund, the National Inventory of Mercury Emissions for the Republic of Serbia was developed, as well as the Final Report on the Assessment of the Capacities for the Implementation of the Minamata Convention, which was signed by the Republic of Serbia in 2014. The report on the status of mercury in Serbia represents an important step toward the ratification of the Minamata Convention and the adoption of measures to successfully resolve mercury-related issues. **However, although the final report on the status of mercury, produced within the project, was completed in 2018, it is still not available to the public. A decision on the ratification of the Minamata Convention has not yet been adopted, despite the recommendation of the expert team and the relevant department of the Ministry of Environmental Protection to do so.**

In 2018, the Ministry of Environmental Protection initiated the *Strengthening the Synergies between the Basel, Rotterdam, Stockholm and Minamata Conventions in the Republic of Serbia* project, in cooperation with UNDP and with funding from the special UNEP trust fund, the completion of which is planned for June

224 <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004R0850>

2020. The project aims to strengthen institutional capacities for joint reporting under the conventions and to promote cooperation between the line sectors of the Ministry of Environmental Protection, agencies, industry (particularly the recycling sector), scientific and research institutes, and civil society. The project is expected to enable the drafting of several important strategic and legal documents, including: rulebook on construction waste; customs guidebook for the implementation of the Basel, Rotterdam and Stockholm Conventions; national programme for resolving issues with mercury and mercury waste; regulatory action plan for the implementation of the Rotterdam Convention; strategic document and action plan for strengthening synergies between the Basel, Rotterdam, Stockholm and Minamata Conventions. The draft guidebook on techniques and methods for the identification and separation of waste containing polybrominated diphenyl ethers (PBDE), intended for electronic waste recyclers, was prepared and presented to experts. The guidebook analyses BAT/BET techniques at recycling plants for the purpose of separating electronic waste and plastic masses containing PBDE. The previous report presented the results of **a survey**²²⁵ conducted in 2018 by the IPEN, Arnika, HEAL networks and 17 other European organizations, including ALHem (the authors of this chapter). **The survey found that consumer products, including children's toys were contaminated with toxic so-called "flame retardant" chemicals that can be found in electronic and electrical waste and which are banned and/or restricted for use due to their adverse effects on human health and the environment.** Although the recycling targets of the EU are globalized through international conventions, hazardous electronic and electrical waste is transferred across state borders and into recycled products through recycling plants. **It is therefore very important to separate electronic waste and plastic masses containing PBDE at recycling plants, in order to prevent this hazardous waste entering recycling flows.**

As regulations on chemicals only relate to one phase of chemicals' life cycle, i.e. placing on the market and the use of the chemicals, and bearing in mind the that there are other phases in the chemical life cycle, from production to

225 Report: Toxic loophole recycling hazardous waste into new products, Arnika, IPEN, HEAL et al. 2018, available at: http://en.alhem.rs/wp-content/uploads/2013/12/Toxic_Loophole_Report.pdf

disposal, it is very important to establish cooperation and coordination between the department responsible for the implementation of chemical regulations and other relevant sectors, primarily for environmental protection. This cooperation and coordination is necessary due to the need to synchronize activities across different sectors, in order to ensure the appropriate management of chemicals through the entire life cycle and the implementation of the principles of the Strategic Approach to International Chemical Management (SAICM).²²⁶

To date, there is no information on the establishment and operation of the Joint Body for Integrated Chemicals Management, nor the adoption of the Integrated Chemical Management Programme, as stipulated by the Law on Chemicals (Article 7).²²⁷

Given that the chemical industry in Serbia has a significant share on the national market (of the total number of chemicals marketed domestically, about 59% are produced in Serbia²²⁸ and part are exported to the EU market), it is important to note that the **Serbian Chamber of Commerce – Association of Chemical, Rubber and Non-Metal Industries, signed a Memorandum of Understanding with the European Chemical Industry Council (CEFIC)²²⁹** in Helsinki on the 23rd of October 2019. Joining the CEFIC enables: timely provision of information that may impact on the operations of companies, particularly exporters in the EU; participation in working groups dealing with the REACH Regulation; access to statistical data, as well as access to the CEFIC *click-in* web portal²³⁰, offering useful programmes and materials for the industry, as well as solutions for challenges in REACH Regulation implementation.

In order to assess the implementation of regulations governing limitations and bans on the production, placing on the market and use of chemicals, as well as the Law on Consumer Goods²³¹ related to the safety of toys, **ALHem conducted a survey on the presence of phthalates in plastic toys and childcare**

226 Strategic Approach to International Chemicals Management – SAICM

227 “Official Gazette of the Republic of Serbia”, Nos. 36/2009, 88/2010, 93/2012 and 25/2015.

228 Integrated Register of Chemicals of the Republic of Serbia, 2018.

229 European Chemical Industry Council (CEFIC)

230 <https://click-in.cefic.org/>

231 “Official Gazette of the Republic of Serbia” 25/2019.

products as part of the CRY-GAME campaign. The campaign was carried out in 2019 for the purpose of raising consumer awareness on toy safety, with the support of the IPEN Chemicals in Products (CiP) Programme, through the *Raising Awareness on the Health Impact of the Chemicals Used in Children Toys and Childcare products* project. 15 samples of children's toys and childcare products bought in stores selling consumer goods produced in Asian countries and specialized toy stores were analysed in the survey. **The survey²³² showed that seven of the 15 tested plastic toys and childcare products contained phthalates, which are hazardous substances and banned at concentrations above 0.1%. The concentrations measured in the tested samples ranged from 0.5% to 31.5%, over 300 times higher than the permitted level.** Following the survey ALHem contacted the sanitary inspection of the Ministry of Health to request an extraordinary inspectional supervision of toys on the Serbian market, involving exporters, distributors and sellers, which the Ministry then undertook. However, the Ministry of Health informed ALHem in writing about the implementation of the extraordinary inspectional supervision only after a substantial delay and under media pressure. Based on the results of testing performed by the sanitary inspection, 35 unsafe toys have been withdrawn from the market and recalled from consumers. ALHem insisted on publicly announcing the results of the inspection and entering the unsafe toys into the national database of unsafe products, the so-called NEPRO system²³³ operated by the Ministry of Trade, which was done in April 2019.

The ban/restriction of placing on the market of thermal paper containing bisphenol A (BPA) in concentrations higher than or equal to 0.02% comes into force on the 30th of June 2020. To the best of our knowledge, thermal paper is not produced in Serbia, on the market there is only imported. Importers should be inspected in the second half of 2020 as part of the application of this ban. **Following the adoption of amendments to the Law on Chemicals from 2015, which divided responsibility for supervision of the implementation of the Law between several inspection bodies, it is still not clear which inspection body is in charge of enforcing this ban/restriction.** The sanitary inspector of

232 <http://en.alhem.rs/wp-content/uploads/2013/12/CRY-GAME.pdf>

233 http://195.222.98.53/portal/web/guest/agency#p_39_INSTANCE_pYEibXjyduVq

the Ministry of Health performs inspections of the implementation of bans/restrictions on the production, placing on the market and use of chemicals in products intended for general use. Pursuant to the Law on Consumer Goods, consumer goods²³⁴ are materials and items coming into direct contact with the skin and/or mucous membranes, which is the case with thermal paper. However, the thermal paper rolls are not delivered directly to consumers (as other consumer goods are), but to business entities and other users that use thermal paper for certain purposes, such as fiscal receipts, papers for payments, queuing tickets, toll papers, tickets, lottery tickets, etc. The inspector of environmental protection is in charge of the implementation of the provisions of the Law on Chemicals²³⁵ that are beyond the scope of the responsibility of the sanitary and/or market inspector. For this reason, supervision requires agreement and cooperation between sanitary inspectors and environmental protection inspectors regarding joint measures and activities, and information sharing.

For every citizen, product safety is a significant factor in the course of a purchase, and the presence of hazardous chemicals is particularly important. The Law on Chemicals²³⁶ (Article 27) explicitly grants consumers the right to information about the presence of certain hazardous chemicals, known as **substances of very high concern (SVHC)**, in products. Suppliers are legally obliged to provide consumers with information about the presence of these substances if there is more than 0.1% in a product. Although this was legally defined in the Republic of Serbia in 2009, only 2% of citizens have used the right to request this information in practice.²³⁷ The situation in the EU is similar. One of the reasons for the poor implementation of this law is the long period that retailers are allowed to reply to consumers. To overcome this issue, the *Scan4Chem* **smartphone application** was developed in the EU. When a consumer scans a product barcode, a request for information is sent to the supplier automatically. Suppliers can provide information on SVHCs in the product to the consumer directly by e-mail and/or enter it into the database. The aim is that

234 "Official Gazette of the Republic of Serbia", No. 25/19.

235 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 93/2012 and 25/2015.

236 "Official Gazette of the Republic of Serbia", Nos. 36/2009, 88/2010, 93/2012 and 25/2015.

237 Ref. "Analysis of the Serbian citizens' perception of safety in terms of chemicals" ALHem & Ipsos Strategic Marketing, 2017.

in the coming period, as data are entered into the database, users will be able to scan products and immediately gain information about SVHC substances contained within, without sending a request. **For this reason, it is important that as many users as possible send inquiries about products, and request that companies reply to their inquiries.**

The launch of the app is part of a European project implemented by the LIFE AskREACH²³⁸ consortium, which consists of 20 organisations and is led by the German Environment Agency (UBA). ALHem is an external partner in the project²³⁹ and the regional provider of the application for Serbia, in the Serbian language. The application can be downloaded at *Google Play* and the *App Store*. The application can also be downloaded in Montenegro, and Bosnia and Herzegovina. The ALHem web site²⁴⁰ provides more information about the app and its use.

238 <https://www.askreach.eu/>

239 The Enabling consumer information rights concerning the presence of hazardous chemicals in articles in Serbia and the Western Balkan countries project is funded by the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety through the Advisory Assistance Programme for Environmental Protection in the Countries of Central and Eastern Europe, the Caucasus and Central Asia. Project implementation is supervised by the German Environment Agency (Umwelt Bundesamt, UBA). The promotion of the application was co-funded by the Programme of developmental communication support for civil society organizations implemented by CRTA, and supported by the Swedish International Development Cooperation Agency (SIDA).

240 <http://alhem.rs/ask-reach/>

Financing

The financial aspect of chemical and biocidal product management was analysed in detail in previous Coalition 27 reports²⁴¹. There have been no substantial changes since those reports were published.

Amendments to the Law on Republic Administrative Fees were adopted at the end of 2019, increasing the fees for the submission of applications for the registration of chemicals in the Register of Chemicals, depending on the number of reported chemicals (up to 100, from 101 to 500, and more than 500). Suppliers that place a small number of chemicals on the market have objected that the fee for marketing one chemical and 100 chemicals is the same, and have advocated for the introduction of an additional category of 1 to 10 chemicals.

The chemicals and biocidal product management system is funded from the budget of the Republic of Serbia. The Ministry of Environmental Protection has opened an earmarked sub-account for the payment of republic administrative fees for chemicals and biocidal products. However, due to the structure and functioning of the budget system, no data is available on the amount of revenue generated from fees for implementing administrative procedures. It is not known whether, and to what extent, the costs of implementing administrative procedures are covered by funds generated from other taxpayers and/or taxpayers that do not generate income from chemical and/or biocidal products. This is not in line with the basic principles set out in REACH and the Biocidal Products Regulation (BPR), or the accompanying implementing EU Regulations governing fees,²⁴² according to which **the cost of regulatory procedures related to chemicals and biocidal products must be borne by the economic operators earning income from their placement on the market**. In this respect, the new Law on Biocidal Products, which is expected to be adopted in 2020, does not implement a system of fees according to the EU model, as

241 <https://www.koalicija27.org/en/publications/>

242 Regulation (EC), No 340/2008 amended 895/2018, and Regulation (EU), No 564/2013

it is not in accordance with the domestic system regulating the collection of charges and fees, which must be amended as soon as possible. Given that the appropriated funds (fees), among other things, should be used to assess hazards, exposure and risks of biocidal products (which is not part of the usual administrative procedure), protecting human health and the environment, all citizens of Serbia would benefit.

Recommendations



Strategic and legislative framework

- 1.** Harmonize the relevant amendments to the EU regulations in this area without delay.
- 2.** Adopt the Draft Law on Biocidal Products.
- 3.** Ratify the Minamata Convention on Mercury.
- 4.** Update and adopt the NIP for the implementation of the Stockholm Convention on POPs.
- 5.** Adopt the Strategic Document and Action Plan for strengthening synergy in the implementation of the Basel, Rotterdam, Stockholm and Minamata conventions.



The implementation of regulations

- 6.** Strengthen administrative and professional capacities in this area, particularly in the field of entering chemicals and biocidal products into the Register and for biocidal product management, in order to meet the requirements of the new procedure for the recognition of the EU act arising from the Draft Law on Biocidal Products.
- 7.** Resolve outstanding applications for the entering of chemicals into the Register of Chemicals from previous years (for which decisions have not yet been issued) using an accelerated procedure, by simplifying the procedure for requesting additional documents.
- 8.** Improve data protection and strictly define different levels of access to data in the register of biocidal products in eIRH.

- 9.** Strengthen the inspection bodies managing chemicals and biocidal product control.
- 10.** Intensify supervision of the implementation of the Law on Consumer Goods, particularly toy safety.
- 11.** Establish a joint body for integrated chemicals management to enable satisfactory cooperation and coordination between the relevant sectors and ensure safe chemical management through the entire life cycle, and/or the adoption and implementation of the Integrated Chemicals Management Programme. The joint body should consist of representatives of the competent state authorities in the field of chemical management and representatives from industry, scientific and research institutions, and non-governmental organizations.



Financing

- 12.** Modify the domestic system governing the collection of charges and fees by adopting the EU model for funding chemicals and biocidal product control in order to ensure that fees related to regulatory procedures of chemicals and biocidal products are borne by the economic operators earning income from placing them on the market.



CHEMICALS MANAGEMENT

Pursuant to the **REPORT ON THE HEALTH AND SAFETY OF CONSUMER GOODS IN THE REPUBLIC OF SERBIA IN 2018¹** the largest percent of physically and chemically faulty samples pertained to:

toys



dishes and food utensils

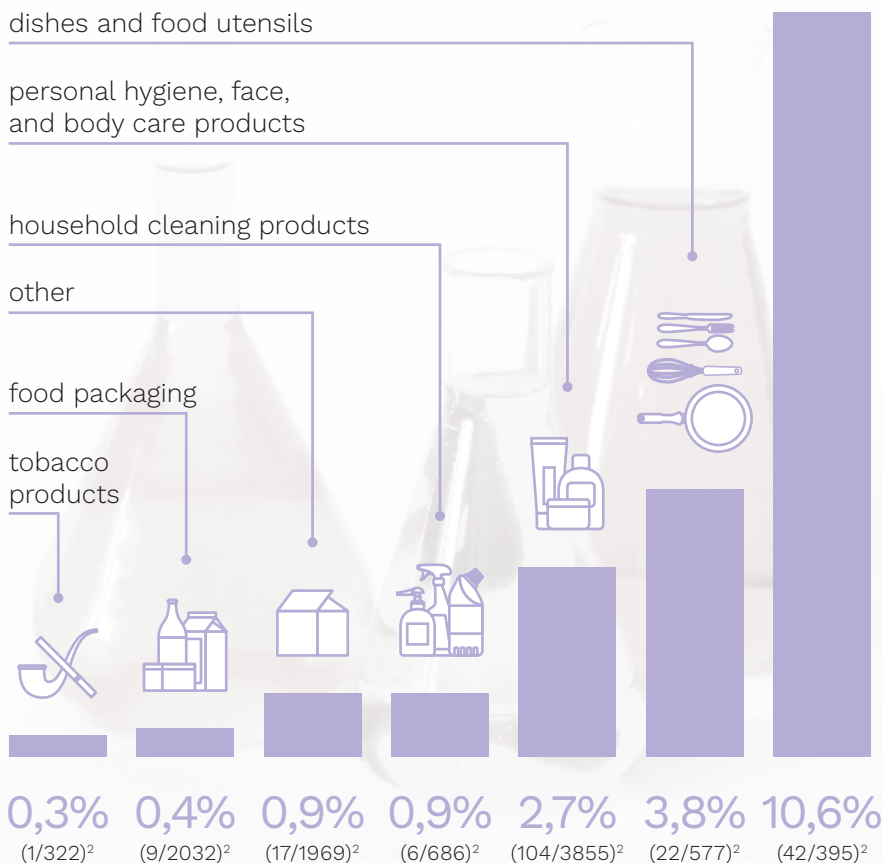
personal hygiene, face,
and body care products

household cleaning products

other

food packaging

tobacco
products



¹ "Milan Jovanović Batut" Institute of Public Health, 2019.

² the number of faulty samples compared to the number that were controlled





Noise

Overview

There have been no significant changes in the period analysed for the purpose of this Report. The new Law on Environmental Noise Protection has not yet been adopted. Local self-governments are required to determine acoustic zones, in accordance with the applicable Law; however, most have not done so. There has been some progress in enforcing regulations. The first Strategic Noise Map for the agglomeration of the City of Niš has been developed, using the CNOSSOS method.

Strategic and legislative framework

Since 2010, regulations in the area of noise protection in the Republic of Serbia (Law on Environmental Noise Protection²⁴³, Regulation on Noise Indicators, Limit Values, Noise Indicator Assessment Methods, Annoyance and the Harmful Effect of Environmental Noise²⁴⁴, Rulebook on the Methodology for Action Plan Development,²⁴⁵ and the Rulebook on the Content and Methods for Drafting Strategic Noise Maps and the Manner of their Presentation to the Public²⁴⁶) have been partially aligned with applicable European Union regulations. The full implementation of Directive 2002/49/EC on the assessment and management of environmental noise is foreseen by the end of 2021. This includes the development of strategic noise maps and action plans for five agglomerations (Belgrade, Novi Sad, Niš, Kragujevac and Subotica), roads, railroads and Belgrade Airport.²⁴⁷

The Draft Law on Amendments to the Law on Environmental Noise Protection, which should include changes in responsibilities, new indicator assessment methods, reporting mechanisms, the introduction of the “polluter pays” principle, and deadlines for aligning with obligations, as stipulated by Directive 2002/49/EC on the assessment and management of environmental noise, and the obligation to implement a common method of noise level calculation (CNOSSOS EU Directive 2015/996) in its entirety, has not been adopted as planned.²⁴⁸

243 “Official Gazette of the Republic of Serbia”, Nos. 36/09, 88/10.

244 “Official Gazette of the Republic of Serbia”, No. 75/2010.

245 “Official Gazette of the Republic of Serbia”, No. 72/10.

246 “Official Gazette of the Republic of Serbia”, No. 80/10.

247 https://www.mei.gov.rs/upload/documents/nacionalna_dokumenta/npaa/npaa_2018_2021.pdf

248 http://www.gs.gov.rs/doc/PLAN_RADA_VLADE_2019.pdf i https://www.srbija.gov.rs/extfile/sr/370541/plan-rada-vlade-srbije-za-2020_cyr.pdf

The implementation of regulations

Based on available data, partial progress has been made in this area in the period March 2019 and February 2020. The first Strategic Noise Map for the agglomeration of the City of Niš has been developed²⁴⁹, using the CNOSSOS method. Experience gained during the course of developing the Strategic Noise Map for the agglomeration of the City of Niš will be used in the development of all foreseen maps and plans. Additionally, in October 2018 Serbian Railways Infrastructure JSC adopted a Decision on Awarding a Low-Value Public Procurement Contract (services) for Environmental Noise Measurement and Strategic Noise Mapping Development²⁵⁰ using the CNOSSOS method for railway lines on which annual traffic exceeds 30,000 trains per year, which includes three railway lines with a total length of 25,879 km. The planned deadline for the implementation of the service was 120 calendar days from the date of the conclusion of the Agreement.²⁵¹ On the basis of a desk study, it is impossible to determine whether the strategic noise maps for the railroads have been developed.

Limit values for noise indicators for certain acoustic zones have been defined in the Republic of Serbia. Acoustic zones are determined by local self-governments based on the purpose of the space. Although the identification of acoustic zones is a legal obligation of local self-governments, only a few have performed acoustic zoning. There is no integral or centralized system of noise monitoring stations; instead every local self-government defines the number of measuring points and a measuring schedule. As a consequence, it is impossible to systematize data on noise levels.²⁵²

249 <http://zivotnasredina.co.rs/fajlovi/banners/Elaborat%20CNOSSOS.docx>

250 http://infrazs.rs/nabavke/odu_jnrmv_1002018.pdf

251 http://infrazs.rs/nabavke/kd_jnrmv_1002018.pdf

252 https://www.srbija.gov.rs/extfile/sr/393563/strategija-urbanog-razvoja-do-2030_0159-cyr.zip

Financing

Funding for the development of the Strategic Noise Map for the agglomeration of the City of Niš has been partially provided by an IPA project. The IPA project will also provide funds for the development of other strategic noise maps and action plans.²⁵³

²⁵³ http://www.mei.gov.rs/upload/documents/nacionalna_dokumenta/npaa/npaa_2018_2021.pdf

Recommendations



Strategic and legislative framework

1. Fully harmonize laws and bylaws with Directive 2002/49/EC on the assessment and management of environmental noise.
2. Introduce unique noise-level calculation methods in accordance with Directive 2015/996 (CNOSSOS).
3. Adopt the new Law on Environmental Noise Protection.



The implementation of regulations

4. Develop strategic noise maps and action plans for the four remaining agglomerations (Belgrade, Novi Sad, Kragujevac and Subotica), as well as Belgrade Airport.
5. Provide training for noise experts (especially at the local level).
6. Introduce 24-hour continuous noise monitoring and make data available through a unified display of automatic noise monitoring.
7. All local self-governments should perform acoustic zoning.
8. Evaluate the adverse effects of noise on human health and the environment.



Financing:

9. Provide funds for the implementation of plans (and responsibilities) in the field of noise protection.

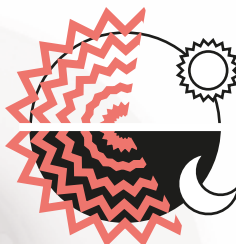


LEVEL OF COMMUNAL NOISE IN BELGRADE IN 2018



RESIDENTIAL ZONE

permitted level
Day: 55 dB(A),
Night: 45 dB(A)



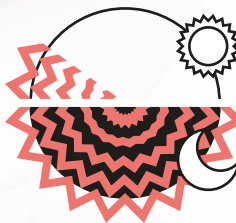
Higher than permitted

Day: five out of nine locations
Night: six out of nine locations



CITY CENTRE

permitted level
Day: 65 dB(A),
Night: 55 dB(A)



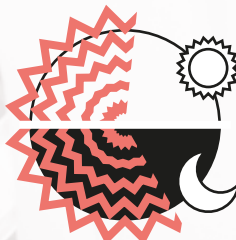
Higher than permitted

Day: one out of five locations
Night: five out of five locations



BUSY ROADS

permitted level
Day: 65 dB(A),
Night: 55 dB(A)



Higher than permitted

Day: eight out of 15 locations
Night: 10 out of 15 locations

Source: Statistical Yearbook of Belgrade 2018



KOALICIJA 27



Climate change

Overview

Legislative activity during the reporting period has been minimal.

The Draft Law on Climate Change (and the accompanying bylaws), which are of key importance for the harmonization of national legislation with the EU legal framework, has not been adopted yet. A draft of the Low Carbon Development Strategy (which should determine the direction of development toward decarbonisation, establish quantified opportunities for GHG emission reduction²⁵⁴, and define key adaptation measures to changed climate conditions) has been presented to the public and discussed at a public hearing; however, the final version of the document has not been adopted during the reporting period. The optimal scenario proposed by the Draft Strategy is a 33% reduction in greenhouse gas (GHG) emissions by 2030 compared to 1990 levels. In doing so, the Draft Strategy has clearly set out an opportunity for a significant increase in Republic of Serbia's climate ambition²⁵⁵ compared to the current goal of a 9.8% reduction in GHG emissions by 2030.

In 2019, the Ministry of Environmental Protection, together with UNDP, initiated the drafting of the Second Biennial Update Report²⁵⁶ and the Third National Communication in accordance with the UNFCCC. The Serbian Government Work Plan for 2020 foresees the adoption of both reports in December 2020. The Ministry of Environmental Protection has included members of Coalition 27 in the Working Group for the development of both reports.

The provisions on the greenhouse gas inventory included in the Regulation on a mechanism for monitoring and reporting greenhouse gas emissions cannot be assessed until the Law on Climate Change is adopted. It is unclear whether the Draft Low Carbon Development Strategy is harmonized with

254 GHG – Greenhouse Gas

255 The climate ambition is the ambition to reduce the emissions of greenhouse gasses.

256 <https://unfccc.int/process/transparency-and-reporting/reporting-and-review-under-the-convention/biennial-update-reports-and-international-consultation-and-analysis-non-annex-i-parties/biennial-update-reports>

the new ambitions of the European Union regarding climate policies, which are currently in the process of being amended. The quality of legislation that defines the national policy systems, measures and projections of greenhouse gases remains to be evaluated.

Activities concerning the development of the National Energy and Climate Plan (NECP) are still in their earliest stages, as the national NECP Working Group has not yet been formed and the process is still in a preparatory phase, focusing on the development of alternative policy scenarios and reference scenarios.

Strategic and legislative framework

TABLE 1 – Legislation Overview

Key EU climate change regulations	Harmonization with national legislation	Planned through the National Programme for the Adoption of the Acquis (revision III, March 2018), and Work Plans of the Serbian Government for 2019 and 2020	Adoption status
<ul style="list-style-type: none"> Regulation (EU) No. 525/2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other types of information at the national and Union levels relevant to climate change (MMR) – Monitoring mechanism Regulation. Commission Implementing Regulation (EU) No. 749/2014 on the structure, format, submission processes and review of information reported by Member States pursuant to Regulation (EU) No. 525/2013 of the European Parliament and of the Council. Commission Delegated Regulation (EU) No. 666/2014 of 12th March 2014 establishing substantive requirements for a Union inventory system and taking into account changes in the global warming potentials and internationally agreed inventory guidelines pursuant to Regulation (EU) No. 525/2013 of the European Parliament and of the Council. 	<p>National legislation is not harmonized with the EU Regulation.</p>	<p>The Draft Law on Climate Change, transposing the provisions of the Regulation, has been developed.</p>	<p>The Draft Law on Climate Change has not been adopted.</p>

Key EU climate change regulations	Harmonization with national legislation	Planned through the National Programme for the Adoption of the Acquis (revision III, March 2018), and Work Plans of the Serbian Government for 2019 and 2020	Adoption status
<ul style="list-style-type: none"> • Directive 2003/87/EC – EU emissions trading system (EU ETS). • Commission Regulation (EU) No. 600/2012 on the verification of greenhouse gas emission reports and tonne-kilometre reports and the accreditation of verifiers pursuant to Directive 2003/87/EC. • Commission Regulation (EU) No. 601/2012 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC. • Directive 2009/29/EC of the European Parliament and of the Council amending Directive 2003/87/EC to improve and extend the greenhouse gas emission allowance trading scheme of the Community. • Directive 2008/101/EC of the European Parliament and of the Council amending Directive 2003/87/EC to include aviation activities in the scheme for greenhouse gas emission allowance trading within the Community. 	<p>The Directive has not been transposed into the national legislation.</p>	<p>Draft Law on GHG Emission Reduction has been developed together with the bylaws.</p> <p>NOTE: The provisions of Directive 2003/87/EC pertaining to the GHG emission allowance trading have not been transposed through this draft of the law. The accompanying Rationale of the Draft Law on Climate Change states that the reason for this is that emission allowance trading would jeopardize the energy system of the Republic of Serbia, and that the starting date for the implementation of Directive 2003/87 provisions pertaining to GHG emission allowance trade is expected to be the subject of negotiations regarding EU membership.</p>	<p>The Draft Law on the GHG Emission Reduction System has been integrated into the Draft Law on Climate Change, which together with the accompanying bylaws, has not been adopted.</p>
<ul style="list-style-type: none"> • Decision No. 406/2009/EC on the efforts of Member States to reduce their greenhouse gas emissions – the Effort Sharing Decision. 	<p>National legislation is not harmonized with the Decision.</p>	<p>The relevant provisions of the Decision have been transposed into the Draft Law on Climate Change (limiting GHG emissions from the sectors and flexible mechanisms defined by the Decision). Quantified GHG emission reduction opportunities in the sectors the Decision relates to, as well as specific activities, needs and responsibilities for the implementation of these activities, will be established by the Climate Change Strategy with Action Plan.</p>	<p>The Draft Law on Climate Change has not been adopted.</p> <p>The Climate Change Strategy with Action Plan has not been adopted.</p>

Key EU climate change regulations	Harmonization with national legislation	Planned through the National Programme for the Adoption of the Acquis (revision III, March 2018), and Work Plans of the Serbian Government for 2019 and 2020	Adoption status
<ul style="list-style-type: none"> Directive 1999/94/EC relating to the availability of consumer information on fuel economy and CO2 emissions regarding the marketing of new passenger cars. 	The Directive has not been transposed into the national legislation.	The Draft Law on Climate Change , transposing the basic provisions of the Regulation, has been developed, however full harmonization is planned through the development of the bylaw.	The Draft Law on Climate Change and the accompanying bylaw have not been adopted.
<ul style="list-style-type: none"> CO2 emissions from passenger cars and light-duty vehicles – Regulation (EC) No. 443/2009 of the European Parliament and of the Council setting emission performance standards for new passenger cars; and Regulation (EC) No. 510/2011 of the European Parliament and of the Council setting emission performance standards for new light-duty vehicles within the integrated EU approach to the reduction of CO2 emissions from light-duty vehicles. 	National legislation is not harmonized with the requirements stipulated by the regulations.	/	/
<ul style="list-style-type: none"> Directive EC/98/70 on the quality of petrol and diesel fuels. 	Directive EC/98/70 has been partially transposed into national legislation. ²⁵⁷	/	/
<ul style="list-style-type: none"> Directive 2009/31/EC on the geological storage of carbon dioxide. 	The basic principles and priorities defined in Directive EC/2009/31 have been partially transposed into national legislation in the Law on Mining and Geological Surveys.	/	/

257 Pursuant to the Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of the Republic of Serbia", No. 36/09), Energy Law ("Official Gazette of the Republic of Serbia", No. 145/14), National Action Plan for Renewable Energy Sources ("Official Gazette of the Republic of Serbia", No. 53/13), Law on Consumer Protection ("Official Gazette of the Republic of Serbia", Nos. 73/10, 6/16), Law on Standardization ("Official Gazette of the Republic of Serbia", Nos. 36/09, 40/15); Law on Accreditation ("Official Gazette of the Republic of Serbia", No. 73/10).

Key EU climate change regulations	Harmonization with national legislation	Planned through the National Programme for the Adoption of the Acquis (revision III, March 2018), and Work Plans of the Serbian Government for 2019 and 2020	Adoption status
<ul style="list-style-type: none"> Regulation (EC) No. 1005/2009 and Regulation (EC) No. 744/2010 on substances that deplete the ozone layer. 	National legislation is partially harmonized with the provisions of Regulation (EC) No. 1005/2009. ²⁵⁸	/	/
<ul style="list-style-type: none"> Regulation (EU) No. 517/2014 on fluorinated greenhouse gases. 	National legislation is partially harmonized with the provisions of the Regulation. ²⁵⁹	/	/

The NPAA and Serbian Government Work Plans foresaw the adoption of ten documents (one law, five regulations and four rulebooks) to harmonize national legislation with the EU *acquis* in the field of climate change. None of the planned documents have been adopted yet. The third NPAA revision (from March 2018) foresees that the quantified opportunities for GHG emission reduction should be defined through the Low Carbon Development Strategy during 2019. The Low Carbon Development Strategy with Action Plan has not yet been adopted. The Serbian Government Work Plan for 2020²⁶⁰ foresees the adoption of the Strategy in December 2020.

258 Through the Law on Air Protection ("Official Gazette of the Republic of Serbia", Nos. 36/2009 and 13/2010) and the Regulation on substances that deplete the ozone layer, and the conditions for the issuance of licences for export and import of those substances ("Official Gazette of the Republic of Serbia", Nos. 114/13, 23/2018, 44/2018 – other law and 95/2018 – other law).

259 Through the Law on Air Protection ("Official Gazette of the Republic of Serbia", Nos. 36/2009 and 13/2010) and the Regulation on greenhouse gasses, and the conditions for the issuance of licenses for the export and import of those gasses ("Official Gazette of the Republic of Serbia", Nos. 120/2013 and 44/2018 – other law).

260 Government of the Republic of Serbia, Government Work Plan 2020, available at: https://www.srbija.gov.rs/extfile/sr/370541/plan-rada-vlade-srbije-za-2020_cyr.pdf

Law on Climate Change

As the review of legislation, above, indicates, the Draft Law on Climate Change should have set the foundation for the harmonization of the domestic legal framework with EU climate change regulations. The adoption of the Law on Climate change was planned in the Third Revision of the NPAA for the second quarter of 2018²⁶¹, whereas the Serbian Government Work Plan for 2019²⁶² planned for the adoption of the Law in June 2019.

The Draft Law on Climate Change has not been adopted as of the end of February 2020. In March 2018, the Ministry of Environmental Protection presented the Draft Law to the public, inviting stakeholders to take part in a public hearing process.²⁶³ Public hearings were held in six cities between March 15th and April 20th 2018.²⁶⁴ The Members of Coalition 27, along with other civil society organizations and expert community submitted numerous comments about the Draft, expressing concern that the document, in the form in which it was presented to the public, would not be sufficient to prepare the Serbian economy for climate change challenges, EU membership and the obligations arising from EU membership related to climate change.²⁶⁵ In June 2018, the Ministry of Environmental Protection published the Report on the Public Hearing about the Draft Law on Climate Change covering all of the objections, comments and suggestions received, and the Ministry's responses. Due to the expiry of the initial deadline for the adoption of the Law, the Minister of Environmental Protection, Goran Trivan, announced that the Law would be passed in the

261 National Programme for the Adoption of the Acquis (NPAA), available at: http://www.mei.gov.rs/upload/documents/nacionalna_dokumenta/npaa/npaa_2018_2021.pdf

262 Government of the Republic of Serbia (2019): Government Work Plan 2019, available at: http://www.gs.gov.rs/doc/PLAN_RADA_VLADE_2019.pdf

263 The Ministry initiates the public hearing procedure for the Law on Climate Change, <https://www.ekologija.gov.rs/ministarstvo-zapocinje-postupak-javne-rasprave-za-zakon-o-klimatskim-promenama/>

264 The Report on the Public Hearing about the Draft Law on Climate Change, available at: https://www.ekologija.gov.rs/wp-content/uploads/javne_rasprave/Izvestaj_javn%D0%B0_rasprava_Nacrt_zakona_o_KP.pdf

265 Coalition 27 (2019): Chapter 27 in Serbia: Money Talks, available at: https://www.koalicija27.org/wp-content/uploads/2019/10/izvestaj_2019_ENG_WEB.pdf

first half of 2019²⁶⁶, and then before the end of 2019.²⁶⁷ These deadlines have not been met, and the Draft Law has yet not entered the Assembly procedure.

The greenhouse gas inventory, managed by the Environmental Protection Agency, is performed every year for the year two years prior and adopted with the National Reports in accordance with the UNFCCC. The GHG Inventory becomes publicly available, through this practice, only after the adoption of these Reports by the Serbian Government. Although Article 50 of the Law on Air Protection²⁶⁸ explicitly states that data from the National Inventory of Greenhouse Gasses should be publicly available, in practice the Serbian public gains access to this data two years after it is recorded. This delay will be eliminated by the adoption of the Law on Climate Change. As the Law has not yet been adopted, the current greenhouse gas inventory is still not available to the public.

The Government Work Plan for 2020 does not foresee the adoption of the Law on Climate Change.

Low Carbon Development Strategy with Action Plan

The Low Carbon Development Strategy with Action Plan²⁶⁹ should direct development of the Republic of Serbia towards a low carbon and resource-efficient economy. The Strategy also represents the basic instrument for the fulfilment of Serbia's obligations under the Paris Agreement and other international obligations that Serbia has assumed. The Strategy primarily deals with climate change mitigation, however the role of natural ecosystems and protected areas in carbon storage is not presented anywhere in the strategy. After prolonged delays, the Draft Strategy²⁷⁰ (together with the Draft Report

266 Trivan at the 13th session of the Parliamentary Assembly of the Mediterranean: Serbia dedicated to the national and international targets in the fight against climate change, <https://www.ekologija.gov.rs/trivan-na-13-zasedanju-parlamentarne-skupstine-mediterana-srbija-posvecena-nacionalnim-i-medjunarodnim-ciqevima-u-borbi-protiv-klimatskih-promena/?lang=lat>

267 Law on Climate Change by the end of the year, <https://www.srbija.gov.rs/vest/403278/zakon-o-klimatskim-promenama-do-kraja-godine.php>

268 Law on Air Protection ("Official Gazette of the Republic of Serbia", Nos. 36/2009 and 10/2013)

269 The previous name of the document was the Climate Change Strategy with Action Plan.

270 Draft Low Carbon Development Strategy with Action Plan, available at: https://www.ekologija.gov.rs/wp-content/uploads/javne_rasprave/Strategija%20niskougljeni%C4%8Dnog%20razvoja%20sa%20akcionim%20planom_z%20javnu%20raspravu.pdf

on the Strategic Environmental Assessment²⁷¹) was presented to the public on the 27th of December 2019. A public review and public hearing were concluded on the 27th of January 2020. A Report on the participation of interested bodies and organizations, and the public²⁷², has not been published as of the end of February 2020, despite a legally binding deadline of 30 days. The Serbian Government Work Plan for 2020 foresees the adoption of the Low Carbon Development Strategy in December 2020.

The Draft Strategy indicated that Serbia's climate policies should be more ambitious than those currently in place. The current climate change goal was set in 2015, through the Intended Nationally Determined Contributions to GHG emissions reduction at the global level²⁷³, which aims for a 9.8% reduction in GHG emissions by 2030. The proposed scenarios for GHG emissions reduction set out in the Draft Strategy clearly indicate that much greater ambition is possible.

The GHG Mitigation Scenarios presented in the Draft Low Carbon Development Strategy with Action Plan are as follows:

M1 Scenario: The basic reference scenario B2 with the EU ETS implementation (European emissions trading system).

M2 Scenario: Full implementation of the entire EU *acquis*, fully transposed and implemented, achieving a GHG emissions reduction of 33% compared to 1990, 28.9% renewable energy sources by 2030, and an energy efficiency increase of 24.5%, as Serbia's contribution to achieving the EU's goals.

In order to examine the possibility for increased ambition and contribution to the achievement of the Paris Agreement's objective for the limitation of global temperature rise to 1.5 °C, two additional scenarios have been developed:

271 Draft Report on the Strategic Environmental Impact Assessment of the Draft Low Carbon Development Strategy with Action Plan, available at: https://www.ekologija.gov.rs/wp-content/uploads/javne_rasprave/Strateska%20procena_z%20hyperlink.pdf

272 Law on Strategic Environmental Impact Assessment ("Official Gazette of the Republic of Serbia", Nos. 135/2004 and 88/2010): Article 20 paragraph 2.

273 The intended nationally determined contributions to the reduction of emissions of greenhouse gasses on global level: <https://www.ekologija.gov.rs/dokument/>

M3 Scenario: Serbia achieves the EU goals for 2030 individually (GHG emissions reduction of 40% compared to 1990, 32% renewable energy sources by 2030, and an energy efficiency increase of 32.5%).

M4 Scenario: Serbia achieves 80% of GHG emissions reduction by 2050, compared to 1990 (in accordance with the EC Communication on climate neutrality).

The starting assumption for all scenarios was that Serbia will become a full member of the European Union by 2025. Scenarios based on this assumption will become inappropriate soon, as the EU is currently in the process of adopting the Law on Climate Change²⁷⁴ which will introduce a decarbonisation obligation (or net zero GHG emissions) for all EU member states 2050. In the absence of a mechanism for eliminating and capturing greenhouse gasses, even the most ambitious scenario, M4, would not be sufficient and would not enable harmonization with the European legal framework.

TABLE 2 – Mitigation scenarios until 2030 and 2050 and the potential for GHG emission reduction (source: Draft Low Carbon Development Strategy with Action Plan)

Scenario	Target year / comparison year	GHG emission reduction (%)	Target year / comparison year	GHG emission reduction (%)	Target year / comparison year	GHG emission reduction (%)
M2	2030/2010	13.2	2030/2005	20.1	2030/1990	33.3
	2050/2010	55	2050/2005	58.6	2050/1990	65.4
M3	2030/2010	28.7	2030/2005	34.4	2030/1990	45.2
	2050/2010	59.7	2050/2005	62.9	2050/1990	69
M4	2030/2010	26.4	2030/2005	32.2	2030/1990	43.4
	2050/2010	69.1	2050/2005	71.6	2050/1990	76.2

The M2 scenario assumes a reduction of greenhouse gas emissions of 33% by 2030, compared to 1990. The first Nationally Determined Contribution (NDC)

274 <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12108-Climate-Law>

states the potential for an emissions reduction of 9.8%²⁷⁵. The M2 Scenario (like all other presented scenarios) shows the potential greater ambition by the Republic of Serbia, as recommended by the Paris Agreement. This scenario is recommended to be optimal, and is expected to be adopted in the course of the adoption of the Draft Low Carbon Development Strategy. It must be taken into account that the goal of the EU is to become carbon neutral by 2050 (net zero GHG emission). To achieve this, the EU will propose a reduction of greenhouse gas emissions of at least 50% to 55% by 2030, compared to 1990 emissions. The current goal of a 40% reduction is therefore not an appropriate reference point that Serbia should use as a basis for harmonizing climate policies.

With more than 80% of total GHG emissions in the Republic of Serbia originating from the energy sector, the most significant strategic document that must be harmonized with the principles of low carbon development is the Energy Sector Development Strategy of the Republic of Serbia by 2025, with projections until 2030²⁷⁶, which was adopted in 2015. The scenario adopted according to this document foresees energy efficiency measures as a way to reduce GHG emissions. According to this scenario, the energy sector in Serbia will emit 43.59 million metric tonnes of CO₂eq in 2030. However, a specific objective of the Draft Low Carbon Development Strategy for the reduction of GHG emissions included in the EU Emissions Trading System (which includes the energy sector) by 2030 sets a target value for GHG emissions of 34.806 million metric tonnes of CO₂eq. The Draft Low Carbon Development Strategy therefore foresees GHG emissions that are about 25% lower in 2030 compared to the already adopted Energy Sector Development Strategy. The two policies are likely to be harmonized through the development of the NECP.

275 Nationally Determined Contributions – hereinafter NDCs, available at: <https://unfccc.int/process-and-meetings/the-paris-agreement/nationally-determined-contributions-ndcs>

276 “Official Gazette of the Republic of Serbia”, No. 101/2015.

TABLE 3 – Comparing the scenario of GHG emissions reduction proposed in the Energy Development Strategy of the Republic of Serbia 2025 with the projections until 2030, with the scenario proposed in the Draft Low Carbon Development Strategy.

Year	Draft Low Carbon Development Strategy with Action Plan. Specific Objective 1: Reduction of GHG emissions included in EU-ETS by 15% in 2030, and between 66.4% and 76.8% by 2050, compared to 2010. Unit: CO ₂ eq million tonnes.	Energy Development Strategy of the Republic of Serbia 2025 with the projections until 2030. Selected Scenario with the implementation of energy efficiency measures. Unit: CO ₂ eq million tonnes.	Difference in estimated GHG emissions between the Draft Low Carbon Development Strategy and the Energy Development Strategy
2015	40.87	44.22	about 6.6%
2030	34.81	43.59	more than 25%

Increased climate ambition of the Republic of Serbia and obligations in accordance with the United Nations Framework Convention on Climate Change (UNFCCC)

The Republic of Serbia's international obligations are stipulated by the laws on the ratification of the UN Framework Convention on Climate Change and the accompanying acts: the Kyoto Protocol, the Doha Amendment to Kyoto Protocol and the Paris Agreement.

One of the most significant obligations of the signatories to the UN Framework Convention on Climate Change is reporting in accordance with the Convention.²⁷⁷ In 2019, the Ministry of Environmental Protection, together with the UNDP, initiated the drafting of the Second Biennial Update Report²⁷⁸ and the Third National Communication in accordance with the UNFCCC. The Serbian Government Work Plan for 2020 foresees the adoption of both reports in December 2020.

²⁷⁷ <https://unfccc.int/national-reports-from-non-annex-i-parties>

²⁷⁸ <https://unfccc.int/process/transparency-and-reporting/reporting-and-review-under-the-convention/biennial-update-reports-and-international-consultation-and-analysis-non-annex-i-parties/biennial-update-reports>

The Ministry of Environmental Protection included members of Coalition 27 in the Working Group for the development of both reports. The Working Group met twice in 2019 (in April and November).

In accordance with Serbia's international obligations, in 2015 the Government developed and presented a Nationally Determined Contribution (NDC) of 9.8% GHG emissions reduction by 2030, compared to 1990. According to the requirements of the Paris Agreement, these targets must be revised and submitted for the period until 2050. The Serbian Government Work Plan for 2020 foresees the adoption of the revised NDCs in December 2020. In February 2020, the Ministry of Environmental Protection formed a Working Group for the implementation of the "Establishing a Transparency Framework for the Republic of Serbia" project, thereby initiating the process of revising the NDCs. The Members of Coalition 27 are included in the Working Group. The Working Group should have held its first consultative meeting in March 2020, at which the presentation of the first draft of the revised Nationally Determined Contributions should have been presented, with a focus on adaptation to changed climate conditions. Due to the coronavirus pandemic, the first meeting of the Working Group was cancelled and postponed until after the State of Emergency.²⁷⁹

Climate policy of Serbia, the EU and the Energy Community

A political agreement between the European Parliament and the Council on 2030 climate and energy targets was reached in June 2018. As in the European Union, the adoption of these targets is also a matter of political consensus among the Contracting Parties of the Energy Community. At the 16th Ministerial Council of the Energy Community, held on the 29th of November 2018, the signatories of the Energy Community Treaty, including Serbia, assumed the obligation to establish targets that are as equally ambitious as those of the EU member states.²⁸⁰ Negotiations on the methodology for calculating these

279 This comment pertains to the period after the reporting period (March 2020) and it was added because of the importance (i.e. topicality) of the events for the period covered by the report.

280 General Policy Guidelines on the 2030 Targets for the Contracting Parties of the Energy Community, available at: https://energy-community.org/dam/jcr:a70ca2dc-6043-4dbd-8cca-84b755efc71d/PG_2030_Targets_112018.pdf

targets began the same year. However, an agreement on the final methodology and a political agreement on the targets has still not yet been reached. The 2030 climate and energy targets should be adopted by mid-2021 by Energy Community Contracting Parties.²⁸¹ The likelihood of the Republic of Serbia achieving targets that are as equally ambitious as the EU member states is minimal. The unlikelihood of this outcome is indicated in the Draft Low Carbon Development Strategy, published in July 2019, which describes four projected scenarios that foresee different levels of greenhouse gas emissions by 2030. The scenario in which the Republic of Serbia achieves the EU targets implies that the legislative measures set out in the Draft Low Carbon Development Strategy will be followed by additional efforts in the sectors of energy, agriculture and waste management.²⁸²

Implementation of the provisions of the Energy Community Treaty

The implementation of the Energy Community Treaty is at a very low level given the importance of the Treaty for Serbia, the Western Balkans and the EU at this moment. The Annual Implementation Report for 2019 gave an overview of Serbia's implementation performance. These reports evaluate a country's implementation of the Treaty's *acquis* on a percentage scale. The report graded Serbia's overall performance in 2019 at 57%, only a 1% increase from the previous year.

Among the different policy areas, the Serbia's weakest implementation performance in 2019 was in the climate sector, which was graded at only 21%. The Energy Community *acquis* for the climate sector consists of:

- Recommendations on preparing for the development of integrated National Energy and Climate Plans (NECP);

281 Energy Community discusses new timeframe for 2030 targets, available at: <https://energy-community.org/news/Energy-Community-News/2019/01/21.html>

282 Climate Strategy & Action Plan Republic of Serbia, available at: http://www.serbiacclimatestrategy.eu/wp-content/uploads/2019/04/Draft-Scoping-Report_Climate-Strategy-and-Action-Plan_V0.1.pdf

- Recommendations on preparing for the implementation of Regulation (EU) No. 525/2013 on a mechanism for monitoring and reporting greenhouse gas emissions;
- General Policy Guidelines on the 2030 targets.

The two main indicators used to evaluate progress in the implementation of climate related policies are the implementation rates of the national monitoring and reporting systems for greenhouse gas emissions (38%) and the NECP (8%). The implementation grade for the first indicator is related to the adoption of the Law on Climate Change. Drafting of the NECPs (National Energy and Climate Plans) is still in the early stages, which not only impacts the implementation of the plans at a technical level, but is limiting the streamlining of climate policymaking in Serbia, i.e. the adaptation of the Law on Climate Change.

Harmonization with the Energy Efficiency and European Union acquis

2020 is a year of great importance for climate action in Serbia. In 2020 the adoption of the Law on Climate Change and the National Low Carbon Development Strategy, the development of the NECP, as well as the revision of the NDC, are all planned.

It is vital to focus all these processes on a common goal: The decarbonisation of the Serbian economy by 2050. Planning must prioritize the coordination of all sectors and should result in the revision of other strategic documents, in particular energy strategy and spatial planning documents. The process of setting targets for 2030 under the Energy Community framework and through the EU accession process should also be considered, so that these targets can be smoothly incorporated in the future.

What would the taxation of greenhouse gas emissions mean for Serbia?

Serbia has still not taken steps towards creating mechanisms for the taxation of CO₂ emissions, which would not only drive technology efficiency, but also

open the path toward the decarbonisation for the economy. Serbia accounts for half of the greenhouse gas emissions from coal-fired power plants in the Western Balkans. If every tonne of CO₂ emitted by coal-fired power plants in Serbia was taxed, about 30 million tonnes CO₂ equivalent, even at a low price of €20 per tonne of CO₂ equivalent, would generate at least €600 million per year for the Serbian budget.

In the absence of such a mechanism, Serbia has a comparative advantage compared to the EU market, which will represent an obstacle to further integration into the EU market. The EU plans to introduce a carbon border adjustment mechanism, which will not only affect electricity exported to the EU, but products originating from industries with high GHG emissions.

It is very important for Serbia to immediately begin creating conditions for the introduction of such a mechanism. An overview of Serbia's readiness to introduce such a mechanism is presented in Table 4.

TABLE 4 – Initial overview of Serbia's readiness to implement mechanisms for taxing GHG emissions

Carbon intensity of the economy	Higher than the Western Balkan average
Paris Agreement	Signed
Inclusion of CO ₂ emissions in the national targets for emission reductions	Yes
National energy and climate plans	No
Adoption of the Low Carbon Development Strategy	No
Regulatory / political framework presenting the level of readiness for the IMF (Monitoring Mechanism Regulation 525/2013)	Draft
Operational inventory of greenhouse gases	Yes
Process for collecting operational data	Yes
Reporting system established	Yes
Level of readiness of institutions and organisational capacity	Average
Regulatory / political framework presenting the EU ETS requirements	To be reviewed after the adoption of the Law on Climate Change.

The implementation of regulations

There has been very limited progress in the implementation or adjustment of measures for climate change mitigation. More significant progress is currently impossible as a legislative framework for this sector has not yet been adopted.

Financing

The Budget Law of the Republic of Serbia for 2019²⁸³ indicates that RSD 15,000,000 have been allocated to the Ministry of Environmental Protection for the “Local Development Resilient to Climate Change” project.²⁸⁴ Moreover, RSD 41,000,000 has been allocated from the Green Fund (although not explicitly for climate change) for afforestation, aimed at landscape diversity protection and preservation. The IPA 2013²⁸⁵ allocated RSD 429,559,000 to the Ministry of Environmental Protection for the environment and climate change.

The Report on Budget Execution in 2019²⁸⁶ of the Ministry of Environmental Protection states that funds spent on the “Climate Smart Urban Development Challenge” project were somewhat lower than planned (RSD 14,970,773). The report also states that slightly more funds than planned (RSD 31,086,608 – allocated from the Green Fund) were spent on “afforestation aimed at landscape diversity protection and preservation”. In both cases, the amounts are lower than in 2018.

The Budget Law of the Republic of Serbia for 2019 allocated funds to the Republic Hydrometeorological Service for monitoring and analysis of the climate and forecasts of climate variability and climate change (RSD 53,989,000), for the development of networks for climate knowledge integration into policy and territorial knowledge within the SEE 2013 – “ORIENTAGE” project (RSD 2,980,000), and for climate surveillance, modelling and services to Europe (RSD 2,830,000). Information about the amount of the allocated funds that were spent is not available on the web site of the Hydrometeorological Service at present.

283 Budget Law of the Republic of Serbia for 2019, available at: <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2018/95/3/reg>

284 <http://www.undp.org.rs/FactSheets/CSUD%20SRP.pdf>

285 <http://europa.rs/pomoc-eu-republici-srbiji/ipa/ipa-2013/>

286 Budget Execution in 2019, Ministry of Environmental Protection, available at: <https://www.ekologija.gov.rs/wp-content/uploads/informator/IZVR%C5%A0ENJE%20BUD%C5%BDETA%202019.pdf>

Funds allocated for the Local Development Resilient to Climate Change project in the Budget Law of the Republic of Serbia for 2020²⁸⁷ are the same as the previous year (RSD 15,000,000). The same amount has also been allocated to afforestation for the purpose of landscape diversity protection and preservation (RSD 41,000,000). Allocations from the IPA 2013 – Environment and Climate Change are significantly lower this year than last, with RSD 94,300,000 allocated to the Ministry of Environmental Protection and RSD 71,209,000 to the Ministry of Energy and Mining.

The Budget Law of the Republic of Serbia for 2020 allocated RSD 56,201,000 to the Republic Hydrometeorological Service²⁸⁸ for the monitoring and analysis of climate and forecasts of climate variability and climate change, and RSD 1,490,000, for the climate surveillance, modelling and services to Europe.

The energy sector in Serbia accounts for approximately 80% of total greenhouse gas (GHG) emissions in the country. The Electric Power Industry of Serbia (EPS) alone accounts for more than 50% of these emissions. Serbia is a developing country and therefore does not have international obligations for GHG emissions reduction. With EU accession, Serbia, as alongside EU member states, is expected to be required to significantly reduce GHG emissions. The success of this process will primarily depend on the readiness of EPS to invest sufficiently in cleaner forms of electricity production. The total value of the necessary investment amounts to billions of euros. If EPS is unable to reduce CO₂ emissions sufficiently, it will be liable to pay penalties. Given that EPS emits 30–35 million tonnes of CO₂ per year, the failure to reduce emissions could result in penalties amounting to tens of millions to euros every year.²⁸⁹

287 Budget Law of the Republic of Serbia for 2020, available at: <http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2019/BUDZET%202020.pdf>

288 Excerpt from the Budget Law of the Republic of Serbia for 2020; Section 37: Republic Hydrometeorological Service

289 Fiscal Council (2018): Investments in Environmental Protection: A Social and Fiscal Priority, available at: <http://www.fiskalniisavet.rs/doc/eng/FC%20-%20Investments%20in%20environmental%20protection.pdf>

Recommendations



Strategic and legislative framework

- 1.** Adopt the Law on Climate Change and transpose the EU legal framework on climate change by the end of 2020.
- 2.** Revise and increase the ambitions for GHG emissions reduction and adopt the revised NDC before the next UNFCCC Summit, in accordance with the Paris Agreement. The new/amended NDC should match the ambition of the upcoming revision of the EU goals for 2030 and the decarbonisation plan until 2050.
- 3.** Set up a continuous mechanism for monitoring the development and work of local self-governments on climate change mitigation and adaptation issues, and set up a mechanism for providing technical and expert support to local self-governments that are developing action plans for climate change adaptation purposes.
- 4.** All legislative elements (laws, bylaws, etc.) that are directly related to greenhouse gas emitters should be revised so as to include climate change (climate change mainstreaming).
- 5.** Fully support the Energy Community Secretariat²⁹⁰ and define goals to reduce greenhouse gases, increase energy production from renewable resources, and improve energy efficiency. Establish a working group in accordance with the principles of public participation and begin activities on the development of integrated National Energy and Climate Plans of Serbia within a set time frame, and enable adequate public participation.

²⁹⁰ Policy guidelines by the Energy Community Secretariat on the development of National Energy and Climate Plans under Recommendation 2018/01/MC – EnC, available at: https://www.energy-community.org/dam/jcr:c9886332-a1f5-43ee-b46c-31c637aedfa6/PC_03_2018_ECS_NECp.pdf

6. Define and adjust the legislative and institutional framework related to adjusting to climate change and integrate it into other sectors, primarily: water management, agriculture, urban planning and construction, infrastructure, forestry, environmental protection and energy.



The implementation of regulations

7. Strengthen the role of the National Committee on Climate Change by establishing intersectoral cooperation and integrating mitigation and adaptation measures for climate change into other public policies, as well as involving the representatives of civil society organizations in the work of the Committee.
8. In the course of the preparation of the Third National Report under the UN Framework Convention on Climate Change and the Second Biennial Update Report, take into account issues already described in relation to the reliability and accuracy of GHG inventory data. Use relevant available data in place of projections. Ensure the adequate participation of civil society representatives.
9. Make GHG inventory data public, verifiable and easily accessible, in accordance with the laws of the Republic of Serbia and international obligations, such as the Aarhus Convention and the Paris Agreement.
10. Continue and improve the inclusion of civil society organizations in the process of legislative and strategic document development, ensuring the widest possible public involvement and a fair public hearing process; enable local self-governments, civil society and citizens to actively participate in the preparation of the national Climate Change Strategy with Action Plan, and NDC revision.
11. Increase the number of civil servants in ministries and local self-governments engaged in climate change and build their capacity.

- 12.** Improve the practice of involving the public in relevant policy-making procedures in the field of climate change.
- 13.** Establish legal instruments to bind operators to submit information on GHG emissions.
- 14.** Increase the knowledge and skills of civil servants in ministries and local self-government engaged in climate change.
- 15.** Promote education on climate change through strategic and systemic inclusion in school and university curricula.



Financing

- 16.** Set up a financial mechanism to support strategic priorities (in line with Serbia's accession to the European Union) by, among other things, redirecting funds allocated to the fossil fuel industry to mitigation and adaptation to climate change.
- 17.** Adopt a mechanism for CO₂ emission taxation as a source of income for the State budget, which Serbia will have to adopt in the near future and will encourage technical innovation, lowering greenhouse gas emissions and supporting the needed energy mix diversification. A CO₂ tax of €20 per tonne of emissions would raise more than €600 million per year, which would enable significant investment in the decarbonisation of the Serbian economy.
- 18.** In the long term, provide financial mechanisms to fund capacity building of civil servants and education in the field of climate change, to ensure the creation of a society that is resilient to climate change impact.



Forestry

There have been no significant changes in the forestry sector related to policy changes and the EU accession process since the previous report.

The FLEGT Regulation²⁹¹, governing the import of timber products into the European Union, and the EUTR Regulation²⁹², governing the trade in timber and timber products, are two key elements of the EU *acquis* regarding forestry. Although the preparation of the Law on Trade in Timber and Timber Products has been announced, there were no activities concerning the adoption of new strategic or legislative documents for the purpose of transposing EU legislation in 2019 due to the need to address previously identified deficiencies in the implementation of the FLEGT and EUTR Regulations.

The forestry sector still does not have an umbrella strategic document. The Strategy of Forestry Development of the Republic of Serbia formally expired with the entry into force of the Law on the Planning System of the Republic of Serbia.²⁹³ No official information is available about the development of the Forestry Development Programme, stipulated by the Law on Forests.²⁹⁴ The results of the GEF project *Contribution of Sustainable Forest Management to a Low Emission and Resilient Development* are expected to significantly contribute to the development of the Forestry Development Programme, as well as other planned international projects.

The basic challenges facing forestry in Serbia remain the same as in the previous period. Although the state of forests is generally assessed as satisfactory, there are issues that must be addressed, such as the high number of coppiced

291 Council Regulation (EC), No 2173/2005 of 20th December 2005 on the establishment of a FLEGT licensing scheme for imports of timber into the European Community.

292 Regulation (EU), No 995/2010 of the European Parliament and of the Council of 20th October 2010 laying down the obligations of operators who place timber and timber products on the market

293 "Official Gazette of the Republic of Serbia", No. 30/2018.

294 "Official Gazette of the Republic of Serbia", Nos. 30/2010 93/2012, 89/2015, 95/2018 – other law.

stands (57%), the proliferation of illegal logging, the lack of data on forests in private ownership and poor control of their use.

The decision-making and planning processes in forestry are still closed and mostly limited to the institutions and organizations in the forestry sector. The participation of other sectors and the broader public is very limited.

It is clear that topics related to climate change mitigation and adaptation have recently become relevant in the forestry sector. Several larger projects addressing these topics are currently being implemented, but changes to the legislative and strategic framework are not yet visible.

Strategic and legislative framework

No new legislation in the field of forestry that is relevant to the EU accession process was adopted in 2019.

The Forest Directorate of the Ministry of Agriculture, Forestry and Water Management has prepared an IPA twinning project aimed at supporting the development of the Law on Trade in Timber and the Forestry Development Programme. The aim of the announced Law on Trade in Timber is to address the already identified deficiencies in the implementation of the FLEGT and EUTR Regulations.

The implementation of regulations

The Forest Directorate of the Ministry of Agriculture, Forestry and Water Management is in charge of forestry policy implementation in Serbia. All publicly owned forests are managed by public companies (PE Srbijašume, PE Vojvodinašume and the public enterprises managing national parks). State owned forests account for about 43% of the forests in Serbia, with the remaining forests owned privately.²⁹⁵ State owned forests contain about 48% of the total wood volume in Serbia, with privately owned forests containing the remaining 52%. This indicates that privately owned forests are in a somewhat less favourable condition. Additionally, the annual volume increment in state owned forests is estimated at 4.4 m³/ha, compared to 3.6 m³/ha in privately owned forests.

High natural forests account for only 29% of the total forested area in Serbia, and about two-thirds of state-owned forests.²⁹⁶

According to Forest Directorate data, about 51% of annual growth is cut in state owned forests in Serbia. Available data about private forests varies drastically; it is estimated that around 90% of annual growth in privately owned forests is cut every year. Based on this data, and other qualitative assessments, the management and use of forests in Serbia is assessed by competent institutions as inadequate. The potential contribution of the forestry sector to the economy, society and environmental protection is far greater than currently realized. In recent years, the Forest Directorate has tightened control of planning and the implementation of annual forest management plans, which, according to

295 Available at: <http://upravazasume.gov.rs/wp-content/uploads/2017/02/1.-S.Stamatovic-Koncept-unapredjenja.pdf>

296 Available at: <https://upravazasume.gov.rs/wp-content/uploads/2019/01/Godisnji-sastanak.pdf>

the Directorate's data, has resulted in an increase in the volume of wood being cut annually.

The lack of appropriate planning and control of the use of privately owned forests remains a significant issue in Serbian forestry. Data about privately owned forests, which is necessary for appropriate forest management, is either of poor quality or unavailable. One way in which control over use of privately owned forests is being strengthened is through the creation of associations of private forest owners and the professional of provisional forestry training to association members. However, this process is developing very slowly and the number of forestry associations remains low. One of the greatest challenges in private forest management is the lack of consolidation, private forests tend to be small, covering scattered areas, and with out-of-date and/or unresolved ownership details. According to the Law on Forests, Forest Management Programmes can be developed for forests owned by several owners. Three such programmes for municipalities in Vojvodina were published at the beginning of 2020.²⁹⁷ The implementation and/or control of the implementation of these plans continue to represent a challenge, as each programme usually covers numerous forest owners.

The Chamber of Forestry Engineers of the Republic of Serbia started operating at the end of 2018.²⁹⁸ In accordance with the Law on Forests, this Chamber issues work licenses to forestry engineers.

The quality of control over forest use has improved in recent years. The trend of increasing numbers of checks continued in 2019. According to Forest Directorate data²⁹⁹, the forestry inspection performed 5,020 checks in the territory of Serbia in 2019, 33% more than planned. The number of checks performed in 2019 was slightly higher than in 2018 (4,970). The amount of seized wood in 2019 was 9,327 m³, a slight decrease compared to 2018, when 10,392 m³ of wood was seized. Revenue generated from felled timber fees in 2019 remained similar to the previous two years, about RSD 454 million (compared

297 <https://upravazasume.gov.rs/sumarstvo/obavestjenja/>

298 <https://sumarskakomora.rs/>

299 Available at: https://upravazasume.gov.rs/wp-content/uploads/2019/12/Zvijezdan-Go%C4%8D-decembar-2019_.pptx

to about RSD 470 million in 2018). 31 people currently work on tasks related to inspection at the Forest Directorate.

Illegal logging remains a significant issue, primarily in privately owned forests. However, activities that are not in line with forestry legislation also occur in state owned forests run by public enterprises. An illustration of this is the situation in the "Fruška Gora" National Park, where the Let's Defend the Forests of Fruška Gora civic initiative has highlighted numerous irregularities and filed six justified complaints to the competent inspection in 2019.³⁰⁰ No recent data or assessments of the amount of illegally felled timber are available. Based on the amount of wood seized by inspection checks (9,327 m³), the amount of illegally felled timber can be expected to be many times higher.

The implementation of the GEF project *Contribution of Sustainable Forest Management to Low-Emission and Resilient Development*³⁰¹ continued during the reporting period. The project includes the development of the second National Forest Inventory and the methodology for the collection of information about biodiversity, the development of an IT system for forestry, legislation promotion, and training for staff in the forestry sector, etc. The results of this project will provide significant information and contribute to drafting the Forestry Development Programme.

The drafting of an Interim National Standard for the certification of forests in Serbia began in 2018. Activities continued in 2019, but no official information about when the standard will be adopted and published is available.

Harmonization and cooperation between the forestry sector and nature protection sector is still not satisfactory. Given the complexity of the EU Habitats Directive and Birds Directive (forming the Natura 2000 Ecological Network) and their impact on forestry, structured cooperation by competent institutions, as well as the broader expert community, must be developed.

300 <https://fruskac.net/rs/novosti/inspekcijske-prijave-za-secu-i-smene-u-jnpn-fruska-gora>

301 Project info available at: <https://www.thegef.org/project/contribution-sustainable-forest-management-low-emission-and-resilient-development>

Financing

In 2019, about RSD 750 million³⁰² was allocated to the Budgetary Forest Fund – the same amount as in previous years.

In 2019, 95% of the planned budget was spent, compared to 87% in 2018.

Most of the funds were again allocated to the construction and reconstruction of forest roads, about RSD 450 million. About RSD 80 million was allocated to afforestation in 2019, which is about 40% less than in 2018.

302 Regulation on establishing the annual programme for the use of Budgetary Forest Fund resources of the Republic of Serbia in 2019. "Official Gazette of the Republic of Serbia", No. 13/19.

Recommendations



Strategic and legislative framework

- 1.** Develop the national strategic document (development program) for forestry in order to provide a long-term vision for the development of this area in Serbia, with precise sources of funding and an implementation schedule. This document must take into account relevant EU Regulations in this area (the EU Forestry Strategy and Green Paper on Forest Protection).
- 2.** Develop an institutional and legislative framework with clearly defined competencies for the implementation of the EUTR and FLEGT Regulations.



The implementation of regulations

- 3.** Strengthen the capacities of competent institutions regarding the implementation of EU legislation and international treaties related to nature protection (Birds Directive and Habitats Directive, CITES Conventions, etc.).
- 4.** Strengthen the capacities of competent forestry institutions integrate/implement EU climate change and energy policies in the forestry sector.
- 5.** Enable public participation in the development of key documents governing the use of forests (including forest management plans).
- 6.** Value and promote other ecosystem services provided by forests, aside from wood, and use these ecosystem services in forest management planning.

7. Improve the quality of information available about privately owned forests and intensify the control of their use.
8. Improve cooperation with other sectors (nature protection, energy, climate change, and water management) for the purpose of integrated management of forest ecosystems.



Financing

9. Direct a greater proportion of the funds of the Budgetary Forest Fund towards financing the protection and improvement of forest ecosystems providing services of general interest.



FORESTRY

3.3 million m³ of
timber is cut in Serbia
EVERY YEAR

3,300,000

Of that, about
2.4
million m³ in
**STATE-OWNED
FORESTS**

and about
0.9
million m³ in
**PRIVATELY-OWNED
FORESTS**

RATIO OF THE AREAS
of state-owned and
privately-owned forests

43 : 57

Privately-owned
forests give only
about

1/4

of the **GROSS**
timber mass

* source: Statistical Office of the Republic of Serbia



KOALICIJA 27

A person is holding a globe of the Earth in their hands. The person's face is visible in the background, looking down at the globe. The globe is centered in the frame, and the text is overlaid on it.

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Appendix 1

List of Abbreviations

AP – Autonomous Province

ATP – Adaptation to Technical Progress

BPA – Bisphenol A

BPR – Biocidal Product Regulation

CEPIC – European Chemical Industry Council

CITES – Convention on International Trade in Endangered Species of Wild Fauna and Flora

CNOSSOS – Common Noise Assessment Methods

CSO – Civil Society Organizations

DSIP – Directive Specific Implementation Plan

EAS 3 – The Additional Development of EU Environment Approximation for Air, Chemicals and Horizontal *Acquis* project, which is providing technical support for the further harmonization of the legal and institutional framework with the EU *acquis* to the Ministry of Environmental Protection and Negotiating Group 27 in the field of the environment.

ECHA – European Chemical Agency

EIA – Environmental Impact Assessment

eIRH – Electronic platform for registration of chemicals in the Integrated Register of Chemicals

EPS – Public company *Elektroprivreda Srbije*

EU – European Union

EU-ETS – European Union emissions trading system

EUR – Euro currency

EUTR – EU Timber Regulation

FLEGT – Forest Law Enforcement, Governance and Trade

GEF – Global Environment Facility

GHG – Greenhouse Gas

GIS – Geographical Information System

INSPIRE – Infrastructure for Spatial Information in the European Community

IPA – Instrument for Pre-Accession Assistance

MMR – Monitoring mechanism Regulation (regulation on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union levels relevant to climate change)

NDC – Nationally Determined Contributions

NECP – National Energy and Climate Plan

NEPRO – *Rapid Alert System for Dangerous Non-Food Products in the Republic of Serbia*

NERP – National Emission Reduction Plan

NSDI – National Spatial Data Infrastructure

NIP – National Implementation Plan

NPAA – National Programme for the Adoption of the *Acquis* (a detailed, multi-annual plan for the alignment of domestic legislation with EU regulations)

OSCE – Organization for Security and Co-operation in Europe

PE – Public Enterprise

PBDE – Polybrominated diphenyl-ethers

PM₁₀ – Atmospheric particulate matter (PM) with a diameter of less than 10 micrometres

PM_{2.5} – Atmospheric particulate matter (PM) with a diameter of less than 2.5 micrometres

POPs – Persistent Organic Pollutants

PUC – Public Utility Company

RES – Renewable Energy Sources

REACH – Registration, Evaluation, Authorization and Restriction of Chemicals
– a regulation of the European Union

RERI – Renewables and Environmental Regulatory Institute

RSD – Serbian dinar (currency)

SAICM – *Strategic Approach to International Chemicals Management*

SCI – Sites of Community Importance

SEA – Strategic environmental assessment

SEPA – *Serbian Environmental Protection Agency*

SHPP – Small hydropower plants

SO₂ – Sulphur dioxide

SPA – Special Protected Areas

SVHC – Substances of Very High Concern

UBA (de. *Umwelt Bundesamt*) – Environmental Agency of the Federal Republic of Germany

UN – United Nations

UNFCCC – United Nations Framework Convention on Climate Change





WWTP – Wastewater treatment plant

Appendix 2

Comparative Table of Recommendations for 2019 and 2020

Legenda:  Not adopted  Partially adopted  Adopted

Financing

Recommendations for 2019 from the previous Report	Result	Comment	Recommendations for 2020
Adopt bylaws to strengthen the operation of the Green Fund.		No progress during the reporting period.	Adopt bylaws to strengthen the operation of the Green Fund.
Reinstitute the purpose-specific allocation of funds raised from environmental protection fees by amending the Budget System Law and the Law on Fees for the Use of Public Goods.		No progress during the reporting period.	Amend the Budget System Law and the Law on Fees for the Use of Public Goods in order to reinstitute the purpose-specific allocation of funds raised from environmental protection fees.
Increase allocations from the budget of the Republic of Serbia for environmental protection.		In 2019 more funds were allocated for environmental protection than in 2018 and 2017; however, budget allocations for environmental protection remain insufficient.	Significantly increase the annual allocation from the budget of the Republic of Serbia for environmental protection, in accordance with the Fiscal Council's recommendations.
Increase the number, and systematize the roles, of employees in the sector of environmental protection pursuant to the Law and needs.		No progress during the reporting period.	Increase the number, and systematize the roles, of employees in the sector of environmental protection pursuant to the Law and needs.

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

Establish a measurable and comprehensive monitoring and reporting system for investments (from the national budget, IPA fund, and bilateral donations) in the field of environmental protection and climate change.



No progress during the reporting period.

Establish a measurable and comprehensive monitoring and reporting system for investments (from the national budget, IPA fund, and bilateral donations) in the field of environmental protection and climate change.

Increase the capacity of the Ministry of Environmental Protection to assess the needs and objectives of their work, short-term and long-term planning of activities, absorption of pre-accession funds and adequate implementation of projects.



No progress during the reporting period.

Increase the capacity of the Ministry of Environmental Protection to assess the needs and objectives of their work, short-term and long-term planning of activities, absorption of pre-accession funds and adequate implementation of projects.

New recommendations

- Grant greater authority to the Ministry of Environmental Protection over projects within the scope of activity of the Ministry and grant the Ministry a coordinating role for investment projects implemented by other bodies that fall within the scope of the Ministry.
- Provide fundamental public participation in decision-making at a local level in setting priorities and allocating green funds through amendments to the Law on Environmental Protection, and allocate revenue from environmental protection fees to the Autonomous Province of Vojvodina, through amendments to the Law on Waste Management.
- Establish and implement financial discipline measures against municipalities and towns that violate the law pertaining to funding in any way.

- Introduce a template for programming and reporting on environmental funds by the local self-governments, and make these documents publicly available on the website of the Ministry of Environmental Protection or the Environmental Protection Agency.



Horizontal legislation

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

Improve the Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) quality by adopting the necessary bylaws and planned amendments to the Law on EIA and the Law on SEA.



Planned amendments to the law and the bylaws were not adopted during the reporting period.

Improve the Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) quality by adopting the necessary bylaws and planned amendments to the Law on EIA and the Law on SEA.

Harmonize List I (projects for which environmental impact assessment is mandatory) and List II (projects for which an impact assessment may be required) with Annexes I and II of Directive 2011/92/EU.



Amendments to the Law on Environmental Impact Assessment were not adopted during the reporting period; harmonization of the Lists accompanying the Law with the annexes of Directive 2011/92/EU has therefore also not occurred.

The same applies to the strategic environmental impact assessment.

Harmonize List I (projects for which Environmental Impact Assessment is mandatory) and List II (projects for which an Environmental Impact Assessment may be required) with Annexes I and II of Directive 2011/92/EU.

Create a list of plans and programmes for which a strategic environmental assessment is mandatory and a list of plans and programmes for which a strategic environmental assessment can be required.

Provide transparent and timely information to the public about public hearings through the improved provision of information online, in accordance with the guidelines for the development of the web presentations of state administration bodies, the bodies of autonomous provinces and local self-governments.



No progress in implementing the recommendation during the reporting period.

Provide transparent and timely information to the public about public hearings through the improved provision of information online, in accordance with the guidelines for the development of the web presentations of state administration bodies, the bodies of autonomous provinces and local self-governments.

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020

Environmental Impact Assessment studies must comply with the Rulebook on the Content of the Request for the Impact Assessment Need and the Content of the Requirements for Determining the Scope and Content of the Environmental Impact Assessment Study ("Official Gazette of the Republic of Serbia", No. 69/05).



Environmental impact assessment studies usually fulfil the required form but fail to meet the defined standards for environmental protection.

Fully implement the guidelines set out in the Rulebook on the content of the requests on the need for environmental impact assessment and the content of the request for determining the scope and content of the Environmental Impact Assessment Study¹, when drafting environmental impact assessment studies.

Ensure the inclusion of a cumulative impact assessment in environmental impact assessment studies.



The cumulative environmental impact is not sufficiently considered in the course of drafting and approving environmental impact assessment studies, in particular for List II projects (projects for which an environmental impact assessment is not mandatory).

Environmental impact assessment studies usually do not provide complete assessments of cumulative impact and tend to only assess selected impacts for which the assessor has capacity to address, instead of all impacts.

Ensure the inclusion of a cumulative impact assessment in environmental impact assessment studies.

Establish quality control of environmental impact assessment studies, as well as a review of studies every five years.



No progress in implementing the recommendation during the reporting period.

Establish quality control of environmental impact assessment studies, as well as a review of studies every five years.

1 "Official Gazette of the Republic of Serbia" No. 69/05.

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

In order to achieve greater compliance with Directive 2003/35/EC on public participation, increase the capacity of national institutions and local self-governments and Archus centres to conduct public participation procedures during the preparation and revision of plans and programmes.



In order to achieve greater compliance with Directive 2003/35/EC on public participation, increase the capacity of national institutions and local self-governments to conduct public participation procedures during the preparation and revision of plans and programmes.

Increase penalties for environmental pollution.







No progress in implementing the recommendation during the reporting period.

Increase penalties for environmental pollution.

New recommendations

- Ensure the full implementation of the Regulation on the Methodology of Public Policy Management, Policy and Regulatory Impact Assessment, and Content of Individual Public Policy Documents (8/2019-79) in the environment sector.
- Increase and consistently implement penalties for non-compliance with regulations on the environmental impact assessment and strategic environmental assessment procedures.

Air quality

Recommendations for 2019 from the previous Report	Result	Comment	Recommendations for 2020
Immediately start the process of adopting the Air Quality Strategy.		Work on the Strategy has started; however, civil society organizations and the interested public have not been included in the process.	Enable the participation of the interested public in the process of developing the Air Quality Strategy.
Start the process of establishing binding standards for low-power combustion appliances used in households (stoves and solid fuel stoves) in accordance with the Eco-design Directive (2009/125/EC). Given the widespread use of inefficient stoves and solid fuel ovens in households, it is necessary to consider the accelerated transposition of deadlines for this Directive.		Planned amendments to the Law on the Efficient Use of Energy have not been made and the Eco-design Regulation – transposing the Eco-design Directive (2009/125/EC) has not been adopted.	Start the process of establishing binding standards for low-power combustion appliances used in households (stoves and solid fuel stoves) in accordance with the Eco-design Directive (2009/125/EC). Given the widespread use of inefficient stoves and solid fuel ovens in households, it is necessary to consider the accelerated transposition of deadlines for this Directive.
Supplement the existing legislative framework with binding regulations that will regulate the efficiency and emissions of solid fuel combustion appliances.		Planned amendments to the Law on the Efficient Use of Energy have not been made and the Eco-design Regulation – transposing the Eco-design Directive (2009/125/EC) has not been adopted.	Supplement the existing legislative framework with binding regulations that will regulate the efficiency and emissions of solid fuel combustion appliances.
Ensure that competent institutions enforce regulations related to legal deadlines for the creation of public policies concerning air quality, regulations related to air quality monitoring, the exchange of air quality information, and obligations under international agreements.		Delays in the adoption and implementation of relevant public policy documents occur both at national and local levels. In addition to the delay in adopting the NERP and drafting of the Air Quality Strategy at the national level, towns and municipalities with third category air still have not adopted and implemented local air quality plans.	Ensure that competent institutions enforce regulations related to legal deadlines for the creation of public policies concerning air quality, regulations related to air quality monitoring, the exchange of air quality information, and obligations under international agreements.

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020

Monthly information about the detected exceedance of hourly and daily limit values (LV) must include information about which monitoring stations were/were not operating during that month.



No progress in implementing the recommendation during the reporting period.

Monthly information about the detected exceedance of hourly and daily limit values (LV) must include information about which monitoring stations were/were not operating during that month

Stakeholders responsible for air quality monitoring should ensure that the measuring system is well-maintained and that data is made available. Financing for the smooth operation of air quality monitoring networks should also be secured, especially for urban agglomerations such as Belgrade.



Availability of valid hourly data does still not meet requirements. Funds allocated in the budget for 2020 to the Environmental Protection Agency for monitoring activities are slightly greater than in 2019; however, due to the way the budget line is defined, it is not clear if funds for air quality monitoring have been increased and to what extent.



Stakeholders responsible for air quality monitoring should ensure that the measuring system is well-maintained and that data is made available. Financing for the smooth operation of air quality monitoring networks should also be secured, especially for urban agglomerations such as Belgrade.

Improve intersectoral cooperation in order to enable the full implementation of the national regulations that are already in place.



Formation of the Working Group for the Systematic Solution of Air Protection represents as a step forward in terms of intersectoral cooperation; however, improving cooperation requires both permanent institutional mechanisms and coordination in public policy making and implementation, primarily between the energy sector and environmental protection sector.

Improve intersectoral cooperation in order to enable the full implementation of the national regulations that are already in place.

Recommendations for 2019 from the previous Report	Result	Comment	Recommendations for 2020
Local governments/cities should improve the quality and visibility of air quality data, as well as ensure easy public access to air quality data provided by the local monitoring networks.		No progress has been observed. In the case of Belgrade, the Public Health Institute's website (www.beoeko.com) has been developed, providing citizens with real-time information about air quality. However, only qualitative air assessments are available and no data on exact concentrations of pollutants or list of stations from which data are collected is provided. The use of different air quality assessment technologies by the State Agency and the City Institute has resulted in completely opposite air quality assessments on several occasions, confusing the public.	Local governments/cities should improve the quality and visibility of air quality data, as well as ensure easy public access to air quality data provided by the local monitoring networks.
Secure financing for the unobstructed work of inspectorates for environmental protection.		No progress in implementing the recommendation during the reporting period.	Secure financing for the unobstructed work of inspectorates for environmental protection.








Waste management

Recommendations for 2019 from the previous Report	Result	Comment	Recommendations for 2020
Improve the waste management control system with a special emphasis on the movement and disposal of waste.		60,879 hazardous waste movements were reported in 2018. 40,280 hazardous waste movements were reported as of 23 rd August 2019. Between 200 and 250 new hazardous waste movements are reported every day.	Improve the waste management control system with special emphasis on the movement and disposal of waste.
Promote the legislative framework in order to establish stricter control over operators and greater transparency of their work.		In 2016, the integrated Register of Revoked Waste Management Licences was established within the National Register of Pollution Sources. 89 revoked licences were recorded as of the 25 th of August 2019.	/
Develop partnership cooperation with and include civil society in the process of drafting new and monitoring the implementation of existing regulations.		Involvement of civil society is still not a common practice; however, significant improvements have been made this area, particularly in terms of cooperation with the Republic Inspection for Environmental Protection and inclusion of CSOs in the development of the Directive-Specific Implementation Plan.	Continue developing partnerships with civil society.
Suspend all activities related to the amendment of the Law on Waste Management aimed at legalizing the import of waste for the purpose of co-processing and its use as an alternative fuel.			Suspend all activities related to the amendment of the Law on Waste Management aimed at legalizing the import of waste for the purpose of co-processing and its use as an alternative fuel.
Improve the legal framework to enable the efficient implementation of extended liability principles.			Improve the legal framework to enable the efficient implementation of extended liability principles.

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020




Review regional plans and the National Waste Management Strategy, with the continued implementation of infrastructure projects for the construction of landfills.		The Draft Waste Management Strategy with the National Waste Management Plan was published, but has not yet been adopted.	Review regional plans and the National Waste Management Strategy, with the continued implementation of infrastructure projects for the construction of landfills.
Adopt the waste sludge management strategy, which was supposed to be completed by the end of 2019.			Adopt the waste sludge management strategy in Serbia.
Apply the "polluter pays" principle as defined in the Law on Waste Management, as it is currently an unfinished legal definition that lacks mechanisms for the producer's extended liability.			Apply the "polluter pays" principle as defined in the Law on Waste Management, as it is currently an unfinished legal definition that lacks mechanisms for the producer's extended liability.
Create an economic model to motivate local self-governments to dispose of waste at sanitary landfills and accelerate the process of closing and remediating landfills/dumpsites.		In 2019, the Ministry of Environmental Protection funded the remediation of illegal dumpsites in the City of Čačak, the City of Valjevo and the Municipality of Trstenik.	Create an economic model to motivate local self-governments to dispose of waste at sanitary landfills and accelerate the process of closing and remediating landfills/dumpsites.
Provide prerequisites for the application of waste management hierarchy principles, with an emphasis on waste prevention, as well as the reuse and recycling of waste.		In 2018, the amount of waste per capita increased from 1.6 tons to 1.7 tons, failing to meet the first principle of waste management hierarchy – prevention and quantity reduction.	Provide prerequisites for the application of waste management hierarchy principles, with an emphasis on waste prevention, as well as the reuse and recycling of waste.

**Recommendations for 2019
from the previous Report**

Result

Comment

Recommendations for 2020

<p>Ensure a public reporting system for emissions of gas from landfills/dump-sites managed by PUCs (public utility companies).</p>		<p>Pursuant to Article 4 of the Law on Waste Management, local self-government units are obliged to make a list of unregulated landfills in their territories and develop projects for the remediation and recultivation of existing non-sanitary landfills/dumpsites, in accordance with the law.</p> <p>90 municipalities provided data on the number of non-sanitary landfills/dumpsites through a questionnaire; 48 did not.</p>	<p>Ensure a public reporting system for emissions of gas from landfills/dump-sites managed by PUCs (public utility companies).</p>
<p>Ensure the implementation of the “polluter pays” principle and implement the bond industry’s inspection process to ensure true reporting.</p>		<p>Plants generating waste in the course of their operations and plants engaged in waste management operations are obliged to submit data to the Agency of Environmental Protection through the National Register of Pollution Sources. 16,026 reports were submitted in 2018.</p> <p>Checklist 06 Actions of Hazardous Waste Producers includes a question about the submission of data to the National Register. (https://www.ekologija.gov.rs/dozvole-obraci/spisak-kontrolnih-listi-u-sektoru-inspekcije-za-zastitu-zivotne-sredine/oblast-zastita-zivotne-sredine-u-industrijskim-objektima/)</p>	<p>Ensure the further implementation of the “polluter pays” principle and implement the bond industry’s inspection process to ensure true reporting.</p>
<p>Improve public awareness of the importance of establishing a waste management system and the consequences of inadequate waste management on human health and the environment.</p>		<p>There is increased media and public interest in waste management.</p>	<p>Improve public awareness of the importance of establishing a waste management system and the consequences of inadequate waste management on human health and the environment.</p>

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020






Develop the capacities of institutions at all levels to monitor and enforce the implementation of regulations.		Certain improvements have been made; however, capacity for permanent education and the monitoring of regulations must be additionally improved.	Further develop the capacity of institutions at all levels to monitor and enforce the implementation of regulations.
Develop an efficient judicial system, capable of following and efficiently implementing regulations in the field of waste management.			Develop an efficient judicial system, capable of following and efficiently implementing regulations in the field of waste management.
Local self-governments that have not adopted a waste management plan or plan for the remediation of non-sanitary landfills and dumpsites on time have not been penalized as prescribed by the Law on Waste Management. Introduce penalties for local self-governments that have not adopted a waste management plan and/or fail to regularly submit data to the Environmental Protection Agency.		A list of municipalities with waste management plans is available on the website of the Environmental Protection Agency (ShowAll9">http://www.sepa.gov.rs/index.php?menu=20180&id=20060&akcija>ShowAll9)	Local self-governments that have not adopted a waste management plan or plan for the remediation of non-sanitary landfills and dumpsites on time have not been penalized as prescribed by the Law on Waste Management. Introduce penalties for local self-governments that have not adopted a waste management plan and/or fail to regularly submit data to the Environmental Protection Agency.
Promote and regulate the leasing of chemicals in order to reduce waste within the circular economy (making as little waste as possible).			Promote and regulate the leasing of chemicals in order to reduce waste within the circular economy (making as little waste as possible).
Due to the ban on the export of hazardous waste from 2020, work on resolving that issue.			Due to the ban on the export of hazardous waste, work on resolving that issue.
Implement penalties for municipalities that do not send reports and data to the Environmental Protection Agency.		Information is available on the website of the Environmental Protection Agency about municipalities that have failed to submit annual reports.	Implement penalties for municipalities that do not send reports and data to the Environmental Protection Agency.

**Recommendations for 2019
from the previous Report**

Result

Comment

Recommendations for 2020

Provide funds to finance additional landfill/dumpsite rehabilitation projects, the introduction of selective waste collection, and the construction of transfer stations and sanitary landfills.		In 2019, the Ministry of Environmental Protection funded the remediation of illegal dumpsites in the City of Čačak, the City of Valjevo and the Municipality of Trstenik.	Provide funds to finance additional landfill/dumpsite rehabilitation projects, the introduction of selective waste collection, and the construction of transfer stations and sanitary landfills.
Provide education and information resources about the importance of establishing a waste management system and, in partnership with CSOs and the media, inform and educate the public.			Provide education and information resources about the importance of establishing a waste management system and, in partnership with CSOs and the media, inform and educate the public.
Introduce economic tools for reducing waste deposited in landfills without appropriate treatment.			Introduce economic tools for reducing waste deposited in landfills without appropriate treatment.
Introduce a deposit system for part of the packaging waste.			Introduce a deposit system for part of the packaging waste.
Introduce an umbrella insurance policy for hazardous waste treatment operators so that in the event of the revocation of a license, the insurance will bear the cost of the rehabilitation of hazardous waste and damages incurred.		Article 70 of the Draft Waste Management Law was amended to read that an application for the issuance of a license referred to in paragraph 1 of the Article should include information about the applicant, registration of the activity, type of waste, location and collection equipment, means of transport, insurance policy for hazardous waste transport for the entirety of the valid period of the license and other information upon the request of the authority competent for the issuance of the license.	Introduce an umbrella insurance policy for hazardous waste treatment operators so that in the event of the revocation of a license, the insurance will bear the cost of the rehabilitation of hazardous waste and damages incurred.

New recommendations

- Promote the legislative framework to ensure stricter control of non-sanitary landfills.
- Develop a waste generation prevention plan.
- Introduce obligatory monitoring for dioxin and furan at all landfills.
- Adopt clear rules within the waste management regulations that clarify who is responsible for what.
- Include industry in the circular economy.
- Introduce systemic water and air monitoring at non-sanitary landfills, i.e. parameters recognized by all municipalities.
- Provide education and training for establishing the zero-pollution system, through cooperation between civil society and the Ministry for Environmental Protection.
- Do not import hazardous waste that Serbia has the capacity to recycle.
- Audit all permits for hazardous waste management and export.
- More intensively include public utility companies in the implementation of the packaging and packaging waste management system.
- More intensive inspection supervision of the implementation of the Law on Packaging and Packaging Waste.
- Educate the public on correct waste separation at the place of origin.

- Introduce a special article to contracts between waste generators and hazardous waste treatment operators requiring hazardous waste treatment operators to inform waste generators in writing about the final treatment of waste, thereby observing the waste producer's extended liability.
- Introduce a set of economic instruments for communal waste.
- Introduce a pay as much as you throw away system.
- Make waste disposal the most expensive form of waste treatment.
- Stipulate expiry dates and the types of packaging in the deposit system only after development of the feasibility study.








Water quality

Recommendations for 2019 from the previous Report

Result Comment





Recommendations for 2020


Integrate nature directives (Birds Directive and Habitats Directive) into the area of water management. Better coordination is needed between the water management and environmental sectors in relation to the implementation of the EU directives.		Development of the Water Management Plan is an opportunity for the integration of these directives into the regulation of the water sector.	Integrate nature directives (Birds Directive and Habitats Directive) into the area of water management. Better coordination is needed between the water management and environmental sectors in relation to the implementation of the EU directives.
Develop a concrete plan and measures in order to improve water quality monitoring according to the Water Framework Directive.		The Environmental Protection Agency has gradually improved water quality management.	Develop a concrete plan and measures in order to improve water quality monitoring according to the Water Framework Directive.
Develop specific strategies for improving investment in wastewater treatment facilities. Initiate the development of models and strategies for knowledge transfer in the field of wastewater treatment in order to reduce costs and utilize domestic capacities.		Funding for activities in the water treatment sector has increased and implementation has accelerated.	Develop specific strategies for improving investment in wastewater treatment facilities. Initiate the development of models and strategies for knowledge transfer in the field of wastewater treatment in order to reduce costs and utilize domestic capacities.
Build capacity and improve organization of public institutions responsible for water management, particularly at a local level – the complexity of local management issues requires increased personnel and technical capacities. The competent institutions should conduct an analysis of existing capacities as soon as possible and develop a plan for improvement. To achieve this, professional institutions and CSOs should advocate for greater political and financial support for the water management sector.			Build capacity and improve organization of public institutions responsible for water management, particularly at a local level – the complexity of local management issues requires increased personnel and technical capacities. The competent institutions should conduct an analysis of existing capacities as soon as possible and develop a plan for improvement. To achieve this, professional institutions and CSOs should advocate for greater political and financial support for the water management sector.
Develop structured cooperation with other relevant sectors: environmental protection, energy, agriculture and spatial planning. Establish continuous communication and the exchange of information between the sectors.			Develop structured cooperation with other relevant sectors: environmental protection, energy, agriculture and spatial planning. Establish continuous communication and the exchange of information between the sectors.

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020

Further promote public participation in public policy development in the water management sector. Public consultations should provide more opportunities for participation than the minimum legal requirement. The engagement of stakeholders should start at the early stages of public policy development.		Stakeholders were included in existing processes (drafting of the Water Management Plan) from the outset of the process.	Further promote public participation in public policy development in the water management sector. Public consultations should provide more opportunities for participation than the minimum legal requirement. The engagement of stakeholders should start at the early stages of public policy development.
Integrate nature-based solutions into water management practices and more seriously consider ecosystem services. Development of specific capacities in the competent institutions to meet these needs is necessary.		Understanding of nature-based solutions in the water sector has improved, but integration of nature-based solutions into the strategic documents and practices must continue.	Integrate sustainable solutions into water management practices and more seriously consider ecosystem services. Development of specific capacities in the competent institutions to meet these needs is necessary.
Improve the control and mitigation of key threats: Intensive proliferation and poor-planning of small hydropower plants, gravel extraction, pollution, uncontrolled use of groundwaters, and illegal construction on river banks. River habitats, swamps and water resources in general are very vulnerable in Serbia. Immediate action at a national level is required.		The Second Plan for the Extraction of River Deposits has been completed, but there is still no appropriate regulation of river extraction.	Improve the control and mitigation of key threats: Intensive proliferation and poor-planning of small hydropower plants, gravel extraction, pollution, uncontrolled use of groundwaters, and illegal construction on river banks. River habitats, swamps and water resources in general are very vulnerable in Serbia. Immediate action at a national level is required.
Take a more decisive approach to water pricing.			Gradually increase the price of water and service fees for wastewater transport and processing in order to enable the construction and operation of necessary infrastructure facilities.

Recommendations for 2019 from the previous Report	Result	Comment	Recommendations for 2020
Permanently increase budget funds to finance activities related to water management and protection.		Budget allocations for water management have continuously increased in recent years; however, increases have been modest compared to required investment.	A permanent increase in budget funds to finance activities related to water management and protection.

New recommendations

- Adopt strategic and planning documents in accordance with the obligations arising from the Water Framework Directive (Water Management Plan and Flood Risk Management Plan).
- Develop a single, publicly accessible database on the planning and construction of wastewater treatment plants and enable more efficient and systematic planning and monitoring of project implementation across the whole territory of Serbia.



Nature protection

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

Review the Law on National Parks. Using a process enables the active participation of experts and the interested public, improve the legislative framework for protected area management and, in particular, the provisions of the Law pertaining to the mechanism for protected area management, protected area categorization, identification and implementation of regimes, and measures of protection.



No data is about the implementation of the recommendation.

Adopt a new Law on Nature Protection, or amend the existing one, relating to protected area proclamation and management, in particular through: the precise definition of deadlines for the submission of environmental studies, information about the initiation of protection procedures and adoption of the proclamation document; harmonizing protected area categorization with the categorization of the International Union for the Conservation of Nature; improving the management model in protection modes in accordance with the specific needs of different protected areas; and improving the definition and implementation of regimes and measures of protection, in particular biomonitoring.

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

<p>Using a process that enables the active participation of experts and the interested public, complete the development of the Nature Conservation Strategy of Serbia and adopt all drafted regulations that are delayed (for example: Regulation on Appropriate Assessment).</p>	<p>During 2019, the Draft Nature Conservation Programme 2020-2022 was prepared, in accordance with the new Law on the Planning System of the Republic of Serbia, on the basis of the revised Draft Nature Conservation Strategy of the Republic of Serbia 2019-2025.</p> <p>No data are available about the development and adoption of the Regulation on Appropriate Assessment.</p>	<p>Adopt the Regulation on Appropriate Assessment and the corresponding amendments to the Law on Environmental Impact Assessment and the Law on Strategic Environmental Impact Assessment, in order to establish the required standards for the approval of plans and projects that could impact on the ecological network, in accordance with Article 6, paragraph 3, of the Habitats Directive.</p> <p>Draft and adopt the Nature Conservation Strategy and other strategic documents in accordance with the Law on Nature Protection and the Law on the Planning System, fully in accordance with the EU Biodiversity Strategy.</p>
<p>Fully transpose the provisions of the Habitats Directive and the Birds Directive. Make the announced amendment to the Law on Nature Protection.</p>	<p>No activities have been undertaken to implement the recommendation.</p>	<p>Amend the Rulebook on the declaration and protection of strictly protected wild species of plants, animals and fungi and the Rulebook on declaring a closed hunting season for the protected wild game species, in order to fully transpose the provisions of the Habitats Directive and the Birds Directive.</p>
<p>The Ministry of Environmental Protection should complete the drafting of the Protocol on the Actions and Cooperation of Authorities and Organizations in Combating Illegal Killing, Trapping and Trade in Wild Animals with a final consultation of the professional and scientific public, followed by the adoption of the Protocol by the Government of the Republic of Serbia.</p>	<p>CSOs launched an initiative to establish a working group against poisoning and for the development of guidelines for handling cases of poisoning at a meeting attended by representatives of the competent authorities. No other activities have been undertaken to implement the recommendation.</p>	<p>Draft and adopt a document to precisely define the order and method of action of competent authorities when identifying cases of poisoning and other cases of illegal acts against wild species.</p>

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020

Improve cooperation during the adoption of strategies, laws and bylaws between the nature protection sector, the energy sector, the spatial and urban planning sector and the construction sector, as well as cooperation on the implementation of regulations, particularly related to the Environmental Impact Assessment and Strategic Environmental Assessment procedures. Allocate public funds to strengthen capacity for the implementation of legislation at national and local levels.



No data are available about the implementation of the recommendation.

Promote cooperation between the nature protection sector, energy sector, spatial and urban planning sector and the construction sector in the adoption of planning documents and regulations, particularly those regulating the Environmental Impact Assessment and Strategic Environmental Assessment procedures and those to which the assessments apply.

Improve cooperation between state institutions and civil society organizations in environmental protection in the course of drafting strategic documents and regulations, data collection and nature protection. Ensure the full participation of CSOs in these processes, including review and consideration of expert opinions.



Representatives of CSOs have been included constructively in the process of drafting the Draft Nature Conservation Programme 2020-2022.

No data are available about the inclusion of CSO representatives in the processes of drafting other strategic documents.

Improve CSO participation in the preparation, adoption and monitoring of the implementation of regulations, in particular through inclusion in the early stages of development, in accordance with the Rulebook on the methodology for public policy management, the regulations on the content of various public policy documents² and the Guidelines on the inclusion of civil society organizations in the process of drafting regulations of the Serbian Government.³

Continue to actively inform and include CSOs in the preparation of the negotiating position for Chapter 27 in the area of nature protection.



No data are available about the implementation of this recommendation.

Make the negotiating position for nature protection public and include CSOs in the negotiation process.





² "Official Gazette of the Republic of Serbia" No. 8/2019.

³ "Official Gazette of the Republic of Serbia" No. 90/2014.

**Recommendations for 2019
from the previous Report**

Result Comment






Recommendations for 2020

<p>Improve cooperation between and strengthen the capacities of public institutions responsible for nature protection (increase the number of personnel and strengthen their professional and technical capacities), and improve the organization of their work. Fully implement the systematization of roles of the Ministry of Environmental Protection.</p> <p>Promote cooperation and ensure an open flow of information between different sectors within the Ministry of Environmental Protection, as well as between public institutions with a role in nature protection.</p>	<p> No data are available about the implementation of this recommendation.</p>	<p>Promote the capacities of the Ministry of Environmental Protection, promote cooperation and ensure an open flow of information between sectors within the Ministry.</p> <p>Promote the capacities of institutes for nature conservation (provincial and republic) through increasing the number of competent personnel and the upgrading of technical capacities.</p>
<p>Continue building the capacity of the police, the inspectorate, prosecutor's offices and the judiciary for the implementation of regulations related to the protection of species and habitats, in cooperation with expert CSOs.</p>	<p> Two workshops aimed at building the capacity of the police, customs, inspectorate, public prosecutors and basic court judges to fight crime against endangered wild species have been implemented.</p>	<p>Continue building the capacity of the police, the inspectorate, prosecutor's offices and the judiciary for the implementation of regulations related to the protection of species and habitats, in cooperation with expert CSOs.</p>
<p>Strengthen inspections in protected areas in 2019 in order to suppress illegal construction, logging and other activities leading to the destruction of habitats.</p>	<p> No data are available about the implementation of this recommendation.</p>	<p>Improve annual inspection plans and their implementation in protected areas and areas of the ecological network, in order to prevent the excessive use of natural resources and illegal acts, and ensure the conservation of the natural values of those areas.</p>
<p>Strengthen cooperation among all stakeholders in order to prevent corruption in the nature conservation sector (especially related to the illegal use of forests, water resources and hunting).</p>	<p> No data are available about the implementation of this recommendation.</p>	<p>Strengthen cooperation among all stakeholders in order to prevent corruption in the nature conservation sector (especially related to the illegal use of forests, water resources and hunting).</p>

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020

Ensure a more active approach by the competent Ministry in solving problems and preventing violations of the provisions of the International Convention on the Conservation of European Wild Flora and Fauna and Natural Habitats in the Republic of Serbia.		No data are available about the implementation of this recommendation.	Ensure a more active approach by the competent Ministry in solving problems and preventing violations of the provisions of the International Convention on the Conservation of European Wild Flora and Fauna and Natural Habitats in the Republic of Serbia.
Ensure regular and adequate reporting under the international conventions in the field of nature conservation ratified by Serbia (in particular according to the Convention on the Conservation of European Wild Flora and Fauna and Natural Habitats, the Convention on the Conservation of Migratory Species of Wild Animals and the CITES Convention).		No data are available about the implementation of this recommendation.	Ensure regular and adequate reporting under the ratified international conventions in the field of nature conservation (in particular according to the Convention on the Conservation of European Wild Flora and Fauna and Natural Habitats, the Convention on the Conservation of Migratory Species of Wild Animals and the CITES Convention).
Ensure the adequate and purposeful financing of nature conservation from the Green Fund in accordance with the needs of nature conservation (identify priorities and criteria for the allocation of funds).		No activities have been undertaken to implement the recommendation.	Ensure the adequate and purposeful financing of nature conservation through the Green Fund in accordance with the needs of nature conservation (identify priorities and criteria for allocation of funds).
Ensure proper expenditure of funds from the budget of the Republic of Serbia allocated for establishing the Ecological Network and NATURA 2000 network in 2019, and allocate further budget funds for these activities in 2020.		In 2019, funds were allocated for projects to establish the ecological network of the Republic of Serbia and NATURA 2000 network in the Republic of Serbia.	Continue to provide regular funding for activities aimed at establishing the ecological network of the Republic of Serbia and the NATURA 2000 network, with complete and regular reporting on the activities implemented and funds spent.
Ensure the transparent and appropriate allocation of funds in the nature protection budget and reporting on their spending; allocate more funds for the practical protection of species and habitats.		The funds allocated for nature protection by the Budget Law for 2019 and 2020 are insufficient for the implementation of this recommendation.	Ensure the allocation of appropriate funds to the nature protection budget and regular and detailed reporting on spending; allocate more funds for the practical protection of species and habitats.

New recommendations

- Stipulate measures for the preservation, renewal and improvement of the status of the ecological network areas, through a participatory process that includes competent State bodies and civil society, as well as users of ecological network areas.



Chemicals management

Recommendations for 2019 from the previous Report

Result

Comment

Recommendations for 2020

Harmonize the relevant amendments to the EU regulations in this area without delay.		Review of progress in the harmonization of regulations is provided in the Report.	Harmonize the relevant amendments to the EU regulations in this area without delay.
Adopt the Draft Law on Biocidal Products.		The development of a Draft Law on Biocidal Products for the purpose of harmonizing national legislation with the Biocidal Products Regulation (528/2012/EU) was completed in 2018; the law was supposed to be adopted in 2019, but this did not occur.	Adopt the Draft Law on Biocidal Products.
The Government of the Republic of Serbia should adopt the updated National Implementation Plan for the implementation of the Stockholm Convention on POPs before the 9 th Conference of the Parties to the Stockholm Convention in 2019.		The National Implementation Plan for the implementation of the Stockholm Convention was updated in 2015. The Serbian Government has not yet adopted it, and the document may now be regarded as out-dated.	Update and adopt the NIP for the implementation of the Stockholm Convention on POPs.
Administrative and professional capacities in this sector should be strengthened, particularly regarding entering chemicals into the Register and biocidal product management, in order to meet the requirements of the new procedure for the recognition of the EU act arising from the Draft Law on Biocidal Products.		There have been no significant changes in administrative capacities compared to the previous reporting period.	Strengthen administrative and professional capacities in this area, particularly in the field of entering chemicals and biocidal products into the Register and for biocidal product management, in order to meet the requirements of the new procedure for the recognition of the EU act arising from the Draft Law on Biocidal Products.

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

Resolve outstanding applications for the entering of chemicals into the Register of Chemicals from previous years (for which decisions have not yet been issued) using an accelerated procedure, by simplifying the procedure for requesting additional documents.

The Register of Biocidal Products within the Integrated Register of Chemicals should be further developed.



The electronic platform for the registration of chemicals in the Integrated Register of Chemicals (eIRH) has been operational since January 2019. Files on chemicals marketed during 2018 have been electronically submitted through the eIRH portal.

The eIRH for biocidal products began operating in April 2019.

Resolve outstanding applications for the entering of chemicals into the Register of Chemicals from previous years (for which decisions have not yet been issued) using an accelerated procedure, by simplifying the procedure for requesting additional documents.

Improve data protection and strictly define different levels of access to data in the register of biocidal products in eIRH.

Establish a joint body for planning, monitoring, harmonizing and taking joint measures by the various inspectorates responsible for control and supervision.



A joint body has not been established. The formation of a Coordination Committee responsible for monitoring the coordination of inspectorates, as well as harmonizing inspection plans and the work of inspectorates, is stipulated by the Law on Inspection (Article 12).

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Establish a joint body for integrated chemicals management to enable satisfactory cooperation and coordination between the relevant sectors and ensure safe chemical management through the entire life cycle, and/or the adoption and implementation of the Integrated Chemicals Management Programme. The joint body should consist of representatives of the competent state authorities in the field of chemical management and representatives from industry, scientific and research institutions, and non-governmental organizations.



The "Strengthening the Synergies between the Basel, Rotterdam, Stockholm and Minamata Conventions in the Republic of Serbia" project is currently being implemented. The project aims to strengthen institutional capacities for joint reporting under the conventions and improve cooperation between the line sectors of the competent ministry, agencies, industries, scientific and research institutes, and civil sector.

Project results are expected during 2020.

Establish a joint body for integrated chemicals management to enable satisfactory cooperation and coordination between the relevant sectors and ensure safe chemical management through the entire life cycle, and/or the adoption and implementation of the Integrated Chemicals Management Programme. The joint body should consist of representatives of the competent state authorities in the field of chemical management and representatives from industry, scientific and research institutions, and non-governmental organizations.

**Recommendations for 2019
from the previous Report**

Result Comment

Recommendations for 2020

Modify the domestic system governing the collection of charges and fees by adopting the EU model for funding chemicals and biocidal product control in order to ensure that fees related to regulatory procedures of chemicals and biocidal products are borne by the economic operators earning income from placing them on the market.



Modify the domestic system governing the collection of charges and fees by adopting the EU model for funding chemicals and biocidal product control in order to ensure that fees related to regulatory procedures of chemicals and biocidal products are borne by the economic operators earning income from placing them on the market.

New recommendations

- Ratify the Minamata Convention on Mercury.
- Adopt the Strategic Document and Action Plan for strengthening synergy in the implementation of the Basel, Rotterdam, Stockholm and Minamata conventions.
- Strengthen the inspection bodies managing chemicals and biocidal product control.
- Intensify supervision of the implementation of the Law on Consumer Goods, particularly toy safety.

**Recommendations for 2019
from the previous Report**
Result
Comment
Recommendations for 2020

Fully harmonize the Law and bylaws with Directive 2002/49/EC.	⊗	Fully harmonize laws and bylaws with Directive 2002/49/EC on the assessment and management of environmental noise.
Introduce unique noise-level calculation methods in accordance with Directive 2015/996 (CNOSSOS).	⊗	Introduce unique noise-level calculation methods in accordance with Directive 2015/996 (CNOSSOS).
Amend the Law on Noise Protection.	⊗	Adopt the new Law on Environmental Noise Protection.
Develop strategic noise maps and action plans for the remaining four agglomerations (Belgrade, Novi Sad, Kragujevac and Subotica), as well as the Nikola Tesla Airport.	⊗	Develop strategic noise maps and action plans for the four remaining agglomerations (Belgrade, Novi Sad, Kragujevac and Subotica), as well as Belgrade Airport.
Improve training for staff in the area of noise (especially at the local level).	⊗	Provide training for noise experts (especially at the local level).
Introduce 24-hour continuous noise monitoring and make data available through a unified display of automatic noise monitoring.	⊗	Introduce 24-hour continuous noise monitoring and make data available through a unified display of automatic noise monitoring.
Evaluate the adverse effects of noise on human health and the environment.	⊗	Evaluate the adverse effects of noise on human health and the environment.
Provide funds for the implementation of plans (and responsibilities) in the field of noise.	⊗	Provide funds for the implementation of plans (and responsibilities) in the field of noise protection.

New recommendations

- All local self-governments should perform acoustic zoning.



Climate change

Recommendations for 2019 from the previous Report

Result

Comment

Recommendations for 2020







Adopt the Law on Climate Change and transpose the EU legal framework on climate change by the end of 2019.			Adopt the Law on Climate Change and transpose the EU legal framework on climate change by the end of 2020.
Initiate preparations for the revision of the NDC as soon as possible, for the purpose of developing the final version before the UNFCCC negotiations in 2020, in accordance with the Paris Agreement. The new/amended NDC should match in ambition the upcoming revision of the EU goals for 2030 and the decarbonisation plan until 2050.			Revise and increase the ambitions for GHG emissions reduction and adopt the revised NDC before the next UNFCCC Summit, in accordance with the Paris Agreement. The new/amended NDC should match the ambition of the upcoming revision of the EU goals for 2030 and the decarbonisation plan until 2050.
Set up a continuous mechanism for monitoring the development and work of local self-governments on climate change mitigation and adaptation issues, and set up a mechanism for providing technical and expert support to local self-governments that are developing action plans for climate change adaptation purposes.			Set up a continuous mechanism for monitoring the development and work of local self-governments on climate change mitigation and adaptation issues, and set up a mechanism for providing technical and expert support to local self-governments that are developing action plans for climate change adaptation purposes.
All legislation elements (laws, bylaws, etc.) that are directly related to greenhouse gas emitters should be revised so as to include the climate change aspect (the so-called climate change mainstreaming).			All legislative elements (laws, bylaws, etc.) that are directly related to greenhouse gas emitters should be revised so as to include climate change aspect (the so-called climate change mainstreaming).
Fully support the work of the Energy Community Secretariat and define goals to reduce greenhouse gases and increase energy production from renewable resources and improve energy efficiency. Establish a working group in accordance with the principles of public participation and begin activities on the development of integrated National Energy and Climate Plans (NECP) of Serbia within a set time frame, and enable adequate public participation.			Fully support the Energy Community Secretariat and define goals to reduce greenhouse gases, increase energy production from renewable resources, and improve energy efficiency. Establish a working group in accordance with the principles of public participation and begin activities on the development of integrated National Energy and Climate Plans (NECP) of Serbia within a set time frame, and enable adequate public participation.

**Recommendations for 2019
from the previous Report**

Result

Comment

Recommendations for 2020

Strengthen the role of the National Committee on Climate Change by establishing intersectoral cooperation and integrating mitigation and adaptation measures for climate change into other public policies, as well as involving the representatives of civil society organizations in the work of the Committee.			Strengthen the role of the National Committee on Climate Change by establishing intersectoral cooperation and integrating mitigation and adaptation measures for climate change into other public policies, as well as involving the representatives of civil society organizations in the work of the Committee.
In the course of preparation of the Third National Report under the UN Framework Convention on Climate Change and the Second Biennial Update Report, to take into account issues already described in relation to the reliability and accuracy of GHG inventory data. Use relevant available data in place of projections. Ensure the adequate participation of civil society representatives.			In the course of the preparation of the Third National Report under the UN Framework Convention on Climate Change and the Second Biennial Update Report, take into account issues already described in relation to the reliability and accuracy of GHG inventory data. Use relevant available data in place of projections. Ensure the adequate participation of civil society representatives.
Make GHG inventory data public, verifiable and easily accessible, in accordance with the laws of the Republic of Serbia and the assumed international obligations, such as the Aarhus Convention and the Paris Agreement.			Make GHG inventory data public, verifiable and easily accessible, in accordance with the laws of the Republic of Serbia and the assumed international obligations, such as the Aarhus Convention and the Paris Agreement.
Continue and improve work on the inclusion of civil society organizations in the process of legislative and strategic document development, ensuring the widest possible public involvement and a fair public hearing process; enable the local self-governments, civil society and citizens to actively participate in the preparation of the national Climate Change Strategy with the Action Plan, and NDC revision.			Continue and improve the inclusion of civil society organizations in the process of legislative and strategic document development, ensuring the widest possible public involvement and a fair public hearing process; enable local self-governments, civil society and citizens to actively participate in the preparation of the national Climate Change Strategy with Action Plan, and NDC revision.
Increase the number of civil servants at ministries engaged in climate change impact across various sectors and focus on their capacity building.			Increase the number of civil servants in ministries and local self-governments engaged in climate change and build their capacity.
Improve the practice of involving the public in the relevant policy-making procedures in the field of climate change.			Improve the practice of involving the public in relevant policy-making procedures in the field of climate change.

Set up a financial mechanism to support the strategic priorities (in line with Serbia's accession to the European Union), by, among other things, redirecting the funds allocated to the fossil fuel industry to the mitigation of and adaptation to climate change.



Set up a financial mechanism to support strategic priorities (in line with Serbia's accession to the European Union) by, among other things, redirecting funds allocated to the fossil fuel industry to mitigation and adaptation to climate change.

New recommendations

- Define and adjust the legislative and institutional framework related to adjusting to climate change and integrate it into other sectors, primarily: water management, agriculture, urban planning and construction, infrastructure, forestry, environmental protection and energy.
- Establish legal instruments to bind the operators to submit information about GHG emissions.
- Strengthen the knowledge and skills of civil servants in ministries and local self-governments engaged in climate change.
- Promote education on climate change through strategic and systemic inclusion in school and university curricula.
- Adopt a mechanism for CO₂ emission taxation as a source of income for the State budget, which Serbia will have to adopt in the near future and will encourage technical innovation, lowering greenhouse gas emissions and supporting the needed energy mix diversification. A CO₂ tax of €20 per tonne of emissions would raise more than €600 million per year, which would enable significant investment in the decarbonisation of the Serbian economy.





- In the long term, provide financial mechanisms to fund capacity building of civil servants and education in the field of climate change, to ensure the creation of a society that is resilient to climate change impact.

Recommendations for 2019 from the previous Report

Result Comment

Recommendations for 2020

Develop the national strategic document (development program) for forestry in order to provide a long-term vision for the development of this area in Serbia, with precise sources of funding and an implementation schedule. This document must take into account relevant EU Regulations in this area (the EU Forestry Strategy and Green Paper on Forest Protection).	⊗	Certain activities for the preparation of the Development Programme have started.	Develop the national strategic document (development program) for forestry in order to provide a long-term vision for the development of this area in Serbia, with precise sources of funding and an implementation schedule. This document must take into account relevant EU Regulations in this area (the EU Forestry Strategy and Green Paper on Forest Protection).
Develop an institutional and legislative framework with clearly defined competencies for the implementation of the EUTR and FLEGT Regulations.	⊗	The Forest Administration has initiated the process of drafting the Timber Trade Law.	Develop an institutional and legislative framework with clearly defined competencies for the implementation of the EUTR and FLEGT Regulations.
Strengthen the capacities of competent institutions regarding the implementation of EU legislation and international treaties related to nature protection (Birds Directive and Habitats Directive, CITES Conventions, etc.).	⊗		Strengthen the capacities of competent institutions regarding the implementation of EU legislation and international treaties related to nature protection (Birds Directive and Habitats Directive, CITES Conventions, etc.).
Strengthen the capacities of competent forestry institutions integrate/implement EU climate change and energy policies in the forestry sector.	⊗	Topics related to climate change are becoming more important in the forestry sector; however, no actual public policy progress has yet been made.	Strengthen the capacities of competent forestry institutions integrate/implement EU climate change and energy policies in the forestry sector.
Enable public participation in the development of key documents governing the use of forests (including forest management plans).	⊗	In practice stakeholders rarely participate in the development of forestry governance documents (comments, suggestions, review of provisions, etc.).	Enable public participation in the development of key documents governing the use of forests (including forest management plans).

Recommendations for 2019 from the previous Report	Result	Comment	Recommendations for 2020
Value and promote other ecosystem services provided by forests, aside from wood, and use these ecosystem services in forest management planning.			Value and promote other ecosystem services provided by forests, aside from wood, and use these ecosystem services in forest management planning.
Improve the quality of information about privately-owned forests and intensify the control of their use.		Preparation of the second national inventory is on-going and should improve the availability of data about privately owned forests.	Improve the quality of information available about privately owned forests and intensify the control of their use.
Improve cooperation with other sectors (nature protection, energy, climate change, and water management) for the purpose of integrated management of forest ecosystems.			Improve cooperation with other sectors (nature protection, energy, climate change, and water management) for the purpose of integrated management of forest ecosystems.
Direct a greater proportion of the funds of the Budgetary Forest Fund towards financing the protection and improvement of forest ecosystems providing services of general interest.			Direct a greater proportion of the funds of the Budgetary Forest Fund towards financing the protection and improvement of forest ecosystems providing services of general interest.

Appendix 3

Methodology and list of Authors (Organizations) by fields

Oblast	Metodologija	Lista autora (organizacija)
Financing	<ul style="list-style-type: none"> Data collection (from announcements of competent institutions, sending requests for access to information of public importance, etc.) and analysis of the received data. Analysis of the work of the Ministry of Environmental Protection in 2019. Direct communication with experts in the field of financing. Consultations with responsible institutions. Media analysis. 	<ul style="list-style-type: none"> Young Researchers of Serbia Belgrade Open School Bird Protection and Study Society of Serbia
Horizontal legislation	<ul style="list-style-type: none"> Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information are collected from official sources available online. Analysis of relevant studies and projects. Data related to the implementation of EIA and SEA procedures were collected through participation in public consultations and consultations with local authorities and CSOs. 	<ul style="list-style-type: none"> Belgrade Open School Young Researchers of Serbia Bird Protection and Study Society of Serbia
Air quality	<ul style="list-style-type: none"> Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. Direct communication with experts on air quality (meetings, workshops, interviews). Consultations with responsible institutions. Media analysis. 	<ul style="list-style-type: none"> Belgrade Open School
Waste management	<ul style="list-style-type: none"> Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. Cooperation with experts in the field of waste management. Analysis of relevant statistical data available online. 	<ul style="list-style-type: none"> Environment Engineering Group

Oblast	Metodologija	Lista autora (organizacija)
Water quality	<ul style="list-style-type: none"> • Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. • Analysis of relevant studies and projects. • Direct communication with experts on water quality (meetings, workshops). • Participation in working groups for drafting by-laws and national implementation plans (organized by Ministry of Environmental Protection). 	<ul style="list-style-type: none"> • World Wide Fund for Nature Adria – Serbia (WWF Adria – Serbia) • Young Researchers of Serbia
Nature protection	<ul style="list-style-type: none"> • Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. • Analysis of relevant studies and projects. • Direct communication with experts in the field of nature protection (meetings, workshops). • Scientific field work: collecting and analyzing data on habitats and species. • Participation in working groups for drafting by-laws and national implementation plans (organized by Ministry of Environmental Protection). 	<ul style="list-style-type: none"> • Bird Protection and Study Society of Serbia • Belgrade Open School • Young Researchers of Serbia • World Wide Fund for Nature Adria – Serbia (WWF Adria – Serbia)
Management of chemicals	<ul style="list-style-type: none"> • Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. • Analysis of institutional and administrative capacity and implementation in practice. 	<ul style="list-style-type: none"> • Safer Chemicals Alternative
Noise	<ul style="list-style-type: none"> • Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. • Analysis of relevant studies and projects. 	<ul style="list-style-type: none"> • Environment Improvement Center
Climate change	<ul style="list-style-type: none"> • Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information were collected from official sources available online. • Analysis of relevant studies and projects. • Media analysis. 	<ul style="list-style-type: none"> • Belgrade Open School • Climate Action Network Europe (CAN Europe) • Environment Improvement Center • World Wide Fund for Nature Adria – Serbia (WWF Adria – Serbia)

Oblast	Metodologija	Lista autora (organizacija)
Forestry	<ul style="list-style-type: none"> • Policy analysis: Comparative analysis of national legal and strategic documents and EU legislation – documents and information are collected from official sources available online. • Analysis of relevant studies and projects. • Direct communication with experts in the field of forestry (meetings, workshops). 	<ul style="list-style-type: none"> • World Wide Fund for Nature Adria – Serbia (WWF Adria – Serbia)

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 Spokespeople for
the environment 

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